

**MINUTES
BOROUGH COUNCIL MEETING
AUGUST 21, 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, Cunningham and Williamson. 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.

Approval of the Minutes

Councilman Cunningham made a motion to adopt the minutes from the July 17, 2008 Council meeting. Vice-President Hall seconded the motion. The motion carried unanimously.

Public Comment & Privilege of the Floor

Mayor McMahon in conjunction with Councilman Derrickson and Police Chief Wusinich presented Citizenship Awards to Blake Strine, Mark Hale and Joseph Wright for their role in apprehending a suspect who burglarized a residence recently along the 200 block of N. Providence Road.

Letitia Jeavons, 216 N. Monroe Street, inquired if the Borough can do more to publicize the solar panel efforts going on throughout Media. Vice-President Hall noted that the Fair Trade Live Concert on Sunday, September 14, 2008 will feature tables providing information on alternative energy and the ongoing efforts throughout the Borough. Councilman Alyanakian mentioned that the Borough received the Governor's Award for Environmental Excellence. Councilman Alyanakian also mentioned that the Borough is continuing to work on various environmental initiatives. Councilman Alyanakian announced that he was appointed by Senator Dominic Pileggi to serve on the Climate Change Commission, which has been organized through the Governor's office and will begin on September 5, 2008. Councilman Alyanakian mentioned his disappointment with the Environmental Advisory Council's decision not to pursue grant funding for detecting a carbon baseline, which measures the emissions from a municipality.

Christy Dick, 113 Pennock Place, mentioned that the proposed Buffer Ordinance up for adoption this evening is a step in the right direction to preserve residential neighborhoods. Councilman Alyanakian congratulated Councilman Cunningham for bringing this item to Council's attention. President Daly noted that a Public Hearing was held this evening at 7:30 p.m. regarding the Buffer Ordinance.

Dean Keyes, 502 W. Baltimore Avenue, inquired as to why Borough Council is addressing the addition of a new contractor to the towing rotation. Councilman Derrickson mentioned that a new contractor has made application to the Borough. Although the request was denied last year, the Public Safety Committee is recommending adding the contractor to the towing rotation at this time. Councilman Derrickson noted that the current contract does not have a limit on towing contractors. Councilman Alyanakian noted that the Solicitor has reviewed the contract and will update accordingly. Solicitor Scott mentioned that the towing contract renews annually in June. Solicitor Scott also mentioned that the contract implied that additional towers could be added. President Daly mentioned that Councilman Derrickson will discuss this matter during his report.

President Daly mentioned that Council met in Executive Session this evening in order to discuss a potential litigation matter involving Code Enforcement.

Engineer's Report

Councilman Cunningham mentioned that the pedestrian sign at Fourth Street and Providence Road by Holly House is not overly visible at night and inquired if there are any state approved signs that would make it more visible. Engineer Walton will review and report back to Council.

Mayor's Report – Mayor McMahon

Mayor McMahon reported the Police Department received and investigated 855 complaints during the month of July. There were two (2) reported burglaries along the 200 block of N. Providence Road (same residence).

Mayor McMahon read Proclamation #2008-10, declaring support for the Sandy Rollman Ovarian Cancer Foundation's Turn the Town Teal Campaign and proclaiming September as Ovarian Cancer Awareness month within the Borough of Media.

Mayor McMahon read Proclamation #2008-11, declaring September 8-14, 2008 to be Suicide Awareness Week within the Borough of Media.

Mayor McMahon mentioned that the Department of Community and Economic Development (DCED) is preparing a police management study in order to measure the efficiency of the Police Department and Dispatchers. This study will be ongoing for the next three (3) to four (4) months and will include the opportunity for Council members to meet individually/collectively with DCED officials to discuss this matter.

Mayor McMahon noted that a meeting was held recently with Dr. Denise Kerr of the Rose Tree Media School District to discuss problems encountered on the Media Elementary School playground after school hours. The School District is interested in pursuing the installation of cameras on the playground to monitor the area.

Mayor McMahon mentioned that a public relations group has been created in order to highlight positive things in Media. The Veterans Museum and Media Theatre have received their fair share of publicity and now the interest has turned to other groups in the Borough.

With regard to traffic matters, Mayor McMahon mentioned that the Police Department rotates around to various well-traveled intersections in the Borough to monitor traffic patterns. It was determined that the average speed on Providence Road is 31.5 miles per hour and 29.4 miles per hour on Baltimore Avenue.

