

MINUTES
BOROUGH COUNCIL MEETING
January 20, 2005

Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahan, President Hagan, Vice-President Robinson, Councilpersons Alyanakian, Krull, Sherwin, Tyson and Whitaker. Also present were Solicitor Middlebrooks, Engineer Mulvena, Borough Manager Smith, Treasurer Gioggia and Administrative Assistant Godek.

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

Approval of the Minutes

Vice-President Robinson made a motion to approve the Public Hearing minutes of December 16, 2005, the Council meeting minutes of December 16, 2004 and the Special Meeting minutes of December 30, 2004. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Privilege of the Floor

Jane Valdes Dapena, 314 S. Jackson Street, Chairperson of the Shade Tree Commission made the following remarks relating to shade trees in the Borough. Ms. Dapena stated that the Borough had received \$5,000 for Senator Pileggi's office to replace sidewalks damaged by Borough trees. The Shade Tree Commission believes that this money should be distributed on a first come first serve basis until exhausted. The Borough should continue to apply for additional grants to assist Borough residents once the funds from Senator Pileggi's office are dispersed. Donald Jackson, Borough Tree Warden, concurred with Ms. Dapena's comments. Mr. Jackson stated he will work with the Borough, on a case-by-case basis, to determine the condition of the shade trees and extent of sidewalk damage. President Hagan stated her concern for low-income residents that may not have the ability to pay for the sidewalk repairs. President Hagan stated that some funds should be used to reimburse the contractor within 60 to 90 days so the homeowner does not have to pay and seek reimbursement from the Borough. This would apply only to low-income applicants. Councilperson Alyanakian stated that a percentage of funds would be earmarked for low-income residents. Councilman Alyanakian thanked Councilman Sherwin for his dedication to this issue as well as Borough Council and Shade Tree Commission. Councilman Tyson thanked Donald Jackson and the Shade Tree Commission for their efforts to protect the health of Borough trees.

Mayor's Report – Mr. McMahan

Mayor McMahan reported that there were 974 complaints in the month of December and no reported burglaries.

Mayor McMahan announced that the Media Police Department apprehended the man who robbed the Iron Worker Bank, at 3 State Road on January 19, 2005. The suspect also confessed to committing the robbery at the same bank on December 17, 2004. Mayor McMahan thanked

the Media Police Department along with other cooperating agencies, which helped to apprehend the suspect and restore a peace of mind to the community.

Council Committee Reports

Recreation, Code Enforcement & Properties – Mr. Tyson

Councilman Tyson motioned for Council to approve the right of way (ROW) agreement for a dumpster enclosure with Quotations Restaurant. Vice-President Robinson seconded the motion. The motion carried unanimously.

Councilman Tyson motioned to approve the right of way application for TelCove to run conduit to the Verizon Building at 200 W. State Street, pending the final approval by the Borough Engineer and Solicitor. Solicitor Middlebrooks stated that the simple sketch that TelCove submitted appears to indicate that an easement is not necessary. However, she would like the company to submit a more detailed drawing for the Borough's review. Councilwoman Whitaker requested that the cables be placed underground and out of sight. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Councilman Tyson motioned to reappoint Michael Magoolaghan and John Stubbs to the Library Board for a term of one (1) year. Vice-President Robinson seconded the motion. The motion carried unanimously.

Councilman Tyson motioned to reappoint Jim Pompetti to the UCC/Life Safety Appeals Board for a term of five (5) years. Vice-President Robinson seconded the motion. The motion carried unanimously.

Councilman Tyson motioned to reappoint Patricia A. Ryan to the Historic Archives Commission for a term of five (5) years. Vice-President Robinson seconded the motion. The motion carried unanimously.

Councilman Tyson stated that the Library Board is interested in conducting bingo. The Borough Solicitor is investigating the regulations regarding small games of chance. Councilperson Tyson stated that it may be necessary to authorize a referendum regarding this issue. Councilperson Tyson explained that he wished to begin the dialogue on this matter and will report back as more information is collected.

Public Safety – Ms. Whitaker

Councilwoman Whitaker reported that after the robbery on December 17, 2004 the Media Police Department follow through with the necessary actions to apprehend the suspect and congratulated the Department for a job well done.

Community Development – Mr. Robinson

Vice-President Robinson motioned to adopt Resolution #2005-01 relating to the sewer module for 334 N. Orange Street. Vice-President Robinson explained that the resolution was part of the process for the applicant to receive approval for a sewer tap-in from the Pennsylvania Department of Environmental Protection. The motion was seconded by Councilwoman Krull and carried unanimously.

Vice-President Robinson motioned to adopt Resolution #2005-02 relating to the sewer module for 506-510 N. Orange Street. Vice-President Robinson explained that the resolution was part of the process for the applicant to receive approval for a sewer tap-in from the Pennsylvania Department of Environmental Protection. The motion was seconded by Councilwoman Krull and carried unanimously.

Vice-President Robinson motioned to approve the minor land development application for 448 E. Baltimore Avenue with the requirements stated in the NDI review memo of December 30, 2004. Councilman Tyson asked what the timeframe is for project completion. Bob Smik, Vice-president, NOVA Bank, responded that the new facility should be ready for operation in August 2005. Councilwoman Krull seconded the motion. The motion carried unanimously.

Vice-President Robinson requested Borough Council not oppose the Zoning Hearing Board application for 1 Cherry Street for which the applicant is seeking zoning relief for the frontage of the property. Vice-President Robinson stated that the Planning Commission unanimously recommended Borough Council not oppose the application.

Vice-President Robinson requested Borough Council not oppose the Zoning Hearing Board application for 312-314 N. Orange Street. Vice-President Robinson stated that the Planning Commission unanimously recommended Borough Council not oppose the application. Bob Linn, Linn Architects, stated the applicant proposed three parcels of a twin and a single-family dwelling. Councilman Alyanakian commended the Planning Commission for working with the applicant and the architect to accommodate the plans.

Vice-President Robinson motioned to authorize the Council President to enter into a foundation agreement for 334 N. Orange Street pending the Solicitor's approval to allow the property owner to begin foundation construction prior Pennsylvania Department of Environmental Protection's approval of the sewer module. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson motioned to reappoint Chris Pavlou to the Planning Commission for a term of four (4) years. Councilwoman Krull seconded the motion. The motion carried unanimously.

Vice-President Robinson motioned to reappoint Greyson Franklin to the Zoning Hearing Board for a term of three (3) years. Councilwoman Krull seconded the motion. The motion carried unanimously.

Vice-President Robinson motioned to reappoint Myra Reichel to the Historical & Architectural Review Board for a term of five (5) years. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson stated the Pennsylvania Liquor Control Board is reviewing several sites in the Borough and is considering relocating to Media. Vice-President Robinson stated he would keep the public informed on this issue.

Personnel & Highway – Ms. Hagan

President Hagan mentioned she would accept a motion to adopt Ordinance No. 999, relating to residential parking on W. Franklin Street. Vice-President Robinson made the motion. Councilperson Krull seconded the motion. The motion carried unanimously.

President Hagan stated that the Borough would make the following assessment appeals relating to properties which were previously tax exempt; 12 E. State Street, 104 E. State Street, and the Orange Street property, because of their public use purpose. President Hagan mentioned she would accept a motion to authorize the solicitor to represent the Borough in the appeals process. Vice-President Robinson made the motion, which was seconded by Councilwoman Krull. Councilman Tyson asked who would pay the taxes on the properties if the assessments are not granted appeals. President Hagan stated the Borough would be responsible for 12 E. State Street (Trader Joe's) and the Orange Street property. The Society for the Performing Arts would be responsible for 104 E. State Street (Media Theatre).

President Hagan mentioned she would accept a motion to authorize the Borough to enter into a lease agreement with the Pennsylvania Veterans Museum for 12 E. State Street. President Hagan stated the lease is for a period on ten (10) years with an option to renew. Councilwoman Whitaker made the motion, which was seconded by Councilwoman Krull. The motion carried 6-0 with Vice-President Robinson abstaining due to his membership on the Veterans Museum Board.

President Hagan mentioned she would accept a motion to authorize the solicitor to draft and advertise a stormwater management ordinance to comply with State and Federal regulations by the March 15, 2005 deadline. Vice-President Robinson made the motion, which was seconded by Councilwoman Whitaker. The motion carried unanimously.

