

**MINUTES
BOROUGH COUNCIL MEETING
OCTOBER 21, 2010**

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

President Alyanakian called the meeting to order at 7:30 p.m. and led the salute to the flag.

Approval of the Minutes

President Alyanakian made a motion to adopt the September 2, 2010 Special meeting minutes. Vice-President Rehoric seconded the motion. The motion carried unanimously.

President Alyanakian made a motion to adopt the September 2, 2010 Workshop meeting minutes. Vice-President Rehoric seconded the motion. The motion carried unanimously.

President Alyanakian made a motion to adopt the September 16, 2010 Council meeting minutes. Vice-President Rehoric seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

Public Comment & Privilege of the Floor

Kent Davidson of West Street inquired if Borough Council approved the repair of the intersection at State Street and Jackson Street. President Alyanakian mentioned Council will be discussing the repair this meeting.

Mr. Davidson inquired if the Media Theatre is a charity case. Vice-President Rehoric mentioned that she met with Patrick Ward of the Media Theatre and she is working directly with the members on the grant funding.

Mr. Davidson inquired as to why Vice-President Rehoric and Councilman Cunningham voted against the sale of 1 W. State Street. Vice-President Rehoric commented that she voted for the sale, not the lease, of 1 W. State Street. Councilman Cunningham commented that he also voted against leasing the property because he felt the Borough needed to be out of the real estate business and the best way to accomplish this was to sell the property.

Engineer's Report

Councilman Cunningham inquired when the road resurfacing project will start. Engineer Walton commented that it will start on Wednesday, October 27, 2010.

Solicitor's Report

Councilman Cunningham inquired whether the Hampton Inn had a new or modified zoning application for the underground parking. Solicitor Scott mentioned he will put the report together and give to Councilman Cunningham.

Mayor's Report

Mayor McMahon mentioned Proclamation #2010-08, concerning the National Red Ribbon Campaign from October 24, 2010 to October 30, 2010, which is designed to work toward a drug free community.

Mayor McMahon mentioned Proclamation #2010-09, which recognizes Today's Child Learning Center Inc. on their 21 years of dedication to providing the youngest members of our community with a quality preschool education and recognizing October 2010 as Pennsylvania's Promise for Children Month.

Mayor McMahon reported that the police department received and investigated 848 complaints during the month of September.

Mayor McMahon reported that the police department performed 60 traffic details during the month of September.

Mayor McMahon reported that there were two (2) burglaries during the month of September. One burglary was reported on the 200 block of E. Fourth Street sometime between August 27, 2010 and September 1, 2010, while a homeowner was on vacation. Mayor McMahon mentioned that jewelry was removed from the home, but the young man was captured and the items were returned to the homeowner. Mayor McMahon reported that someone removed tools from Media Motors on Baltimore Pike.

Mayor McMahon mentioned the Veterans Day Parade will be held on Thursday, November 11, 2010. Mayor McMahon mentioned that Bob Dimond, the Borough Tax Collector, is involved in the parade and inquired if he would like to say a few words on the parade. Bob Dimond of E. Third Street mentioned that there will be eight (8) bands, reenactment groups, Boy Scouts, Girl Scouts, etc. Mr. Dimond mentioned that the Veterans Museum will be open all day on November 11th and the Veterans of Foreign Wars (VFW) will have an open house with food and drinks.

Mayor McMahon mentioned that in the spring the local schools will have films on Iraq and Afghanistan, which is being supplied by the Pennsylvania Department of Education. Mayor McMahon mentioned that this will streamline history to include all the wars, not just World War I and World War II.

Council/Committee Reports

Public Safety, Lighting & Shade Tree – Mr. Cunningham

Councilman Cunningham made a motion to approve the mass gathering permit application for Media Business Authority's New Years Eve celebration "Ball Drop" scheduled for Friday, December 31, 2010 to be held at 1 W. State Street. Vice-President Rehoric seconded the motion. The motion carried unanimously. Councilman Cunningham mentioned that the Public Safety Committee agrees that if the property is sold there is no guarantee that the "Ball Drop" will be held at this location.

Councilman Cunningham mentioned various drainage issue problems in the 800 block of N. Olive Street and on S. Edgmont Street. Councilman Cunningham mentioned that exploratory digs will be conducted in these areas in the near future.

Councilman Cunningham made a motion to approve the repair of the crosswalk at Jackson Street and State Street by November 19, 2010. Vice-President Rehoric seconded the motion. Councilman Williamson mentioned that he is considering voting against the repair at this time because he believes it is not a priority. Councilman Cunningham commented that this intersection is a public safety problem and that Council has discussed this for three (3) years. Councilman Cunningham expressed his concern is for the motorists, fire department and police vehicles sustaining damage at this intersection. Vice-President Rehoric inquired about waiting until spring to repair the intersection. Engineer Walton commented that until the contractor starts to dig they will not know the extent of the damage. Engineer Walton mentioned that this intersection will be closed from State Street to Jasper Street and only SEPTA buses and emergency vehicles will be permitted to go through the intersection. Engineer Walton mentioned that the repair will take approximately a week but that the intersection will be open in the evening. Councilman Stein inquired about the depth and cost of the repair. Engineer Walton mentioned that the depth will be approximately a foot and the Borough had \$44,000 in the budget for this repair, which will include the replacement of eight (8) feet of curb and the handicapped ramp. Councilman Stein inquired if the intersection was dangerous and urgent to repair. Engineer Walton mentioned that this was dangerous for certain wheel bases, such as fire trucks. Councilwoman Roe spoke to Ed Gibson, the Media Fire Company Chief, and he was concerned about the damage to the fire trucks at that intersection. Councilman Cunningham commented that Council should monitor cost factors and make adjustments. Councilman Stein inquired if the Borough was liable for damage to vehicles. Solicitor Scott commented that the Borough is liable for any dangerous conditions on the streets. Councilman Stein inquired as to how much funding is available in the paving budget. Borough Manager Smith responded that there is

\$13,000 available for the crosswalk repair and approximately \$230,000 total in the paving budget. Councilwoman Simpson suggested that Council amend the motion to reflect that funds for this crosswalk repair above the \$13,000 come from the paving budget. Councilman Cunningham amended the motion to authorize the Borough Engineer and Borough Manager to allow the contractor to repair the crosswalk and utilize the \$13,000 for this repair as well as utilize funding from the total paving budget as additional funding for this project. Vice-President Rehoric seconded the amendment to the motion. The motion carried unanimously.

Councilman Cunningham mentioned the sinkholes located on the 800 block of N. Olive Street and S. Edgmont Street near Nativity School. President Alyanakian inquired if the sinkholes were located on private property. Councilman Cunningham noted that they were not on private property and the Borough will be conducting an exploratory dig next week.

Councilman Cunningham mentioned the proposal of a four (4) way stop sign at the intersection of E. Lincoln Street and Radnor Street and/or Radnor Street being a one (1) way street between E. Lincoln Street and Jefferson Street and the residential parking issue on E. Lincoln Street. Police Chief Wusinich, Borough Manager Smith and Councilman Cunningham are waiting for feedback from Upper Providence Township on the stop sign proposal at E. Lincoln Street and Radnor Street.

Councilman Cunningham mentioned that he was concerned about a stop sign that should have been approved at the intersection of W. Third Street and Lemon Street. Borough Manager Smith, Police Chief Wusinich and Public Works Director Ralph DeRosa will meet and discuss installing pavement markings in the street and signs to control the speed of the traffic.

Councilman Cunningham asked Borough Manager Smith to send out a letter to all Council members concerning Borough ethics and the responsibilities to the residents of Media Borough. Councilman Cunningham asked Council members to look over the draft and discuss during the next Workshop meeting.

Library, Media Business Authority & Recreation – Dr. Stein

Councilman Stein mentioned the book sale that was conducted at the Carriage House at 301 N. Jackson Street on October 16 and 17, 2010. Councilman Stein mentioned that the sale was a success with a record number of books and thanked the volunteers for all their hard work.

