

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

NOVEMBER 20, 2007
7:00 P.M.

PRESIDING: Council President Briggs

INVOCATION: Gerard J. McGlone, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL:
 - Council President Briggs
 - Council Vice President VanSciver
 - Council Member Crawford
 - Council Member Edge - ABSENT
 - Council Member Lynch
 - Council Member Raymond
 - Council Member Smith
 - Mayor McGlone

2. PUBLIC FORUM:

Council President informs all present that copies of the agenda are available at the press desk. This is a Public Session of Council. Should any citizen/taxpayer wish to offer comments on any item on the agenda, now is the time to bring those comments before Council. Are there any citizens/taxpayers who wish to bring before Council any item not on the agenda?

- a. Peter DeLaurier, 113 W. Broad Street – proposed that Council consider offering an inducement for residents to vote by instituting a “Malvern Democracy Tax Credit”. Mr. DeLaurier suggested raising the Per Capita Tax to \$15 or \$20 and then forgiving it for any citizen who is shown to have voted in all possible elections for the previous year. He suggested that this scenario would work for any tax. While Council discussed the pros and cons, and other legalities of initiating something similar to this idea, nothing specific came to mind. Sean O’Neill suggested that the businesses could distribute discount coupons for use at the businesses in town. That would keep it private. Another idea was to have something on site on voting day where stubs could be deposited for a drawing of a large prize or several prizes at the end of the day. Sean O’Neill was asked to investigate the tax credit idea.
- b. Celia Phelan, 113 W. Broad Street – proposed the idea of a Gardener’s Market in Burke Park for the summer of 2008. She suggested that a once a month/week market could be held from June through September. An article could be included in the Borough Newsletter to get the word out to local gardeners. Ms. Phelan was directed to contact the Manager and Police Chief.

3. APPROVAL OF MINUTES:

A motion was made by Council Member Smith, seconded by Council Member Raymond and carried unanimously by a vote of 6-0, to approve the minutes of the Regular Meeting held on Tuesday, October 2, 2007 and Tuesday, October 16, 2007, as submitted.

4. APPROVAL OF REPORTS:

A motion was made by Council Member Raymond, seconded by Council Vice President VanSciver and unanimously carried by a vote of 6-0, to approve the Treasurer's Report, the Committee Reports for Finance and Administration, Public Safety, Public Works and the Chief of Police Report, the Code Enforcement Officer's Reports (Building Inspector's Report, Housing and Property Maintenance Report and Zoning Report), the Superintendent of Public Works Report and the Manager's Report for the month of October 2007 as submitted.

5. PUBLIC HEARING – ORDINANCE NO. 2007-5:

Council President announced that Borough Council will now open the Public Hearing to consider adoption of an Ordinance repealing Ordinance No. 2006-15, entitled Emergency & Municipal Services Tax and enacting a new Ordinance entitled Local Services Tax.

It was explained that the Ordinance makes everything more uniform throughout the Commonwealth; the tax is collected in installments that equal the pay periods; provisions have been added for active military duty, etc.

There being no comments from the public, the public hearing was closed.

6. ORDINANCE NO. 2007-5 – LOCAL SERVICES TAX:

A motion was made by Council Member Lynch, seconded by Council Member Crawford and unanimously carried by a vote of 6-0, to adopt Ordinance No. 2007-5, an Ordinance pursuant to Act 7 of 2007 repealing Ordinance No. 2006-15 and enacting a new Ordinance No. 2007-5, to be entitled, "Local Services Tax."

7. RESOLUTION NO. 580 – T.A.G. Builders, Inc. – Preliminary Plan Approval:

A motion was made by Council Member Lynch, seconded by Council Member Smith and unanimously carried by a vote of 6-0, to approve Resolution No. 580, a Resolution approving, subject to conditions, the Preliminary Plan of T.A.G. Builders, Inc., entitled "Preliminary Subdivision Plan for T.A.G. Builders" prepared by Chester Valley Engineers dated November 14, 2006, last revised August 16, 2007, consisting of eight (8) sheets, as a Preliminary Subdivision Plan pursuant to the Malvern Borough Subdivision and Land Development Regulations of 2006, as amended for the development of certain property located in the Borough of Malvern, Chester County, Pennsylvania, which Property is situated at the southeast corner of Monument Avenue and a former public right-of-way, known as Griffith Avenue in the R-3a Residential Zoning District.

Council President Briggs asked that Council discuss, at some time in the future, the advisability of making the private street they are building into a public street of the Borough.

8. OTHER BUSINESS:

a. Borough News Magazine – the Manager asked if members of Council were interested in receiving copies of the Borough News Magazine. Only Council Vice President VanSciver indicated that he would like to continue receiving the magazine.

b. Daily Local News Article – the Manager informed Council that at their desks this evening was an article on proposed legislation by Senator Dinniman regarding volunteer fire companies. Senator Dinniman has proposed legislation that would offer up to a \$400 earned income tax credit for anyone who volunteers for their local fire department. The Manager felt the article was worth reading.

c. Malvern Website – the Manager reported that the newly revised Malvern website would go “live” on Monday, November 26th. She stated that along with many enhancements to the site, was a calendar of events that will show meeting dates of the Boards and Commissions, events in town, etc. She reported that it has been a lengthy process, but the site has a lot of additional information that should be of interest to the public and is very easy to navigate.

COUNCIL RECESSED TO EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER

FOLLOWING THE EXECUTIVE SESSION, COUNCIL RECONVENED THE MEETING

9. ADJOURNMENT:

A motion was made by Council Vice President VanSciver, seconded by Council Member Crawford, and unanimously carried by a vote of 6-0, to adjourn the meeting at 8:22 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager