

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?

- a. Vicki Sharpless reported on the Webelo Woods event to be held at the Paoli Memorial Grounds from April 16-18. Ms. Sharpless reported that two of the most popular stations each year are the Archery range and the BB range. Ms. Sharpless asked Council for permission again this year to set up the archery and BB ranges as they did in the past. Ms. Sharpless reported that they have been unsuccessful so far in finding an archery range master and will not conduct this event if one is not found.

A motion was made by Council Member Lynch, seconded by Council Member Uzman and unanimously carried by a vote of 7-0 to approve the Boy Scouts of America to use the Paoli Battlefield for the BB and Archery ranges.

- b. Joe Giandonato, 39 Crest Avenue, stated that he and William Mann were here again expressing their concern with the speeding cars on Crest Avenue.

It was reported that the Public Safety Committee had discussed the issues relating to Crest Avenue including the latest studies regarding speeds and traffic flow on Crest which the committee found fell somewhat short of demonstrating there was a significant amount of traffic exceeding 25 MPH. The Committee considered and discussed other possible solutions and issues including the implementation of another speed pump which had pros and cons regarding placement which might interfere with access to residents driveways. The Committee has not fully come up with a resolution at this point.

Regarding their request for a speed limit of 15 MPH, they were informed that the circumstances for reducing the speed limit to 15 MPH would require PennDOT warrants to be enforceable and Crest Avenue would not meet those warrants.

The Public Safety Committee has looked at a number of different options and have discussed sidewalks, as well. The Committee is looking at the possibility of implementing

the sidewalk improvement plan and is looking at a holistic approach. The Committee did not come to any conclusions but will continue deliberations.

3. RESOLUTION NO. 615 – SEPTA FINAL LAND DEVELOPMENT APPROVAL:

Wendy McLean, Esq., reported that since a response from the Chester County Planning Commission was not received, prior to this meeting, on the 76 sq.ft. piece of the Kenney Property that Septa is conveying to Kenney, the subdivision language was removed from the Resolution and the Resolution now refers only to the land development plan.

The question was raised about having a policeman at the exit from the parking lot if there are issues between the time the improvements are made and the six month time period when the Borough can request a traffic study.

John Grant, P.E., reported that he had discussed this option with his traffic consultant and the consultant stated that it can be more complicated than you think. If a policeman were to allow cars to exit that have queued, this would increase the release rate coming out of that lot. It would bring more cars coming onto King at a quicker rate, thus causing more of a back-up on King Street. The three-way stop at this site highly regulates what comes out onto King Street. Having a police officer at the site could have an adverse effect and may make things worse. The same function of the police officer would be served by the three-way stop. There will only be a net increase of seven parking spaces in this area.

A motion was made by Council Member McCrory, seconded by Council Member Uzman and unanimously carried by a vote of 7-0 to approve Resolution No. 615, a Resolution approving, subject to conditions, the land development plan of Southeastern PA Transportation Authority entitled “Malvern Station Tunnel and Parking Lot Improvements” prepared by Stantec Consulting Services, Inc., dated October 28, 2009, and last revised January 15, 2010, together with associated and supplemental plans as enumerated in the Borough Engineer’s letter dated January 14, 2010 as a final subdivision and land development plan, pursuant to the Malvern Borough Subdivision and Land Development Regulations of 2006, as amended, for the development of certain property known as the Malvern Train Station located in the Borough of Malvern, Chester County, Pennsylvania, which development is located in the LI and C-1 districts.

4. RESOLUTION NO. 614 –ANDREWS MANAGEMENT CORP. SEWAGE FACILITIES PLANNING MODULE:

A motion was made by Council Vice President Raymond, seconded by Council Member Sponenbergh and unanimously carried by a vote of 7-0 to approve Resolution No. 614, a Resolution adopting and submitting to the Department of Environmental Protection for its approval as a revision to the “Official Sewage Facilities Plan” of the Borough of Malvern, the Sewage Facilities Planning Module for Andrews Management Corporation.