Councilman Stein mentioned that renovations are underway at the Media-Upper Providence Library with upgraded computers, new plantings in the garden and many new programs being planned.

Councilman Stein mentioned that the Jazz by Night event was successful and well attended but it was difficult competing with the Phillies playoff game.

Councilman Stein mentioned that the Food Festival on October 3, 2010 had 40 restaurants and 60 craft tables, which brought in \$15,000 for the Media Business Authority and everyone is looking forward to next year's festival.

Councilman Stein mentioned that the Media Business Authority is planning a "20 on the Town" event for November 13, 2010. The businesses in Media will be giving discounts on their merchandise by 20%.

Councilman Stein made a motion to appoint Loic Barnieu, the owner of LaBelle Epoque, to the vacant position on the Media Business Authority Board. Councilwoman Simpson seconded the motion. The motion carried unanimously. Councilman Stein mentioned that the Media Business Authority, by a vote of 5-1, approved the appointment.

Councilman Stein mentioned Santa's village and the expanded carriage rides this December.

Public Property, Economic Development, Health & Historic – Mrs. Rehoric

Vice-President Rehoric mentioned that she is waiting for the list of shows that are scheduled for the 2011 season. Vice-President Rehoric mentioned that the work on the theatre will be starting in late 2010 or early 2011.

Vice-President Rehoric mentioned that she met with Tore Fiore of the Brandywine Visitors Center and Andy Hunt of the Media Rotary to discuss the Super Calendar. Vice-President Rehoric mentioned that Tore Fiore and the Brandywine Visitors Center has offered to help financially and physically with the arrival of Santa in November and the ball drop on New Years Eve and they will discuss this at the next meeting on Tuesday, November 2, 2010. Vice-President Rehoric mentioned that the Brandywine Visitors Center will be moving into the old Rose Tree Tavern building located at the Rose Tree Park next spring.

Vice-President Rehoric mentioned that at the last quarterly meeting of the Board of Health they discussed dangerous health issues related to Whooping Cough and that Flu shots that are available this fall.

Vice-President Rehoric mentioned the Historic House Tour on December 11, 2010 with 12 homes, that are 50 years and older. There are free carriage rides to House Tour ticket holders. Councilman Cunningham inquired if the Brandywine Visitors Center was going to be involved with the House Tour. Vice-President Rehoric mentioned that they would not be involved this year.

Code Enforcement, Environmental Advisory Council & Parking – Mr. Alyanakian

President Alyanakian made a motion to approve Ordinance No. 1076 to extend the residential parking on E. Front Street from 5:00 p.m. to 8:00 p.m. Vice-President Rehoric seconded the motion. The motion carried unanimously.

President Alyanakian made a motion to authorize the advertisement of bids for the collection of recyclable materials. Councilman Cunningham seconded the motion. The motion carried unanimously. President Alyanakian mentioned that the two (2) year contract will expire in March 2011.

President Alyanakian made a motion to authorize the Solicitor to draft and advertise Traffic Ordinance amendments. Councilwoman Simpson seconded the motion. The motion carried unanimously. Solicitor Scott mentioned that this includes miscellaneous amendments such as handicapped parking, etc.

President Alyanakian made a motion to authorize the Solicitor to draft and advertise an ordinance for residential parking along the north side of the 200 block of E. Lincoln Street from Edgmont Street to Radnor Street. Vice-President Rehoric seconded the motion. The motion carried unanimously. Solicitor Scott mentioned that Council can choose the hours for the parking, but that it would only include the north side of E. Lincoln Street and not the south side of E. Lincoln Street, which is in Upper Providence Township. Councilman Williamson commented that the hours should be Monday to Thursday from 10:00 a.m. to 9:00 p.m., Friday and Saturday from 10:00 a.m. to 11:00 p.m. and Sunday from 12:00 noon to 9:00 p.m. President Alyanakian commented that the hours should be consistent all week, such as Monday to Sunday from 9:00 a.m. to 11:00 p.m.

President Alyanakian mentioned that the Environmental Advisory Council has an opening and is looking for a new member.

President Alyanakian mentioned that two (2) rain gardens have been planted on the Borough property at 301 N. Jackson Street and is a great addition for the Borough. President Alyanakian mentioned that all the businesses in the Borough should incorporate small green designs for their properties.

Community Design, Finance, Public Works & Infrastructure – 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	\$ 223,960.86
Recreation Fund	1,602.26
Capital Funds	<u>6,426.20</u>
Total	\$ 231,989.32

Councilman Williamson made a motion to approve the payment of bills for September as outlined by Treasurer Deitch. Councilwoman Simpson seconded the motion. Councilman Cunningham inquired if there were any bills for the CMAQ or the 3rd Street Bridge/Dam projects. Treasurer Deitch mentioned that there were some invoices concerning the 3rd Street Bridge/Dam project. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

Councilman Williamson mentioned that County Council has approved funding \$75,000 toward the 3rd Street Bridge/Dam design project. Councilman Cunningham mentioned that the Borough's share, for the design project, is coming out of the general fund, not the liquid fuels fund.

Councilman Williamson made a motion to adopt Ordinance No. 1077, which is an amendment to the Zoning Code. Councilman Cunningham seconded the motion. The motion carried unanimously. Councilman Cunningham commented that this adds flexibility to the ordinance. Councilman Williamson introduced the owner of American Antiques, Eric T. Shephard, who will be moving into 335 W. State Street, as a result of the amendment to the Zoning Code.

Councilman Williamson made a motion to authorize the drafting and advertisement of an amendment to the snow emergency routes. Councilman Cunningham seconded the motion. The motion carried unanimously. Borough Manager Smith mentioned that the Borough was considering adding the 300 block of S. Plum Street and the 400 block of W. Jefferson Street to the snow emergency routes. Councilman Cunningham mentioned that these streets were difficult streets to plow.

Councilman Williamson made a motion to authorize the license agreement for the placement of a dumpster in the E. Lincoln Street right-of-way. Councilman Cunningham seconded the motion. The motion carried unanimously. Councilman Williamson mentioned that Cocco's Pizza is located in Upper Providence Township, but the Borough line is in the rear of the building. The owner of Cocco's Pizza has met with the property owners on E. Lincoln Street to make the area more attractive with a wall around the dumpster and landscaping around the wall. Councilman Williamson mentioned that the employees for Cocco's Pizza will be parking their vehicles north on Radnor Street.

Councilman Williamson made a motion to execute an agreement with PennDot for electronic access to liquid fuels reporting. Councilman Cunningham seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to authorize forgiveness of \$9,365 change order for work at the Veterans Museum. Vice-President Rehoric seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote. Mayor McMahon mentioned that this was a change order that was requested by the Museum Board to allow antique jeeps, etc. to be brought into the museum.

Councilman Williamson made a motion to approve the amended land development application for 311 E. Baltimore Avenue. Councilwoman Simpson seconded the motion. The motion carried unanimously. Councilman Williamson mentioned that the expansion is a modest amount.

Councilman Williamson motioned to approve the Zoning Hearing Board application for 233 E. Front Street. Councilman Cunningham mentioned that this property is a single family resident and the owners are adding a second floor to the back of the house.

Councilman Williamson made a motion to accept the postage meter contract from Pitney Bowes for four (4) years. Councilwoman Simpson seconded the motion. The motion carried unanimously. Councilman Stein mentioned that there are less expensive ways to handle the postage, such as on-line. Councilman Williamson mentioned that the Borough would still look into less expensive alternatives.

Councilman Williamson mentioned that Aqua is replacing the water main on Manchester Avenue on October 22, 2010.

Fair Trade, Fire, Media Arts Council & Special Projects – Mrs. Roe

Councilwoman Roe mentioned the Super Calendar that is being organized by the Brandywine Visitors Center. Councilwoman Roe mentioned that Borough Council meetings would be included in the Super Calendar.

