

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH

July 15, 2008  
7:30 P.M.

PRESIDING: Woody J. Van Sciver, President

INVOCATION: Gerard J. McGlone, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL:
  - Council President Van Sciver
  - Council Vice President Raymond
  - Council Member Crawford
  - Council Member Edge - ABSENT
  - Council Member Lynch - ABSENT
  - Council Member Smith
  - Council Member Vike
  - Mayor McGlone

2. PUBLIC FORUM:

Council President informed 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?

John Buckley, 165 Church Street, commented on the following:

- Safety issue regarding cars being jacked up and left unattended
- Underage gambling at the Fair
- Reflectors or concrete barriers being placed on Crest Avenue in response to the residents request for speed humps

3. APPROVAL OF MINUTES:

A motion was made by Council Vice President Raymond, seconded by Council Member Smith and unanimously carried by a vote of 5-0, to approve the minutes of the Meetings held on Tuesday, June 3, 2008 and Tuesday, June 17, 2008, as submitted.

4. APPROVAL OF REPORTS:

A motion was made by Council Member Crawford, seconded by Council Member Vike and unanimously carried by a vote of 5-0, 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 June 2008 as submitted.

5. ESCROW RELEASE – RITTENHOUSE BUILDERS, INC, CHURCH STREET:

A motion was made by Council Vice President Raymond, seconded by Council Member Vike and unanimously carried by a vote of 5-0, to authorize the release of Escrow Funds for 218 Church Street, in the amount of \$18,935.00, to Rittenhouse Builders, Inc., as recommended by the Borough Engineer.

6. APPROVAL OF MULTI-MUNICIPAL BICYCLE / PEDESTRIAN TRAIL NETWORK PLAN FOR THE EASTERN GREAT VALLEY AND APPROVAL OF CONSULTANT:

A motion was made by Council Member Smith and seconded by Council Vice President Raymond to approve the Multi-Municipal Bicycle / Pedestrian Trail Network Plan for the Eastern Great Valley and to approve the consultant selection of Urban Research and Development Corporation to develop this Plan. The trail network will link Valley Forge National Historical Park in Tredyffrin Township with both the Paoli Massacre Site in Malvern Borough and the Battle of the Clouds Park in East Whiteland Township. The Contract will be submitted to Chester County under a Vision Partnership Program Grant. A letter of support for the proposed work program will be submitted with the Grant Application. It is understood that this project will not move forward if this grant request is denied.

The Manager reported that a document was previously prepared by the Chester County Planning Commission, titled *An evaluation of Patriot's Path, Trail opportunities in the Eastern Great Valley*. This document was submitted to the municipalities for review by their Planning Commissions and Councils/Supervisors. The municipalities viewed this document favorably and, as a result, it was taken to the next level with a Request for Proposals being prepared. A pre-proposal meeting was held at Tredyffrin Township and was attended by nine consultants. Proposals were received from five consultants and ranged in cost from \$58,800 to \$104,700.

The lowest bidder was Urban Research and Development Company and they were asked to come in and make a presentation. Following that presentation, the municipal managers from Tredyffrin Township, East Whiteland Township and Malvern Borough agreed to move forward in their selection of URDC as the consultant for this project. URDC has worked with all three municipalities in the past on various plans.

The Managers are now asking their Boards to approve an application to the County under the Vision Partnership Program for grant funding of this trail network. The grant will pay for 90% of the costs with the municipalities sharing in the remaining 10%. The RFP indicated that if the project is not funded by the County, the project would not move forward.

The trail network will connect the Valley Forge National Park with the Paoli Battlefield and the Battle of the Clouds. They will use existing sidewalks and paths where they exist.

The Manager reported that she believes this is a great opportunity for the Borough to be included in this proposed trail network plan at a very reasonable cost to the Borough.

A motion to participate in the Task Force comprised of the three municipalities of Tredyffrin Township, East Whiteland Township and Malvern Borough, to approve and support the project known as the "Multi-Municipal Bicycle / Pedestrian Trail Network Plan for the Eastern Great Valley" and to approve the consultant selection of Urban Research and Development Corporation to develop this Plan, unanimously carried by a vote of 5-0.

7. OTHER BUSINESS:

a. Traffic Calming on Crest Avenue – Council Member Crawford reported that based upon the data received from the previous studies, there does not appear to be a speeding problem on Crest Avenue. As far as the more recent police data and police reports, there appears not to be a speeding problem but a volume issue. A speed hump is not to be used to control volume. The residents concerns are more of volume and that is a situation that is prevalent throughout the Borough. There is no way to control the volume of traffic.

Council Member Vike stated that he feels that some of the issues with cut-through traffic and volume revert back to the Wawa intersection and pedestrian access, etc. He felt that perhaps with Septa making improvements to their parking areas, the Shopping Center might again be approached to redesign the number of curb cuts on their property and make pedestrian access easier to navigate.

Council President Van Sciver stated that the Shopping Center parking lot was a sketch in the Revitalization Plan that indicated the Shopping Center could increase their parking by eliminating two curb cuts. He stated that he believes, from previous contacts with the owners, that they were not interested in making any changes to their lot. However, as part of the Septa development, we can again contact the owners and ask that they reopen the issue for discussion.

b. Comcast Franchise Agreement – the Manager reported that she had received copies of the Comcast Model Franchise Agreement and inquired if Council was interested in contacting the attorney they had worked with for the Verizon Agreement to negotiate this Agreement.

Council President Van Sciver stated that the way of the future is moving over to television with franchise rights and questioned whether it might be feasible to get a franchise fee from those rights as it goes over the TV and not just through the cable.

Council Member Crawford stated that he felt we should negotiate the same terms as we did with Verizon and, if we can't, we want to know why we can't.

Council Member Vike stated some of the changes in Comcast's Agreement may show competition with Verizon and we may get a more feasible agreement with them at this time.

8. ADJOURNMENT:

A motion was made by Council Member Smith, seconded by Council Member Crawford and unanimously carried by a vote of 5-0 to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

Sandra L. Kelley  
Secretary/Manager