

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

November 1, 2011
7:30 P.M.

PRESIDING: Woody J. Van Sciver, President

1. ROLL CALL:
 - Council President Van Sciver
 - Council Vice President Raymond
 - Council Member Lynch
 - Council Member Macaleer
 - Council Member McCrory
 - Council Member Spönenbergh
 - Council Member Uzman
 - Mayor McGlone

2. PUBLIC FORUM:

Council President Van Sciver recognized members of the audience who had concerns to bring before Council.

- a. David Tedjeske, 105 Margaret Lane, expressed concern over the way the Borough calculated their sewer billing. He explained that he moved out of his home on Margaret Lane in June and because his home is still listed for sale, he is responsible for paying utility bills. The third quarter sewer bill indicates that he used 17,000 gallons of water but he only used 200 gallons of water during that time period.

Council explained the billing system to Mr. Tedjeske and stated that the calculations are based on winter water meter readings as during the summer months, people use water to water their plants, fill their swimming pools and water their lawns and that water does not go into the sewer system. The Borough felt that calculating water usage based on the winter months was a fair way to calculate residential billings.

Mr. Tedjeske stated that he would like the bill adjusted, but Council explained that in order to do that, the existing Ordinance would have to be changed and it could not be changed retroactively. Even if Council were to consider amending the Ordinance, it would not help Mr. Tedjeske at this time.

Mr. Tedjeske stated that if Council didn't want to help him, that was okay. He would just take it further.

Council President Van Sciver responded that Mr. Tedjeske was arguing with the sampling technique that our billing system uses. It is not that Council does not want to help him, it is just that there is an existing Ordinance that is in place.

Council will discuss whether or not to consider amending the Ordinance.

- b. John Rychlak, President, Malvern Fire Company, gave an update on the Malvern Fire Company building project. He explained that they recently received bids after conducting a major scale back of the project because the original budgetary estimates were way off. They have

selected a contractor and the grant funding will cover the lion share of what they have to accomplish.

Mr. Rychlak respectfully asked that the Borough waive the permit fees.

Council President Van Sciver stated that the fees pay the Borough's costs to have the Codes Enforcement Officer conduct his inspections, etc.

Council stated that they are still in the process of formulating the 2012 budget. The contribution to the fire company is in the budget. Perhaps that could be part of our contribution to the fire company.

Mr. Rychlak stated that it would be helpful if they had some idea of Council's decision very soon. They have to decide whether or not there is a potential cost savings to some of the things they had to set aside if they delayed breaking ground until just after the winter months. They are asking to reduce or eliminate their costs for the permits. Any savings will go right back into the project.

It was stated that what Council decided to do about Mr. Rychlak's request will depend upon the Borough's budget.

Mr. Rychlak was asked if a response by the November 15th meeting would be soon enough and Mr. Rychlak responded in the affirmative.

c. Jim Hoffman, 222 W. King Street, thanked the Borough for their prompt response in having the No Parking signs removed the day after the last Council meeting.

d. John Buckley, 165 Church Street, felt the Borough should thank the East Whiteland Fire Police Chief and his crew for the nice job they do at the borough events. They come to the Fall Festival, Halloween Parade, Victorian Christmas and Malvern Blooms.

Council Member McCrory stated that one of his neighbors commented to him about how nice the Fall Fest was, how well run it was and how well it was attended. Council Vice President Raymond seconded that.

Council President Van Sciver said that he was going to mention the Borough's Public Works crew and what a nice job they did during the recent snowstorm. Even though it is leaf time, he did see a plow on the street.

e. Michael Tygh, 197 Paoli Pike – Council President Van Sciver asked Mr. Tygh if he had any comments for Borough Council and Mr. Tygh responded that he was only there to listen.

3. W. KING STREET NO PARKING ORDINANCE BETWEEN CREST AVENUE AND MALVERN AVENUE:

Council President Van Sciver stated that this No Parking Ordinance has been on the books since 1981. Council could consider revisions to the Ordinance. The best traffic calming is the wide median and the on-street parking.

Council Member Macaleer feels that this scenario would create an unsafe condition for people getting in and out of their cars on King Street.

Council Member Uzman stated that the downtown is more restricted but it is a downtown setting with many pedestrians. He reported that he goes down W. King Street all the time as he lives in this area. When there is parking on both sides of the road, it is dangerous. It is not wide enough for four lanes. He stated that he is also considering the liability that we may be opening the Borough up to. Now it is striped so that the roadway is "x" feet wide and there is no way to put a car and a parked car there and the Borough would be liable for allowing parking in this area.

Council Member Lynch asked if there could be parking allowed on one side and not the other. Council Member Uzman responded that you could change the striping and put in parking spaces.

Following further discussion, Council agreed that they must make a sound decision that can be backed up. The Manager will contact the Borough Engineer for input regarding travel lanes, parking lanes, striping, etc.

The matter was referred to the Public Safety Committee for further discussion and recommendation.

4. GRIFFITH AVENUE TRAFFIC CALMING PETITION:

Residents of Griffith Avenue filed a petition for a speed hump to be placed on Griffith Avenue. Following discussion, Council agreed to install one speed hump closest to King Street and if that is not sufficient, may consider installing another hump closer to Monument Avenue.

5. ORDINANCE – DIGITAL SIGNAGE/BILLBOARD SIGNS:

Council agreed to advertise for adoption an Ordinance amending the Malvern Borough Zoning Ordinance of 2003, as amended, in order to prescribe standards for permitted digital signage and for billboard signs.

6. ACCEPT BID – 2008 POLICE CRUISER:

MOTION: Council unanimously agreed to accept the highest bid for the 2008 Police Cruiser from Grace Quality Used Cars, Inc., at a bid of \$4,048.

7. OTHER BUSINESS:

a. 2012 Budget – at this time, there is not expected to be a millage increase, however, that could change as more information becomes available. The projection for licenses and permit fees for 2012 were pumped up because of the E. King Street development. One of the items discussed this year was that the proposed budget was always based on the prior years

proposed budget with adjustments that were foreseen. The Finance Committee discussed changing that process and looking at estimates for proposed budget by identifying some things more carefully with more contingencies.

Council discussed footnotes that would be included in the budget and a re-allocation of salaries.

The budget will again be discussed at the November 15th meeting.

b. Vacation of a portion of Wayne Avenue – Council President Van Sciver announced that Council would hold a public hearing on November 15, 2001 to consider an Ordinance for vacation of a portion of Wayne Avenue.

8. RESOLUTION NO. 647 – DESIGNATION OF AGENT:

MOTION: A motion was made by Council Vice President Raymond, seconded by Council Member Uzman and unanimously carried by a vote of 7-0 to adopt Resolution No. 647, a Resolution authorizing Sandra L. Kelley, Secretary, to execute for and in behalf of the Borough of Malvern, all required forms and documents for the purpose of obtaining financial assistance for Hurricane Irene.

9. ADJOURNMENT:

All business having been discussion, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager