

MINUTES
BOROUGH COUNCIL MEETING
April 21, 2005

Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, 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 motioned to approve the March 17, 2005 meeting minutes and the recessed meeting minutes of March 17, 2005, which took place on March 23, 2005. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Privilege of the Floor

Rosemary Hancock addressed Borough Council with concerns about reclaiming her security deposit from her former landlord, Carol Keeth. Ms. Hancock stated that she had terminated her lease early, with the approval of her former landlord, but has not received her security deposit to date. Ms. Hancock stated that she is unable to locate a current address for Ms. Keeth to resolve this matter. President Hagan stated if Ms. Hancock contacts Borough Manager Smith, the Borough would be able to provide her Ms. Keeth's address on file, which is a matter of public record.

Jane Rowland inquired to the blue arrow markings placed on Second Street. President Hagan stated that these markings are utility indicators, the blue arrows representing waterlines. Borough Manager Smith stated that he would inquire what work is planned for this location.

Mrs. Roland inquired when the Pennsylvania Veterans Museum would open its doors. Mayor McMahon responded that the Museum is hoping to be open to the public in fall of 2005 and will show case both permanent and rotating exhibits.

Mayor's Report – Mr. McMahon

Mayor McMahon reported that there were 988 complaints in the month of March and no reported burglaries.

Mayor McMahon read Proclamation #2005-02 commemorating Franklin Holtz's 106th birthday. Mr. Holtz followed the presentation with a performance of an Irish song and thanked Borough Council for the proclamation.

Mayor McMahon read Proclamation #2005-03 commemorating Penncrest High School's State Championship Ice Hockey Team. Coach Steve Mescanti and players John Mowry and Brad

Ryan were on hand to accept the award. Mayor McMahon read Governor Rendell's proclamation that also recognized the team's accomplishments.

President Hagan recessed the meeting at 8:25 p.m. for an executive session to update Borough Council on matters pertaining to the sale of real estate.

President Hagan reconvened the meeting at 8:40 p.m.

Council Committee Reports

Recreation, Code Enforcement & Properties – Mr. Tyson

Councilman Tyson reported the Media-Upper Providence Library raised close to \$12,000 at the spring book sale. Councilman Tyson thanked all patrons and volunteers for the events success.

Councilman Tyson stated previously this evening, the Glover and Carroll residences were honored at the Media Historic Preservation Awards dinner for restorative efforts made to the properties.

Councilman Tyson stated that the combined agreement of sale for the properties at 507 and 509 N. Olive Street has been executed and the properties are scheduled to be demolished this summer. Councilman Tyson stated the Borough does not have the power to force demolition unless a structure is deemed to be an imminent danger.

Public Safety – Ms. Whitaker

Councilwoman Whitaker reminded residents to secure their properties and be observant of open windows and doors with the oncoming spring and summer weather.

Community Development – Mr. Robinson

Vice-President Robinson motioned to approve the preliminary/final land development and change of use application for 412 W. Baltimore Avenue contingent upon the satisfaction of all outstanding items listed in the NDI memo dated March 25, 2005. Councilwoman Krull seconded the motion. The motion carried unanimously.

Vice-President Robinson motioned to approve the final land development application for 27-35 E. Baltimore Avenue that would allow for the demolition of the existing structure and construction of a two-story residential/office building. The Planning Commission unanimously recommended the application. Councilwoman Krull seconded the motion. The motion carried unanimously.

Vice-President Robinson motioned to approve the preliminary/final land development application for 27 W. Seventh Street. Vice-President Robinson stated the Planning Commission unanimously recommended the application, which is appearing before Borough Council for the last time tonight. Councilwoman Krull seconded the motion. The motion carried unanimously.

Vice-President Robinson referenced a Zoning Hearing Board application for 425 W. Front Street requesting the continuation of a special exception allowable by Borough code for the Blue Route Vineyard Church. The Planning Commission unanimously unopposed the application and

determined the impact on parking should be minimal. Borough Council did not oppose the application.

Vice-President Robinson mentioned the Media File Mile Race committee is looking for volunteers. Interested residents should call Borough Hall.

Vice-President Robinson thanked everyone who participated on Green-Up Clean-Up Day to tidy up the Borough.

Personnel & Highway – Reported by Gail Whitaker

President Hagan stated she would accept a motion to adopt Resolution #2005-07, the annual application for County Liquid Funds to resurface various roads throughout the Borough. Vice-President Robinson made the motion that was seconded by Councilwoman Krull. The Motion carried unanimously.

President Hagan reported that Media Armory was determined by the County Tax Appeals Board to be 60% taxable 40% tax exempt. President Hagan stated she would accept a motion to appeal the valuation of this property. Vice-President Robinson made the motion, seconded by Councilwoman Whitaker. Councilman Tyson asked which entity is responsible for the payment of taxes on the Armory. President Hagan stated the Borough would be responsible for the taxes. The motion carried unanimously. President Hagan stated the appeal of the Media Theater was denied. The tenant, The Society for the Performing Arts, is responsible for paying any and all taxes.

