

**MINUTES  
BOROUGH COUNCIL MEETING  
JULY 17, 2008**

The 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 and Cunningham. Also present were Borough Manager Smith, Treasurer Deitch, Solicitor Ewald and Engineer Walton. Councilman Williamson was absent from the meeting.

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

**Approval of the Minutes**

Vice-President Hall made a motion to adopt the minutes from the June 5, 2008 Special meeting and the June 19, 2008 Council meeting. Councilman Cunningham 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](mailto:questions@mediaborough.com) and they will be addressed during the Public Comment & Privilege of the Floor segment of the meeting.

Michael Jordan, 620 N. Monroe Street, distributed a letter from Councilman Cunningham that was published in the Daily Times in May 2007 regarding zoning. Mr. Jordan mentioned that a portion of the letter states that Borough Council needs to enact a strict conflict of interest code for itself, Borough boards/commission and employees. Mr. Jordan inquired if this has been accomplished to date. Councilman Cunningham responded that he is in the process of enhancing his point of view on this matter, but that his first six (6) months on Council has been focused on other matters that have needed immediate attention.

Robert Andrews, 18 West Street, mentioned a letter he sent to Borough Council regarding the proposed Historic Preservation Overlay District Ordinance. Mr. Andrews is requesting that his property be excluded from the ordinance as it was excluded from the original Historic District. Mr. Andrews inquired if affected property owners have been polled regarding this ordinance. Councilman Cunningham mentioned that every property owner affected by the proposed ordinance was sent a notification letter. Councilman Cunningham noted that Mr. Andrews' property at 18 West Street will not be included in the final list of properties because of Mr. Andrews' strong opinion against being included and because there was no significant historic data found on this property that would support its inclusion.

Tim Phillips, owner of Concord Auto Body, Inc., inquired about the status of his application to be added to the towing rotation within the Borough. Council Derrickson responded that Council will not make a recommendation this evening as they are awaiting feedback from the Solicitor on a few issues.

### **Engineer's Report**

Councilman Cunningham inquired if the Borough can enhance the crosswalks along Baltimore Avenue via modifying the permit with the Pennsylvania Department of Transportation. Engineer Walton referred to a memo depicting what the Borough is able to do under the current permit. Councilman Cunningham inquired if this includes painting block-style crosswalks. Engineer Walton responded that it is his belief the Borough can paint block-style crosswalks without having to modify the permit. Councilman Cunningham made a motion to authorize the Highway Department to paint block-style crosswalks (white) along Baltimore Avenue at the signalized intersections between Monroe Street and Orange Street. Councilman Alyanakian seconded the motion. Councilman Cunningham amended the motion to paint block-style crosswalks along Baltimore Avenue at intersections between Manchester Avenue and Orange Streets as long as it is in accordance with the Pennsylvania Department of Transportation permit. Councilman Alyanakian seconded the motion. The motion carried unanimously. Borough Manager Smith will send correspondence notifying the Pennsylvania Department of Transportation of the Borough's intention.

### **Mayor's Report** – Mayor McMahon

Mayor McMahon reported the Police Department received and investigated 845 complaints during the month of June. There were three (3) reported burglaries. The first on June 9, 2008 at 40 E. Jefferson Street, the second on June 25, 2008 along the 200 block of N. Edgmont Street and the third on June 30, 2008 along the 400 block of Linden Lane.

Mayor McMahon mentioned that the part-time police officers are riding with full-time officers for training purposes.

Councilman Cunningham mentioned the \$50,000 grant that the Police Department was awarded to purchase two (2) police vehicles and inquired if the department can simply purchase one (1) and take the rest of the grant funding in cash since the Borough already purchased a vehicle out of the capital account this year. President Daly mentioned that although the funding has been approved this year, it will not be received until next year. Borough Manager Smith noted that a contract pertaining to this grant has not been received to date. Mayor McMahon will ask Chief Wusinich to follow-up on the matter.