Councilman Cunningham noted that he appreciates the traffic monitoring, but that the focus should be on residential areas in lieu of commercial areas. Specifically, Councilman Cunningham mentioned problems on Front and Edgmont Streets, N. Jackson Street between Providence Road & Seventh Street and Haldeman Street between Third & Front Streets. Councilman Cunningham also noted problems at the Media Elementary School playground with loitering, etc. It was determined that police patrols will be more vigilant at the above referenced areas. Anyone noticing problems at the Media Elementary School playground should feel free to contact the Police Department.

Councilman Cunningham mentioned that he would like to recognize Mrs. Arata from Earth & State who helped in resolving a matter along State Street during a recent "Dining Under the Stars" event.

Councilman Cunningham once again urged Council to recognize Patrolman Edward Fullmer for his military service in Iraq. Mayor McMahon will follow-up on this matter.

Council Committee Reports

Public Safety, Highway & Emergency Management – Mr. Derrickson

Councilman Derrickson made a motion to approve a Mass Gathering Permit Application for the Sporting Gentleman in conjunction with Super Sunday on August 24, 2008. Councilman Alyanakian seconded the motion. Councilman Cunningham expressed his concerns with this due to the fact that First United Methodist Church needs access to their parking lot for Sunday services. It was determined that these concerns were brought to the church previously and this matter has been resolved. Councilman Derrickson amended the motion to allow them to close the area in question starting at 10:30 a.m. and waive the permit fee. Councilman Alyanakian seconded the amendment. The motion, with the amendment carried unanimously.

Councilman Derrickson made a motion to approve a Mass Gathering Permit Application for the Fair Trade Live Concert event on Sunday, September 14, 2008. Councilwoman Simpson seconded the motion. Borough Manager Smith noted that it has been communicated with the coordinator of the event that the concert is to end at 7:00 p.m. and that clean-up shall start at 7:00 p.m. The motion to approve the Mass Gathering Permit Application carried 6-1, with Councilman Cunningham casting the dissenting vote.

Councilman Derrickson made a motion to approve a Mass Gathering Permit Application for the Rotary Club of Media Garage Sale on September 20, 2008 (at the Plum Street Mall) in conjunction with the Great Media Garage Sale. Vice-President Hall seconded the motion. The motion carried unanimously. Councilman Alyanakian inquired as to why Council is approving recurring Mass Gathering Permit Applications. Vice-President Hall responded that he believes this to be a useful and brief procedure.

Councilman Derrickson mentioned a request from Concord Auto Body, Inc. to be added to the towing rotation. Steve Luongo, Luongo's Towing on Brooke & Painter Streets, is concerned with the possibility of adding another towing contractor and dividing the revenue even further. Councilman Alyanakian inquired if anyone is able to apply based on the current contract. It was determined that it is open for any contractors to apply provided that they are located within the Borough, have the necessary equipment and that a substantial amount of their income comes from towing. Councilman Derrickson made a motion to add Concord Auto Body, Inc. to the towing rotation based on the recommendation of the Public Safety Committee. Councilman Alyanakian seconded the motion. Councilwoman Simpson expressed her concerns regarding the "substantial amount" language in the contract and believes it should be further defined. Solicitor Scott noted that the Borough has the ability to terminate a contract with any tower and is recommending that Council consider simplifying the contract. Councilman Alyanakian suggested that the Public Safety Committee review the contract next year, prior to renewal. Borough Manager Smith took a poll of Council. President Daly abstained resulting in a 3-3 tie on the motion, which required Mayor McMahon to break the tie. The motion was defeated 4-3, with Mayor McMahon, Vice-President Hall, Councilwoman Simpson and Councilman Derrickson casting the majority votes and President Daly abstaining.

Councilman Derrickson announced that the NAACP will hold their second annual Health Fair on the second Saturday in October from 11:00 a.m.-4:00 p.m. in the Community Center.

Councilman Cunningham inquired about the status of the installation of a stop sign at Fifth & Monroe Streets. It was determined that a traffic count has been completed by the Police Department. Borough Council asked Engineer Walton to review the reports, speak with Police Chief Wusinich on this matter and report back to Council.

Councilman Cunningham mentioned his appreciation for the painted crosswalks along Baltimore Avenue, but believes the Borough should also address the unsignalized areas as well. Engineer Walton mentioned that this can be completed per PennDOT, but urges Council to obtain the input of the Police Department.

Councilman Cunningham recommends that the Public Safety Committee look at pedestrian crossing signs at intersections leading to Baltimore Avenue, however he believes there are too many signs. Councilman Cunningham suggested that the signage be spread out with pedestrian signs prominently displayed at each intersection.

Borough Manager Smith provided a status on the CMAQ Project noting that the Borough is attempting to resolve conflicting information regarding the inclusion of handicapped curb cuts in the design phase of this project. The Borough anticipates that this project will go out to bid in 2009.

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

Councilman Alyanakian mentioned that the Media-Upper Providence Library has begun a self-study with regard to plans for building renovations. Bob Linn, Architect, will have a plan prepared during the fall.

Councilman Alyanakian announced that the Media-Upper Providence Library will launch a new website in the near future.

Councilman Alyanakian reported that the Friends of the Library are in the process of planning a gala event during the fall/winter timeframe. More information to follow.

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

Councilman Alyanakian announced the following for the Recreation Board:

- The August Family Movie Night was a success. The last Family Movie Night for the season will be held on Saturday, September 13, 2008 and will feature The Wizard of Oz.
- Children's Tennis Camp is being offered the weeks of August 18, 2008 and August 25, 2008.
- Tai Chi Classes will begin on Monday, September 8, 2008 and will run for 10 weeks.
- The Spirit of Philadelphia trip is scheduled for Saturday, September 13, 2008. Tickets are \$55. The price includes bus, lunch and the cruise.

As mentioned previously, Councilman Alyanakian noted that there have been incidents on the Media Elementary School playground recently. It was determined that the School District is considering video cameras and enforcement should be increased.

Councilman Alyanakian announced that the Youth Center is putting together a promotion DVD in honor of their 60th anniversary.

Councilman Alyanakian reported that the Media Fire Company received 27 fire calls and 135 EMS calls during the month of July.

Councilman Alyanakian urged residents to contribute to the Media Fire Company annual fund drive, which was mailed out recently.

Councilman Alyanakian announced that the Media Fire Company held a memorial service on August 19, 2008 to pay respects to Firefighters Marion Baker and Morgan Wood, Jr. Firefighters Baker and Wood are the only 2 members of the Media Fire Company to have died in the line of duty.

With regard to the library study, Councilman Cunningham suggested that they improve the historic archives room/situation by perhaps moving the archives to another site.

Councilman Cunningham inquired about the status of the parking study. Borough Manager Smith noted that the County will circulate a survey to employees after Labor Day. It is anticipated that a draft report will be made available to Council during the month of October.

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

Councilman Cunningham reported that the Historic Preservation Overlay District Ordinance has been submitted to the Solicitor for revisions. The Community Development Committee will review prior to the Public Hearing in October/November timeframe. There are approximately 75 properties on the list that would be affected by the ordinance.

Councilman Cunningham mentioned that a demolition permit has been received for 621-643 W. State Street, which is known as the Thiel House. Considering that this property is known to have historic value, Councilman Cunningham made a motion to do the following: 1) contact the property owners and meet with them to discuss the demolition permit and 2) ask the County of Delaware (via letter) to consider the feasibility of acquiring the Briggs Tavern building for their purposes to incorporate it into the Glen Providence Park. Councilman Williamson seconded the motion. The motion carried 6-0, with Councilman Alyanakian abstaining.

Councilman Cunningham mentioned that anyone interested in having a tree planted in the Right-of-Way in front of their property should contact the Borough office.

Councilman Cunningham reminded anyone noticing street light outages should report them to the Borough office or the Police Department (after hours) so they can be addressed.

Councilman Cunningham requested that the Police Department keep a close eye on vehicles attempting to pass the trolley when it is allowing passengers to enter/exit, as this is a safety hazard.

Councilman Cunningham expressed his belief that 25 mile per hour speed limit on Providence Road is adequate. With that said, Councilman Cunningham made a motion to direct the Borough Manager and Solicitor to request that PennDOT lower the speed limit along the entire length of Providence Road within the Borough from 35 to 25 miles per hour. Councilman Alyanakian seconded the motion. Vice-President Hall expressed his concerns that this may divert traffic to other streets and create a new traffic issue. Councilman Derrickson noted the Public Safety Committee concerns regarding enforcement and the possible increase of traffic along Providence Road. Engineer Walton noted that PennDOT will review the request and determine if the speed limit should be lowered as requested, but reminded Council that stop signs should not be used for speed control. The motion to authorize the Borough Manager to request that the speed limit be lowered along Providence Road was adopted 5-2, with Vice-President Hall and Councilman Derrickson casting the dissenting votes.

Technology & Media Business Authority – Mrs. Simpson

Councilwoman Simpson thanked Upper Providence Township and Media Borough Police Departments and EMS for assisting her husband during a recent traffic accident.

Councilwoman Simpson announced that the Media Antiques Day will be held on Sunday, September 7, 2008.

Since Councilwoman Simpson is no longer the Recreation Board liaison, she thanked all of the Recreation Board volunteers that she has worked with over the years: including the late Lewis “Jumbo” Johnson, the late James Austin, Carol Kreider, Kevin Boyer, Art Brown, Donald Trusty, Wes Nieweg and all of the new individuals heading up the Recreation Board.

Councilwoman Simpson announced that the Media Business Authority’s Dining Under the Stars event has been extended through September 24, 2008.

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

Vice-President Hall reminded residents to be cognizant of what is placed down the stormwater drains as it goes directly to the creek.

Vice-President Hall announced that the Media Arts Council’s Second Saturday event will be held on September 13, 2008.

Vice-President Hall announced that the Fair Trade Live Concert or the “Fair Fair” will be held on Sunday, September 14, 2008. The Environmental Advisory Council will have tables on display with various environmental information.

Vice-President Hall announced that the Media Arts Council is sponsoring a photography contest. The deadline for submission is September 27, 2008 at 1:00 p.m. Feel free to obtain further information at www.mediaartscouncil.org.

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	\$ 290,308.71
Recreation Fund	\$ 13,287.49
Liquid Fuels Fund	\$ 12,328.94
Capital Fund	\$ 4,703.48
Total	\$ 320,628.62

Councilman Cunningham inquired if bills for the CMAQ project and Third Street Bridge were included in this month’s finance report. Treasurer Deitch responded that they were included in the Capital Fund. Councilman Cunningham inquired if any bills for these projects were to be paid out of Liquid Fuels. Treasurer Deitch responded that they were not included in the Liquid Fuels Fund expenditures.

President Daly motioned that bills be paid when properly approved for all funds. Councilwoman Simpson seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

President Daly mentioned the Borough received proposals for maintenance work including electrical, HVAC, plumbing and tree trimming/removal services. President Daly made a motion to award the proposals as submitted by Charles A. Higgins & Sons for electrical, J.A. Young for HVAC, Tillman and Sons for plumbing and Smith's Tree Service for tree trimming/removal services. Councilman Williamson seconded the motion. The motion carried unanimously.

With regard to the Mid-year Budget Update, President Daly explained that Council should consider adoption of Resolution #2008-04. President Daly mentioned that while the Earned Income Tax revenue has picked up and the Mercantile and Business Privilege Taxes are holding their own, the Local Services Tax is under budget. President Daly also mentioned the need to set aside funds for future capital projects. With that said, President Daly made a motion to adopt Resolution #2008-04 – Mid-year Budget Update. Councilwoman Simpson seconded the motion. Councilmen Cunningham and Alyanakian expressed their disagreement with expenditures related to the CMAQ (traffic signals) and Third Street Bridge projects. Borough Manager Smith took roll call on the vote. The motion to adopt Resolution #2008-04 carried 5-2, with Councilmen Cunningham and Alyanakian casting the dissenting votes.

President Daly mentioned that the Delaware County Solid Waste Authority has communicated their intention to impose a Waste Management & Recycling Fee on Delaware County municipalities. With that said, President Daly made a motion to adopt Resolution #2008-05 in opposition to the Waste Management & Recycling Fee and requested that the resolution be sent to County Council, who is attempting to eliminate the \$3.6 million annual contribution to the Delaware County Solid Waste Authority. Councilman Derrickson seconded the motion. The motion carried 6-1, with Councilman Alyanakian casting the dissenting vote.

President Daly mentioned that although the Borough is pursuing additional funding for the Third Street Bridge project, the Borough received a request from an Upper Providence Township resident to install permanent fencing along this area in order to provide greater pedestrian safety. Engineer Walton described the fencing to be a permanent chain link fence with gates on either side to allow for emergency vehicles to pass through if the need arises. Borough Manager Smith noted that if the quotes are over \$10,000, the Borough will be required to solicit bids for this project. Otherwise, the Borough could purchase the materials (only) and have the Public Works Department handle the installation. Councilman Cunningham mentioned that it is his belief the Borough should completely close off this area with concrete barriers.

Community Development – Mr. Williamson

Councilman Williamson announced a vacancy on the Planning Commission. Interested individuals should submit a letter of interest to Borough Manager Smith. Councilman Cunningham suggested that Borough Manager Smith send letters to those who applied previously to determine their level of interest. Councilman Williamson agreed to the request.

Councilman Williamson made a motion to adopt Ordinance No. 1048 with regard to the amendment to the Zoning Code (Buffer Requirement). Councilman Cunningham seconded the motion. Councilman Williamson mentioned the Public Hearing held earlier this evening to discuss the ordinance. The ordinance would require that a 50-foot landscaped buffer be provided on lots in non-residential districts next to properties in R-1 or R-2 residential zoning districts, and a 30-foot buffer between a proposed residential structure in a non-residential district and an ROA district, R-3 district, or R-4 district. The motion carried unanimously.

Councilman Williamson made a motion to approve a Subdivision Application for 141 E. Third Street to divide one (1) lot into two (2) lots subject to the Planning Commission and Engineer's review comments. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Williamson mentioned that the Planning Commission is recommending that Council not oppose a Zoning Hearing Board extension for 306 E. Baltimore Avenue, a large retail/office development project, provided that the developer performs a reasonable clean up of the area and applies seeding as part of the extension. It was agreed that Council would request a six (6) month extension as opposed to a one (1) year extension as requested by the applicant.

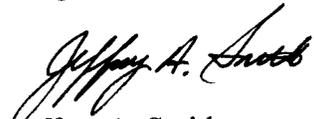
Public Comment & Privilege of the Floor

Tim Phillips, owner of Concord Auto Body, Inc., inquired as to why his request to be added to the towing rotation was denied. Councilwoman Simpson mentioned that her specific reason for not voting in favor of this request was due to her concern about the language in the contract. President Daly noted that the ability to add a tower to the rotation is at the discretion of Council and that perhaps Council believes that there may be some logic to having four (4) towers with there being four (4) weeks in a month. Mr. Phillips mentioned that he will apply again next year.

Adjournment

Councilman Cunningham motioned to adjourn the meeting at 11:05 p.m. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary



Borough of Media

Office of the Borough Manager
Municipal Government Center
301 N. Jackson Street
Media, PA 19063
Office: (610) 566-5210
Fax: (610) 566-0335
E-mail: jasmith@dca.net

Memorandum

To: Pete Alyanakian, Media Borough Council
From: Jeffrey A. Smith, Borough Manager 
Date: August 28, 2008
Subject: **Abstain from Vote Form**

Attached please find one (1) Abstain from Vote form for you to complete regarding the following:

- To Send Letter to County of Delaware to Request a Feasibility Study of Thiel Property on Baltimore Avenue (August 21, 2008 Borough Council meeting)

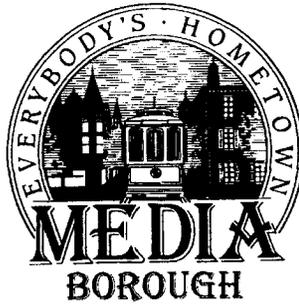
Please complete this form and return to me as soon as possible. We will file with the original set of Borough Council meeting minutes.

Please don't hesitate to contact me if you have any questions.

Thank you.

JAS/cc

Attachment



MEDIA BOROUGH COUNCIL
ABSTAIN FROM VOTE

COUNCIL MEMBER: Pete Alyanakian

DATE OF MEETING: 8-21-08

MOTION ON THE TABLE (Please describe): _____
Letter to Park Board

REASON FOR ABSTAINING: member of Delco Park Board

SIGNATURE: [Signature]
Council Member

SIGNATURE: [Signature]
Borough Manager



Borough of Media

Office of the Borough Manager
Municipal Government Center
301 N. Jackson Street
Media, PA 19063
Office: (610) 566-5210
Fax: (610) 566-0335
E-mail: jasmith@dca.net

Memorandum

To: Frank W. Daly, President, Media Borough Council
From: Jeffrey A. Smith, Borough Manager 
Date: August 28, 2008
Subject: **Abstain from Vote Form**

Attached please find one (1) Abstain from Vote form for you to complete regarding the following:

- Request from Concord Auto Body, Inc. to be Added to the Towing Rotation (August 21, 2008 Borough Council meeting)

Please complete this form and return to me as soon as possible. We will file with the original set of Borough Council meeting minutes.

Please don't hesitate to contact me if you have any questions.

Thank you.

JAS/cc

Attachment



MEDIA BOROUGH COUNCIL
ABSTAIN FROM VOTE

COUNCIL MEMBER: FRANK DALY

DATE OF MEETING: 7/19/08

MOTION ON THE TABLE (Please describe): TOWERS CONTRACT
EXTENSION

REASON FOR ABSTAINING: MY FIRM REPRESENTED
A CLIENT AGAINST ONE OF THE TOWERS

SIGNATURE: Frank W. Daly
Council Member

SIGNATURE: Jeffrey A. Smith
Borough Manager