President Hagan mentioned she would accept a motion to reappoint Tina Poletta Smith to the Vacancy Board for a term of one (1) year. Councilwoman Whitaker made the motion, which was seconded by Vice-President Robinson. The motion carried unanimously.

President Hagan reminded the public to observe the snow emergency routes. President Hagan asked residents to park their vehicles on a single side of the street according to the beginning day of a snowfall. If the date is an even day such as the February 2, residents are requested to park on the even side of the street. If the first day of a snowfall falls on an odd date such as February 3, residents are encouraged to park on the odd side of the street to assist the Highway Department with snow removal. President Hagan stated that residents would be alerted to weather updates through the Borough website and cable channel 10.

Finance, Insurance & MBA – Mr. Sherwin

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

General Fund	313,613.92
Liquid Fuels Fund	<u>6,608.90</u>
Total	320,222.82

Councilman Sherwin motioned that bills be paid when properly approved for all funds. Councilwoman Krull seconded the motion. Motion carried unanimously.

Councilman Sherwin motioned to approve Resolution #2005-03, appointing the Central Tax Bureau, Inc. (CENTAX) as the tax administrator to collect the Emergency & Municipal Services Tax (EMST). Councilwoman Krull seconded the motion. Councilman Tyson asked what

percentage of the tax collected would be kept by CENTAX. Borough Manager Smith stated that 2% would be kept by the tax administrator. The motion carried 5-0, with Councilwoman Whitaker and Vice-President Robinson abstaining. Vice-President Robinson stated that he was abstaining because he is employed by CENTAX. Councilwoman Whitaker explained that she was abstaining because she occasionally does legal work for CENTAX.

Councilman Sherwin motioned to appoint Debbie Pitt to the Media Business Authority for a term of three (3) years. Councilwoman Krull seconded the motion. The motion carried unanimously.

Councilman Sherwin motioned to reappoint Bill Lynch, Chris Dougherty, Bill Gross, and Tom Hibberd to the Media Business Authority for a term of three (3) years. Councilwoman Krull seconded the motion. The motion carried unanimously.

Recreation, Grants, Recycling & Streetscape – Mrs. Krull

Councilwoman Krull motioned to adopt Resolution 2005-04, relating to the Streetscape reimbursement agreement. Vice-President Robinson seconded the motion. The motion carried unanimously.

Councilwoman Krull motioned to appoint Jon Nelson to the Recreation Board to fill the unexpired term of Michelle Cropper, which is set to expire on December 31, 2005. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Councilwoman Krull motioned to reappoint Linda Gibian to the recreation Board for a term of five (5) years. Vice-President Robinson seconded the motion. The motion carried unanimously.

Councilwoman Krull made the following Recreation Board announcements:

- January 28th - Phantoms Game: \$18 discounted tickets available for Club Box Seats, includes hot dogs, chicken fingers, snacks and beverages. Transportation not provided.
- February 12 - Family Dance: \$5 (adults) \$2 (children). Music, food & fun. 5 p.m. to 8 p.m. at the Community Center.
- March 9 - Philadelphia Flower Show Bus Trip: Details to follow.

Health & Shade Tree Commission – Mr. Alyanakian

Councilman Alyanakian motioned to amend the wind purchase agreement with the Energy Cooperative and transfer four (4) accounts to PECO. Councilwoman Krull seconded the motion. The motion carried unanimously.

Councilman Alyanakian reported that the Environmental Advisory Council met on January 12, 2005 and decided to break out into four (4) working groups to address the issues of open space, environment, stormwater management, and recycling.

Councilman Alyanakian motioned to reappoint Jane Valdes Dapena to the Shade Tree Commission for a term of five (5) years. Vice-President Robinson seconded the motion. The motion carried unanimously.

Privilege of the Floor

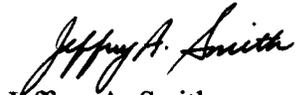
Solicitor Middlebrooks stated that the new sidewalk snow removal ordinance was in effect. Vice-President Robinson asked residents to shovel snow onto their lawns, rather than into the streets to assist with the clean up.

Jane Rowland, E. Second Street, asked when the Christmas decorations would be taken down. President Hagan responded that the decorations would be taken down in the near future.

Adjournment

Vice-President Robinson motioned to adjourn, which was seconded by Councilperson Krull. The motion carried unanimously. The meeting adjourned at 9:25 p.m.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary