

**MINUTES
BOROUGH COUNCIL MEETING
NOVEMBER 20, 2008**

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

President Daly called the meeting to order at 8:00 p.m. and led the salute to the flag. President Daly observed a moment of silence for Michael McCloskey and Thomas Dick.

Approval of the Minutes

Vice-President Hall made a motion to adopt the October 16, 2008 Public Hearing Minutes and October 16, 2008 Council meeting minutes. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Resolution #2008-09 – Recognition of Patrolman Edward Fullmer

Mayor McMahon presented Media Police Department Patrolman Edward Fullmer with Resolution #2008-09, recognizing Patrolman Fullmer for his faithful military service to the United States during the Iraq War. Patrolman Fullmer thanked Borough Council for the recognition.

Public Comment & Privilege of the Floor

Jane Rowland inquired about Haldeman Street and if it is included on the list of road resurfacing for 2008. It was determined that Haldeman Street is not on the list.

Engineer Walton mentioned that Haldeman Street is not on the list for road resurfacing at this point in time due to the potential cost of reconstructing the roadway with regard to stormwater management, etc. It appears to be an extremely costly endeavor.

Maggie Reed-Brooke mentioned that she would like to see Haldeman Street resurfaced in the near future as the current condition of the roadway allows stormwater to flood in and around her yard, which freezes during the cold weather.

Letitia Jeavons suggested that newspaper be recycled and donated to various organizations such as the Delaware County SPCA.

Bob Dimond, Tax Collector, mentioned that there is approximately \$48,000 in outstanding property taxes still due to the Borough and urged residents to be sure to pay their taxes.

Bob Dimond mentioned that he is aware of a program called Recycle Bank in other municipalities. It was determined that the Borough's Environmental Advisory Council (EAC) is looking into this endeavor.

Michael Jordan distributed a picture of a sample "stop for pedestrians in crosswalk" sign that he would like Borough Council to consider. Michael Jordan expressed concerns regarding pedestrian safety throughout the Borough, especially at Baltimore Avenue and Monroe Street.

Andy Davis expressed his concerns with the removal of the oak tree at 324 S. Jackson Street. While Mr. Davis' objection was noted, President Daly mentioned that the Code Enforcement Department worked directly with the property owner on this matter as the tree is located on private property and is believed to be a danger to surrounding properties. Councilman Alyanakian mentioned that the Borough hired an arborist to inspect the tree and it was determined that the tree should be removed.

Engineer's Report

Councilman Cunningham inquired about the cost for north/south crosswalk repairs along State Street. Engineer Walton mentioned that he has the cost information, however, he did not have it with him this evening.

Mayor's Report – Mayor McMahan

Mayor McMahan reported that the Police Department received and investigated 807 complaints during the month of October with no reported burglaries.

Mayor McMahan mentioned that the part-time police officers worked 224 hours in October.

Mayor McMahan mentioned that the Veterans Day Parade was the largest one to date and thanked Bob Dimond for his efforts in coordinating the event.

Councilman Cunningham suggested that perhaps next year the parade could pause at the memorial plaque at Scott Lowrie Playground in honor of the two individuals who lost their lives during the Vietnam War. Mayor McMahan noted his suggestion.

Councilman Cunningham expressed his appreciation for the recent vehicle intersection checks by the Police Department. In particular, Councilman Cunningham noted the Front & Edgmont Street intersection and the area of Providence Road in the vicinity of Holly House.

Council Committee Reports

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

Councilman Cunningham mentioned that a Public Hearing was held at 7:00 p.m. prior to the Council meeting this evening in order to receive public comments on the Historic Preservation Overlay District Ordinance. The ordinance is an amendment to the Zoning Code within the Borough, establishing demolition permit requirements for historic resources located within the overlay district. This ordinance also provides for conditional uses and special exceptions for historic resources, establishing public policy and purposes, definitions, demolition permit requirements, a demolition permit application process, review procedures and provides penalties and remedies for violations. Councilman Cunningham mentioned that the process for implementing this ordinance began approximately eight (8) months ago with 270 properties and is now down to approximately 75 properties. With that said, Councilman Cunningham made a motion to adopt Ordinance No. 1051 establishing a Historic Preservation Overlay District. Councilman Williamson seconded the motion. The motion carried unanimously. Councilman Williamson congratulated Councilman Cunningham on the development of this ordinance, which he believes to be appropriate and flexible. Councilman Cunningham thanked Solicitor Scott and Engineer Walton for their contributions to the creation of this ordinance.

While performing the legwork for the Historic Preservation Overlay District Ordinance, Councilman Cunningham mentioned that the Community Development Committee may want to look into development within the R1 Zoning District as there may be too many options offered as a right. For instance, currently a single-family house can be converted into up to three (3) multi-family units. The question was raised as to whether or not the Borough should allow this. Also, should the Borough be more restrictive with regard to home occupations without a special exception. Solicitor Scott responded that currently the R1 Zoning District is guided by the Pennsylvania Municipalities Planning Code (MPC) and that Borough Council can review to determine if the existing ordinance is more permissive than needed.

Councilman Cunningham inquired if there has been any feedback from the Delaware County Planning Department regarding the Briggs Tavern. Borough Manager Smith mentioned that there has not been any feedback as of yet and that the study is ongoing.

Councilman Cunningham announced a vacancy on the Historic Archives Commission. Interested candidates residing in the Borough should submit their resume/letter of interest to Borough Manager Smith.

Media Business Authority, Technology & Fair Trade Committee – Mrs. Simpson

President Daly added Fair Trade Committee liaison to Councilwoman Simpson's committee assignments.

Councilwoman Simpson announced the following events for the Media Business Authority:

- November 28, 2008 – Santa’s Arrival, State & Jackson Streets.
- December 3, 2008 – Official opening of Santa’s Village.
- December 21, 2008 – Start of Hanukkah-the Festival of Lights
- Please see www.visitmediapa.com for further event information.

Councilwoman Simpson mentioned that plans are underway for the next Media 5 Mile Race in 2009, which will be the 30th anniversary of this event.

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

Vice-President Hall mentioned that 14 recycling bins have been purchased for installation along State Street. Borough Manager Smith noted that the Borough is awaiting feedback from the Environment Advisory Council concerning the decals for these bins.

Vice-President Hall mentioned the Environmental Advisory Council acquired rain barrels with grant funds, which will be decorated by Media school children and installed throughout the Borough in 2009.

Vice-President Hall reported that 40 more residents are needed to sign up for SmartPower. Please visit the Borough’s website for more information.

Vice-President Hall announced the following for the Media Arts Council:

- The next Second Saturday event will be held on December 13, 2008.
- A film festival will be held during the last weekend in February 2009. Deadline for entries must be received by December 15, 2008.
- The Town Talk Newspapers will print an event map for the Second Saturday events.
- A poetry critique circle will be held on Wednesday, December 3, 2008 at Harvest Book Company.

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	\$ 779,697.95
Recreation Fund	\$ 16,673.50
Liquid Fuels Fund	\$ 15,986.75
Capital Fund	<u>\$ 70,462.16</u>
Total	\$ 882,820.36

President Daly motioned that bills be paid when properly approved for all funds. Councilwoman Simpson seconded the motion. Councilman Cunningham inquired if CMAQ and Third Street Bridge project invoices were included with the bills. Treasurer Deitch responded that invoices for these projects are included this month in the amount of \$1,800 for CMAQ and \$1,400 for Third Street. Borough Manager Smith took roll call on the vote. The motion carried 4-2, with Councilmen Cunningham and Alyanakian casting the dissenting votes.

President Daly mentioned that the Finance Committee consulted with department heads and various borough organizations in order to put together the preliminary 2009 General Fund, Capital Fund, Liquid Fuels Fund and Recreation Fund Budgets. The budget is in balance and provides funding for upcoming large projects. President Daly made a motion to adopt the Preliminary 2009 General Fund, Capital Fund, Liquid Fuels Fund and Recreation Fund Budgets. Councilman Williamson seconded the motion. Councilman Alyanakian thanked the Finance Committee for their hard work on the budget, however he is not going to vote for it as he believes the Borough has a long way to go on the budget. Councilman Cunningham mentioned that he intends to vote in favor of the budget despite his concerns with spending priorities, salary increases and the extent of capital spending. The motion carried 5-1, with Councilman Alyanakian casting the dissenting vote.

President Daly made a motion to authorize the advertisement of an ordinance setting the 2009 millage rate at 3.0 mills. President Daly noted that even though Council does not intend to increase the millage in 2009, it must be set via ordinance. Councilman Williamson seconded the motion. The motion carried unanimously.

President Daly deferred to Solicitor Scott to explain Resolution #2008-11, an amendment to the Borough's Open Record Policy. Solicitor Scott mentioned that this is a new state statute in which the Borough needs to be in compliance with by December 31, 2008. The Borough must appoint an Open Records Officer, which will be Borough Manager Smith. The Borough can charge \$.25 per page per duplication. Appeals can be made statewide. The Borough is required to post this information in a prominent location in the municipal building and on the website. With that said, President Daly made a motion to adopt Resolution #2008-11, an amendment to the Borough's Open Record Policy. Councilwoman Simpson seconded the motion. The motion carried unanimously.

President Daly mentioned that there is no update on the Third Street Bridge at this time.