With more and more individuals trying to conserve fuel, Councilman Cunningham inquired if it was necessary for the police to drive large vehicles and perhaps the department should focus on using bicycles, motorbikes, etc. Mayor McMahon noted that this is a discussion that should take place. President Daly mentioned that he discussed this with Chief Wusinich, who is concerned about necessary equipment being able to fit into smaller vehicles. President Daly mentioned the possibility of purchasing a hybrid vehicle such as a Chevy Tahoe. Councilman Cunningham reiterated that he would like more emphasis on bike patrol, motorbikes, etc. Councilman Alyanakian

mentioned the Alternative Fuels Incentive Grant (AFIG) program with the Department of Environment Protection. Councilman Alyanakian mentioned the Anti-idling Ordinance that was voted down by Council last year and urged Council to reconsider. Mayor McMahon inquired about the specific reasons for voting down the anti-idling legislation. Councilman Alyanakian responded that it was his belief that the Solicitor felt this ordinance was not enforceable. Vice-President Hall mentioned that he believes Council voted this down prior to the State passing anti-idling legislation. Councilman Alyanakian strongly encouraged Council to reconsider adopting the ordinance. President Daly asked Solicitor Ewald to revisit the legality of this proposed ordinance.

### **Council Committee Reports**

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

Councilman Alyanakian made a motion to extend parking meter zone 1 (three (3) hour parking) along State Street from Monroe to Gayley Streets. Councilwoman Simpson seconded the motion. Vice-President Hall inquired if the Media Theatre would be affected. Mayor McMahon mentioned that there are some shows over three (3) hours, but the Theatre can work around this. The motion carried unanimously. This will be implemented under the Mayor's authority until a Traffic Ordinance is adopted later this year.

Councilman Alyanakian made a motion to approve the installation of a 15-minute parking meter on Front Street in front of Bill Battey's. Councilman Derrickson seconded the motion. The motion carried unanimously.

Councilman Alyanakian reported that the Media Fire Company's annual fund drive is out in the mail. The Fire Company is trying to get as much support as possible and build up membership as well.

Councilman Alyanakian reported that the Fire Company responded to 23 fire calls and 125 EMS calls during the month of June.

Councilman Alyanakian mentioned the Delaware County Alert Program with regard to Delaware County emergency management.

Councilman Alyanakian announced that the Fire Company received an \$18,000 grant from Representative Killion's office for fire station enhancements.

Councilman Alyanakian reported that two (2) grant applications have been submitted to the Federal Government by the fire department. One (1) for approximately \$45,000 for training programs. The other grant application was submitted in the amount of \$250,000 for a multi-year recruitment and retention program.

Councilman Alyanakian announced that the Media-Upper Providence Library will hold a comedy show on July 18, 2008 from 10:30 a.m.-12:00 p.m. geared towards children ages 4-10 years.

Councilman Alyanakian mentioned that the Media-Upper Providence Library has many upcoming events scheduled. Please contact the library for more information.

Councilman Alyanakian reported that the Friends of the Library are in the process of planning a beef and beer event for the fall. More information to follow.

Councilman Alyanakian mentioned that the Delaware County Library System has free downloadable audio books available.

**Highway, Recycling, Emergency Management & Police Committee** – Mr. Derrickson

Councilman Derrickson read various letters of commendation for the Police Department.

Councilman Derrickson made a motion to approve the Media Business Authority's "Dining Under the Stars" event from July 23, 2008 through August 27, 2008 from 5:00 p.m.-11:00 p.m. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Councilman Derrickson reported on the Public Safety Committee recommendation to install a stop sign at Fifth and Monroe Streets. President Daly inquired if a traffic count was completed. Engineer Walton noted that he has not completed a count. Borough Manager Smith mentioned that a traffic count has not been completed recently. Councilman Derrickson will follow-up on this matter with the Police Department and report back to Council.

Councilman Derrickson reported on a request from a Council member for no truck signs along S. Jackson Street. Borough officials will meet with Upper Providence Township officials on this matter, as it should be accomplished in conjunction with the neighboring township.

As a follow-up to a yield to pedestrian sign (sample) submitted by a resident for consideration, the Public Safety Committee decided to use the current signs in order to have a uniformed look throughout the Borough.

Councilman Cunningham inquired if further discussion has taken place regarding changing Manchester Avenue to one-way between Front and State Streets. Councilman Derrickson reported that the majority of the Public Safety Committee would like to wait until the development of the 300 block of E. State Street takes place to render a decision on this matter. Councilman Alyanakian noted that there were varying opinions on this matter and would like Council to make a decision. Councilman Cunningham believes this area of roadway creates a hazardous situation being two-way and should therefore be changed. Councilman Cunningham made a motion to authorize the Solicitor to amend the Traffic Code to change Manchester Avenue one-way going south between Front and State Streets. Councilman Alyanakian seconded the motion. There was a 3-3 tie on the motion, which required Mayor McMahan to break the tie. The motion carried 4-3, with Mayor McMahan, President Daly and Councilmen Cunningham and Alyanakian in favor of authorizing the Solicitor to draft and advertise an amendment to the Traffic Code.

**Community Development** – Mr. Williamson

In Councilman Williamson's absence, Councilman Cunningham reported that the proposed amendments to the Zoning Code with regard to a buffer requirement have been revised and must go back to the Borough's Planning Commission and Delaware County Planning Commission for review. A Public Hearing regarding this ordinance, which was originally scheduled for this evening, will be rescheduled for August 21, 2008 at 7:30 p.m.

**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	\$ 302,490.53
Recreation Fund	\$ 14,516.43
Liquid Fuels Fund	\$ 7,828.59
Capital Fund	\$ <u>12,108.81</u>
Total	\$ 336,944.36

President Daly motioned that bills be paid when properly approved for all funds. Councilwoman Simpson seconded the motion. The motion carried unanimously.

President Daly made a motion to approve a temporary canopy request for 1 W. State Street. Councilwoman Simpson seconded the motion. The motion carried unanimously. President Daly noted that as landlord of the building, Borough Council approved this temporary request last year. The Borough Engineer inspected the safety of the structure previously.

President Daly asked Borough Manager Smith to schedule a Finance Committee meeting in the near future in order to discuss the six (6) month review of the 2008 budget.

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

Vice-President Hall mentioned a hazardous condition with a tree on private property at 324 S. Jackson Street. With that said, Vice-President Hall made a motion to hire a tree contractor to inspect the tree and provide a written report on its condition. Councilman Cunningham seconded the motion. The motion carried unanimously.

Vice-President Hall made a motion to authorize the Solicitor to collect on property maintenance judgments (fines). Councilman Alyanakian expressed his concerns that this could create an economic hardship for property owners. Vice-President Hall mentioned that the Code Enforcement Department and Solicitor have considered this, but agree that this is the last resort to get two (2) property owners (600 block of N. Providence Road and 200 block of Brooke Street) into compliance with the Borough Code. The motion to authorize the Solicitor to collect on property maintenance judgments (fines) passed 5-2, with President Daly and Councilman Alyanakian casting the dissenting votes.

Vice-President Hall reminded residents not to leave standing water on their property, as it is a breeding ground for mosquitoes.

Vice-President Hall mentioned that anyone with a rain barrel who is interested in a dunk (which can be placed on the barrel and is effective for keeping away mosquitoes) should contact Health Officer Bill Taylor.

Vice-President Hall reminded residents that the leash law not only applies to dogs within the Borough, but cats as well.

Vice-President Hall reported that the Media Arts Council Second Saturday event on July 12, 2008 in celebration of Bastille Day was a huge success. The next Second Saturday event will be held on August 9, 2008 and will feature a scavenger hunt.

With regard to the Environmental Advisory Council, Vice-President Hall noted that there are a couple months left for the SmartPower campaign and that the Borough is getting closer to its goal. Visit either PECO or the Borough's website for enrollment information.

Vice-President Hall announced that the Fair Trade Live Concert will be held on Sunday, September 14, 2008. The Environmental Advisory Council will have several tables on display during the event pertaining to water, energy and solar power.

Vice-President Hall announced that Congressman Joe Sestak will hold a summit during the month of August pertaining to water management. More information to follow.

Councilman Cunningham mentioned that although the Bastille Day event sponsored by the Media Arts Council was a good one, he was disappointed to witness individuals applying graffiti to the streets. Vice-President Hall inquired if they were writing with chalk or a water-based paint. Councilman Alyanakian noted that guests in our town should not be defacing public property in any manner and suggested that there be a point person at each event in order to make sure this does not happen in the future. Vice-President Hall will follow-up with the Media Arts Council Board.

#### **Recreation, Technology & Media Business Authority – Mrs. Simpson**

Councilwoman Simpson mentioned that the Media Business Authority will not meet during the month of August.

Councilwoman Simpson made a motion to appoint Bobbi Dallas to the Media Business Authority to the unexpired term of Chris Pavlou, which will expire on December 31, 2008. Councilman Cunningham seconded the motion. The motion carried unanimously.