Councilwoman Roe mentioned that the Media Fire Company responded to 30 fire calls and 170 EMS calls in the month of September. Councilwoman Roe mentioned that Media Fire Company was recently recognized by the state fire commissioner's office for having over 50% of the members certified in fire and hazardous materials training.

Councilwoman Roe mentioned that the Scare Trade Ball is scheduled for Saturday, October 23, 2010 from 7:00 p.m. to 10:00 p.m. and is being held at 116 W. Baltimore Avenue. Councilwoman Roe mentioned that the tickets are \$25 per person and there will be music, beer, wine, food and a silent auction.

Councilwoman Roe mentioned that there is a community health fair scheduled for Saturday, October 30, 2010 from 11:00 a.m. until 4:00 p.m. The event is being held at the Media Elementary School located at Front Street and Monroe Street and is sponsored by the Media chapter of the NAACP.

Councilwoman Roe mentioned that on Tuesday, October 26, 2010 from 5:00 p.m. until 10:00 p.m. Iron Hill Brewery & Restaurant will donate 20% of your food bill to the Media Arts Council Film Festival.

Personnel, Technology & Emergency Management – Mrs. Simpson

Councilwoman Simpson made a motion to accept the ratification of a mutual release agreement for the former tenant at 1 W. State Street. Vice-President Rehoric seconded the motion. The motion carried unanimously.

Councilwoman Simpson mentioned that Borough Council is still accepting offers on 1 W. State Street and the building has been on the market for 28 days with 23 showings. Council will look at the bids in Executive Session.

Councilwoman Simpson made a motion to advertise bids for the sale of equipment located at 1 W. State Street. Councilwoman Roe seconded the motion. The motion carried unanimously.

Councilwoman Simpson mentioned that the police department has hired a new part time police officer, Johnny Edelbute, who is also a part time officer with Marcus Hook Borough.

Councilwoman Simpson made a motion to authorize the solicitor to draft and advertise an ordinance amending the pension joinder agreement for non-union employees. Councilman Williamson seconded the motion. The motion carried unanimously. Councilwoman Simpson mentioned that this is a non-union personnel issue.

Councilwoman Simpson made a motion to authorize the advertisement of proposals for webpage enhancements. Councilman Stein seconded the motion. The motion carried unanimously. Councilwoman Simpson mentioned that residents can send their comments to msimpson@mediaborough.com.

Public Comment & Privilege of the Floor

Kent Davidson of West Street inquired why the Borough was selling the property at 1 W. State Street. President Alyanakian mentioned the Borough wants to keep their options open.

Mr. Davidson inquired why Councilman Cunningham votes against paying the bills for the Borough. Councilman Cunningham commented that he feels that the Borough should not have to bear the burden on maintaining the 3rd Street Bridge/Dam and the Borough needs less expensive commitments.

Letitia Jeavons of N. Monroe Street inquired if the bids on 1 W. State Street were for a restaurant or retail use. Councilwoman Simpson mentioned that this cannot be discussed now but will be discussed in Executive Session.

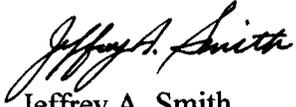
Brian Hall of N. Edgmont Street inquired if there was any progress in the CMAQ, 3rd Street Bridge/Dam, and 1 W. State Street projects since the leadership change. Councilwoman Simpson commented that where Borough Council is today has not just happened in the last three (3) months.

Brian Hall of N. Edgmont Street inquired about the change to the ethics code. Councilman Cunningham commented that Council has to carry out certain functions on the Borough code and the current code is not clear enough and in line with what residents should expect from the Council.

Adjournment

President Alyanakian made the motion to adjourn the meeting at 9:18 p.m. Councilman Cunningham seconded the motion. The motion carried unanimously.

Respectfully Submitted,



Jeffrey A. Smith
Borough Manager/Secretary