

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH

January 4, 2011  
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 Lynch
  - Council Member Macaleer
  - Council Member McCrory
  - Council Member Sponenbergh
  - Council Member Uzman
  - Mayor McGlone

2. PUBLIC FORUM:

Council President informs all present that copies of the agenda are available at the front 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?

There were no public comments.

3. RESOLUTION NO. 637 - SUBDIVISION OF LANDS OF THERESA AND HARLON SIMMONS, 8 BROAD STREET:

A motion was made by Council Member Uzman, seconded by Council Member Sponenbergh and unanimously carried by a vote of 7-0 to adopt Resolution No. 637, a Resolution approving, subject to conditions, the plan entitled "Subdivision of Lands of Theresa and Harlon Simmons, 8 Broad Street", prepared by John Smirga, P.E. dated February 20, 2010, last revised October 20, 2010 as a preliminary 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, in the R6 zoning district.

A recommendation for approval, with conditions, was received from the Planning Commission.

A letter was received from the Borough Engineer that listed outstanding items to be completed and added to the Plan.

4. OTHER BUSINESS:

- a. Annual Report – Paoli Battlefield Preservation Fund

- 1) Bruce Knapp, President of the Paoli Battlefield Preservation Fund, reported on their 2010 Achievements for Educational Events and Historical & Preservation Activities; the challenges they face going forward and their Outlook for 2011. A copy of their Annual Report will become a part of these minutes.

Mr. Knapp reported that the ten-year licensing agreement will terminate in May of 2011 and feels the Agreement needs to be revisited and conform to the economic realities of today. The PBPF will ask the Borough to sponsor activities at the site. If the PBPF wanted to charge a fee for the event, under the current Agreement, they would have to provide liability insurance. The cost of the insurance is prohibitive for an organization that raises very little money. But, if the Borough sponsors an event, the Paoli Battlefield can charge a fee and the insurance would fall under the Borough's insurance. This should be considered and worked out for the benefit of both the PBPF and the Borough.

Mr. Knapp also expressed concern that no member of Malvern Borough is on their Board. He feels this affects the interaction with the Borough and their Board feels they would like to have a closer contact with the Borough to help guide them in the future. Mr. Knapp also reported that they get no volunteers from the Borough. They have many volunteers from East Goshen and Willistown Township, but very few from Malvern Borough.

Their Board meets on the 2<sup>nd</sup> Wednesday of each month from 5:30-7:30 p.m. at Borough Hall.

Council President Van Sciver inquired as to the cost associated with the Let Freedom Ring event and the Illumination Event. Mr. Knapp responded that the Let Freedom Ring event costs \$500-\$600 to produce and the Illumination Event is several hundred dollars. The Illumination Event is held as a fundraiser but the costs are high and many of the attendees who live in the Borough don't feel they should pay as they feel it is their property paid for through their taxes. They don't realize the costs involved in producing these events.

Council President Van Sciver thanked Mr. Knapp for his many years of service to Malvern Borough.

2) Chris Mongeau, Chair of the Malvern Borough Planning Commission, reported that the Planning Commission had eight major planning applicants come before them this year, one being the Conditional Use application for 237 East King Street Partners. During the year, two members resigned, two new members were appointed and there is currently one vacancy. Mr. Mongeau reported that several members took the planning courses in 2010 and will take the courses in 2011 in order to become more educated in what is going on in planning and reviewing of plans. Mr. Mongeau reported that three members of the Planning Commission sit on the Comprehensive Plan Task Force. The second draft of the Comprehensive Plan is expected to be complete in late January with public hearings to be held in June or July. The Planning Commission is also working on diminimus requests for waivers. They have had several small requests for waivers and Mr. Mongeau stated that he feels they are going to have to work with the solicitor to limit the need for the diminimus requests for waivers.

Council President Van Sciver thanked Mr. Mongeau for his service on the Planning Commission.

3) Council President Van Sciver reported that the Malin Road Extension Study is pretty much complete now. It had to be completed by December 31<sup>st</sup> in order to meet the conditions of the grant. Council President Van Sciver stated that he has personally contacted members of the Delaware Valley Regional Planning Commission and the Chester County Planning Commission requesting a Preamble letter of support for the Study since it has such important implications for Smart growth, transit oriented development, etc. He has not heard back from them but hopes that they will embrace the Study and get on board. The Study

concluded that it was a feasible project. The Borough didn't have an interest in the Three Tun extension but it was pursued because of East Whiteland's involvement. The balance of the study the Council should find very informative as it would increase transit oriented development around the train station.

4) Council President Van Sciver invited the Borough Council members to discuss with him any issues they may have and to let him know if they feel that Council is going in the right direction.

5. ADJOURNMENT:

All business having been discussed, a motion was made by Council Member Uzman, seconded by Council Member Sponenbergh and unanimously carried by a vote of 7-0 to adjourn the meeting a 8:11 p.m.

Respectfully submitted,

Sandra L. Kelley  
Secretary/Manager.