5. OTHER BUSINESS:

a. Malvern Preparatory School – Athletic Field Improvements – Paul Finley, Chair of the Committee overseeing the design and construction of a new track field, explained the athletic field modifications that Malvern Prep would like to make at the School. Mr. Finley explained that the Prep would like to have a preliminary/final plan approved in order to expedite the process. Mr. Finley stated that he was here tonight to explain the proposed improvements and to receive any feedback and concerns from Council. The improvements being considered include:

- replace existing football field with a new artificial turf multi-use athletic field including an 8-lane track

- relocate an existing baseball field
- add one new tennis court
- install new home (1050 seats) and visitor (250 seats) bleachers
- two ticket booths
- relocate a service driveway
- add miscellaneous walkways and emergency access points around the field area to include ADA access
- connect a maintenance building to public sewer
- plan shows the location for a future concession stand

Representatives from the Prep met with the Borough Engineer and DEP and a favorable response was received from DEP for stormwater management. Stormwater will go into the existing retention basin.

They are proposing to move two light standards on the field ten feet closer to the field and moving two other lights to the west approximately 35 feet. The illumination from the lights will be focused onto the field.

The proposed additional tennis court will impact the sewer system so a low pressure grinder pump will be installed to connect to the public sewer. Willistown Township has no problem with the additional connection.

The emergency access will be at both ends by the ticket booths and sidewalks are being proposed along the ring road so people are not walking where it exists today.

Large events will be limited to 2-3 per year.

The Planning Commission has requested an on-site meeting as we will be going through major land development.

Malvern Prep would like to start the project this spring so the project will be complete in time for the first event on Labor Day weekend.

b. Committee Reports:

**Public Works Committee** – The Public Works Committee met prior to the meeting and discussed a revised sewer ordinance. The Committee also discussed the idea of a petition by residents of any street who wanted to request streetscape improvements or traffic calming measures. For example, if residents on a street want sidewalks installed, they can complete the petition and submit the petition to Borough Council. If 75% of the residents on the street want sidewalks, Council could consider the request and determine the cost sharing. The Committee also discussed the stormwater issues on Highland Avenue and will ask the Borough Engineer for a proposal to prepare a study of this area to determine what needs to be done to alleviate some of the stormwater issues experienced along Highland Ave., Malvern Ave. and King Street. The Committee will plan to meet monthly.

**Finance and Administration** – The Finance and Administration Committee will set a meeting schedule. They will be discussing the budget and the budgeting process, will consider setting up standards for financial reporting and look at compensation issues.

**Public Safety Committee** – The Public Safety Committee met twice since the beginning of the year. These meetings were driven by a request for education course reimbursement and for physical agility requirements. The largest issue that the Committee has begun to discuss is how to address traffic issues like the request from the residents of Crest Avenue. The Committee is also discussing a petition format for requests from residents living on particular streets who want sidewalks, traffic calming, streetscape projects, etc. Prior to Council's next meeting, the Committee will have met again and they will have a more formal set of issues to discuss as the year goes forward.

Council will request the Planning Commission to make suggestions on how to deal with diminimus changes in the land development process, such as we saw with Call Center Connect and Renehan Builders on E. King Street regarding a shed in the rear yard.

Regarding the Malin Road Feasibility Study, it was reported that we are waiting for the executed Consulting Agreement from McMahon Associates. Once that Agreement is received, a meeting will be set to review and discuss the project going forward.

The Finance Committee will discuss the upcoming trash collection contract.

c. Neighborhood Improvement District – The notion of a N.I.D. was discussed and concerns were raised. A lot of the mapping and planning associated with the N.I.D. will be duplicated in the Comprehensive Plan. There was a concern that these studies could cost the Borough \$50,000 in this year's budget.

Under the Main Street Manager program, in order for the program to be successful, the Main Street Manager had to be able to negotiate with all the landlords for a mixed use of retail shops and having that power for the Main Street Manager to be in between those leases between the landlords and tenants. If this group were able to get some sort of resolution amongst themselves, to be taxed at a greater rate, that would be a big leap forward that would merit a very big look from the Borough. If the business community can gather some understanding of where they will get the funds for a N.I.D., and someone to coordinate the leses, that would be fantastic.

A representative from the group spearheading this proposal will be invited to come to Council and present the goals and the schematic outline of the plan. They should be prepared to set forth what they want and how they expect to get it. The assessment should pay for everything that they need. They will also be asked to provide a map of the N.I.D. area being considered. Council felt they needed to know a lot more about what is intended, would need to know the area that has been established as being part of the N.I.D. and is not prepared to say anything more until they know more about it.

6. ADJOURNMENT:

All business having been discussed, a motion was made by Council Member Sponenbergh, seconded by Council Member Macaleer and unanimously carried by a vote of 7-0 to adjourn the meeting at 9:19 p.m.

Respectfully submitted,

Sandra L. Kelley  
Secretary/Manager