Councilwoman Simpson congratulated the Media Business Authority on the success of their Dining Under the Stars event.

Councilwoman Simpson reported the following for the Recreation Board:

- Free Kids Art Classes will be held on July 17, 2008, August 4, 2008 and August 19, 2008. The times are 10:00-10:45 a.m. for ages 2-4 and 11:00-11:45 a.m. for ages 4-6.
- Children's Tennis Camp will be held during the weeks of August 18, 2008 and August 25, 2008. The cost is \$10 per week for Borough residents and \$20 per week for out of Borough residents. Tennis balls provided. Please bring your own racket.
- Family Movie Nights are scheduled for August 9, 2008 and September 13, 2008. The movies are Cars and The Wizard of Oz, respectively.
- September 8, 2008 will begin the next 10-week Tai Chi session. Cost is \$50 for Borough residents and \$55 for out of Borough residents.
- The plans for the Houtman and Philip Green Parks are in the final stages. Councilwoman Simpson will have more details to report next month.
- Councilwoman Simpson thanked everyone for their support of the 5 Mile Race. Anyone interested can provide their feedback on the event at [www.media5milerace.com](http://www.media5milerace.com). President Daly thanked Councilwoman Simpson, Art Brown and Paula Tenaro for their coordination of the event.

Councilman Cunningham mentioned a neighborhood meeting held previously regarding the future uses of Houtman and Philip Green Parks and noted that some residents expressed concerns pertaining to possible dumping along the Lincoln Street access to Houtman Park. Councilwoman Simpson responded that this and other issues will be addressed when the plans for the parks are unveiled.

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

Councilman Cunningham mentioned that although there have been two (2) individuals who expressed interest in filling the vacancy on the History Archives Commission, neither of the applicants reside in the Borough. The ordinance allows for one (1) non-Borough resident to serve as a member, which the Commission already has at this time. The applicants will be invited to volunteer as non-members.

Please contact Borough Manager Smith if you are interested in having a tree planted in the Right-of-Way in front of your property or if there are any questions regarding current trees located within the Right-of-Way.

As mentioned previously, the Borough is soliciting feedback regarding the proposed Historic Preservation Overlay District Ordinance. Councilman Cunningham noted that the language within the ordinance will be refined. The Borough will be reviewing the list of properties to be included and expect it will be scaled back considerably.

Councilman Cunningham suggested that Borough Manager Smith send a letter to the U. S. Post Office to request the installation of one (1) or two (2) mailboxes on the south side of Baltimore Avenue between Monroe and Orange Streets.

In an effort to reduce litter, Councilman Cunningham suggested that trash receptacles be placed on Monroe and State Streets by the Media Elementary School and on Edgmont Street by the exit to the Scott Lowrie Playground. Vice-President Hall noted that there is limited space on Edgmont Street and believes placing a trash receptacle in this location could pose a hazard, but believes that one (1) placed on the corner of Monroe and State Streets may be helpful. Vice-President Hall asked Borough Manager Smith to provide costs associated with the purchase of trash receptacles.

Councilman Cunningham mentioned the recent passing of Carol Tuckerman, a lifelong resident of the Borough and former teacher at Media Elementary School.

Councilman Cunningham suggested that Patrolman Edward Fullmer be recognized for his service in Iraq. Mayor McMahon responded that Patrolman Fuller is recommended to American Legion groups for various speaking engagements.

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

President Daly noted that Councilwoman Simpson, due to her work related travel, is unable to continue her duties as the Recreation Board liaison. President Daly made a motion to appoint Councilman Alyanakian as the Recreation Board liaison. Councilman Cunningham seconded the motion. The motion carried unanimously.

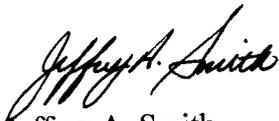
President Daly mentioned that the Recreation Board no longer wishes to sponsor the Media 5 Mile Race. Discussions will continue on sponsorship of the race going forward.

Tim Phillips, owner of Concord Auto Body, Inc., inquired about specific issues that are being addressed with the Solicitor as it pertains to adding his company to the towing rotation. Councilman Derrickson asked Mr. Phillips to discuss this issue with him after the meeting.

#### **Adjournment**

Councilman Cunningham motioned to adjourn the meeting at 9:55 p.m. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith  
Borough Manager/Secretary