President Daly made a motion to execute the consolidated agreement between Delaware County Lodge #27 Fraternal Order of Police and the Borough of Media. Councilman Williamson seconded the motion. The motion carried 5-1, with Councilman Cunningham casting the dissenting vote.

Community Development – Mr. Williamson

Councilman Williamson made a motion to appoint Jack Doyle to the Planning Commission to fill the unexpired term of Larry Morroni, which expires on December 31, 2009. Councilwoman Simpson seconded the motion. The motion carried unanimously. Councilman Cunningham mentioned his belief that the Planning Commission is too large at this point and was hoping that the commission would consider shrinking the number of members.

Public Safety, Highway & Emergency Management – Mr. Derrickson

On behalf of Councilman Derrickson, who was absent from the meeting, Councilman Williamson made a motion to adopt Ordinance No. 1052 – an amendment to Dogs and Other Animals in Public Places in order to allow for service animals to be in attendance at various Borough events. Vice-President Hall seconded the motion. The motion carried unanimously.

Councilman Cunningham inquired on the status of pedestrian crossing signs. Councilman Williamson mentioned that the Public Safety Committee is looking into painted stencils on the street and they currently have a quote for the stencils.

Councilman Cunningham inquired about no truck traffic signs on South Jackson Street (between Jefferson Street and the Borough line). Councilman Williamson mentioned that the purchase and installation of these signs was approved. Borough Manager Smith mentioned that Council discussed working with Mayor McMahon on this item at the Workshop meeting and the issue of no parking on the north side of the 100 block of West Third Street. Mayor McMahon authorized the placement of no truck traffic signs on South Jackson Street (between Jefferson Street and the Borough line) and no parking 9:00 a.m.-5:00 p.m., Monday through Friday, along the north side of the 100 block of West Third Street.

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

With regard to the advertisement of bids for accessibility upgrades to Barrall Park, Councilman Alyanakian mentioned that he will hold off on a recommendation at this point due to discussions with the architect for this project to include a second floor to the snack bar area and to make the area handicapped accessible.

Councilman Alyanakian thanked the Media Area Girls Softball League for aerating the ball field. They will also plant seed in the near future.

With regard to the park study for Houtman Park, Councilman Alyanakian mentioned that the Recreation Board would like to start a Friends of the Park Group/Committee. The Recreation Board is considering using community service workers to help with the park clean up in either March 2009 or the second quarter of 2009.

Councilman Alyanakian announced that the renovations to the Media Youth Center are going well, as the paving in the upper lot is completed and is providing better stormwater management for this area. There was some discussion with regard to the installation of speed humps, but it was determined that this was not part of the final land development application. Councilman Alyanakian and Engineer Walton will meet to discuss the possibility of installing a compliant speed hump.

Councilman Alyanakian mentioned that the Media-Upper Providence Library announced that the library book sale in October went well.

Councilman Alyanakian reminded everyone to donate to the Media Fire Company during their fund drive.

Councilman Alyanakian mentioned that the Recreation Board is exploring the feasibility of the Media Youth Center running the summer recreation program. It is anticipated that there will be further information in December 2008.

Councilman Alyanakian announced that the Media Rugby Club was honored during the recent Media Old Timers banquet.

Councilwoman Simpson mentioned that there will be another public meeting in January 2009 regarding the Houtman Park grant.

Public Comment & Privilege of the Floor

President Daly announced that Borough Council met in Executive Session between the Public Hearing and Council meeting this evening in order to discuss personnel, real estate and legal matters.

Michael Jordan inquired about the recent passing of Michael McCloskey. President Daly mentioned that Mr. McCloskey passed away on Election Day and was buried on the 233rd birthday of the U.S. Marine Corp.

Bob Dimond mentioned that Santa will go through town on a horse and carriage during the holiday season.

Letitia Jeavons inquired if the jewelweed at the park is considered invasive. Councilman Williamson mentioned that the jewelweed is native to the park.

Andy Davis mentioned the appearance of grease marks on the area where the stage was set up for the Senator McCain rally along Veterans Square. Mayor McMahon will take a look at the area in question.

Andy Davis mentioned 15 mile per hour limits for approximately six (6) or seven (7) blocks in Marcus Hook and suggested that the Borough may want to look into this. Engineer Walton mentioned that this can only be accomplished in a school zone or in the vicinity of a park.

Andy Davis inquired if individuals objecting to the removal of the remaining portion of the tree at 324 South Jackson Street have until Tuesday to express their opposition to its removal. President Daly mentioned that this is on private property and is scheduled for removal on Tuesday. Councilman Williamson mentioned that an arborist estimated the age of the tree to be between 300 and 350 years.

Adjournment

Councilman Cunningham motioned to adjourn the meeting at 9:50 p.m. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Respectfully submitted,

Jeffrey A. Smith
Borough Manager/Secretary