President Hagan stated one bid was received from Dan Brodeur to purchase the property at 1 W. State Street in the amount of \$1,000,000. President Hagan requested that Council consider tabling the bid. Vice-President Robinson made a motion to table the bid, seconded by Councilwoman Whitaker. President Hagan explained that the existing lessee is selling the business and Council should discuss amending the existing lease. Stephan Carroll, attorney for Daniel and David Brodeur inquired if the existing lease indicated a five-year term with the option for two (2) five-year extensions. President Hagan stated that it is the Borough's understanding that the option of a third five-year term is at the discretion of either party involved. President Hagan announced that she would be willing to consider recessing tonight's Council meeting to reconvene in a timely fashion to address this matter. Vice-President Robinson withdrew his motion to table the bid. President Hagan authorized Solicitor Middlebrooks to meet with Mr. Carroll to discuss the terms of the lease agreement.

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	\$ 268,341.31
Recreation Fund	\$ 3,169.99
Liquid Fuels Fund	\$ 12,818.46
Total	\$ 284,329.76

Councilman Sherwin motioned that bills be paid when properly approved for all funds. Councilwoman Krull seconded the motion. Councilman Alyanakian stated he was opposed to approving the finance report and would like a full cost accounting of capital projects, such as the Armory and Streetscape project. The motion carried 6-1 with Councilman Alyanakian casting the dissenting vote.

Councilman Sherwin motioned to accept the bid from Steve Grimes for the sale of the 500 Duncan mechanical parking meters for \$2.50 per unit totaling \$1,250. Councilwoman Krull seconded the motion. The motion carried unanimously.

Councilman Sherwin announced the resignation of Alex Schwab from the Media Business Authority and thanked Mr. Schwab for his service to the Board. Councilman Sherwin motioned to nominate Jack Wolf to the vacancy created by Alex Schwab. Vice-President Robinson asked if the Iron Hill was contacted to present a replacement for Mr. Schwab. Councilperson Sherwin stated that Mr. Wolf has been active with the MBA and has received the support of the Board. Councilwoman Krull seconded the motion. The motion carried unanimously.

Councilman Sherwin announced the Third Annual Americana Roots Ramble Music Festival will be held on Saturday, April, 23, 2005 along State Street from 8:00 p.m. to 1:00 a.m. Tickets are \$10 in advance and \$15 the night of the festival.

Recreation, Grants, Recycling & Streetscape – Mrs. Krull

Councilwoman Krull announced the Borough received four (4) bids on April 1, 2005 for the Streetscape project. Councilwoman Krull motioned to table the bid so the Borough can attempt to secure additional funds to cover cost overruns or consider re-scoping the project. Vice-President Robinson seconded the motion. The motion carried unanimously. Councilman Tyson stated the Borough may be in financial jeopardy if Council continues to budget capital projects without sound funding plans. Councilperson Sherwin stated the Borough has a number of options to implement the Streetscape project, which is crucial to the long-term health of the downtown business district. Councilman Alyanakian stated capital projects, which have been floating for years, need to be prioritized and project funding must be controlled.

Councilwoman Krull announced that Council would regretfully accept the resignation of Zach Hall from the Recreation Board. Councilwoman Krull motioned to appoint Lindsay Taylor to the unexpired term of Zach Hall which is set to expire on December 31, 2008. Councilman Sherwin seconded the motion. The motion carried unanimously.

Health & Shade Tree Commission – Mr. Alyanakian

Councilman Alyanakian motioned to award the bid for installation of solar panels to Mesa Environmental. Councilman Tyson seconded the motion. The motion carried unanimously. Councilman Tyson asked if the Borough had any plans to interconnect the systems. Councilman Alyanakian stated that this would be a future phase for grant funding since at this time there is no storage capacity.

Privilege of the Floor

Jane Rowland inquired about the traffic signals on Baltimore Avenue. President Hagan responded the signals are Borough property but the State approves the location and installation of new ones.

Mark Tinnel, Pastor of the Blue Vineyard Church, thanked Borough Council for welcoming the organization to the community and offered the church's services to residents.

President Hagan recessed the meeting at 9:22 p.m. so Borough Council could meet in executive session to discuss the sale of property at 1 W. State Street.

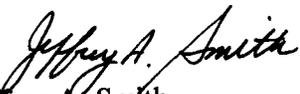
President Hagan reconvened the meeting at 10:04 p.m. and stated she would accept a motion to table the bid for further analysis, indicating the bid is valid for a term of thirty (30) days. Councilperson Tyson stated he believed the Borough should not be in the real estate business. Councilperson Alyanakian stated he was in favor of awarding the bid. Councilman Sherwin stated he was supportive of awarding the bid but is agreeable to conducting additional analysis. Councilwoman Whitaker and Vice-President Robinson both affirmed Council should further reflect on the sale at hand. Vice-President Robinson made a motion to table the bid, which was seconded by Councilperson Whitaker. The motion carried 5-2 with Councilpersons Alyanakian and Tyson casting the dissenting votes.

President Hagan stated Council has a slight difference of opinion regarding the transference and terms of the lease and encouraged the attorneys to meet to discuss this issue. Mr. Carroll stated this was an issue for which his client needed to resolve by Monday April 28, 2005.

Adjournment

Vice-President Robinson motioned to adjourn the meeting. Councilwoman Krull seconded the motion. Councilperson Whitaker requested the meeting be recessed and not adjourned. President Hagan announced Borough Council would reconvene on Friday, April 22, 2005 at 5:00 p.m. and recessed the meeting at 10:20 p.m. President Hagan stated a special Borough Council meeting would be called and advertised to render a decision on the bid for the sale of property at 1 W. State Street.

Respectfully submitted,


Jeffrey A. Smith
Borough Manager/Secretary