

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

May 18, 2010
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- ABSENT
 - 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. William Rossiter, CPA – Presentation of Audited Financial Statements for the Year 2009 – Mr. Rossiter reported that the Borough was in good financial condition. He reported that up to \$1M could be transferred from the General Fund to the Capital Reserve Fund to fund on-going capital projects and debt service for bond issues that are currently outstanding. Even if this money is transferred, we would still retain enough money in the General Fund to meet the Borough's objectives.

Council stated that they will review the audited report and will contact Mr. Rossiter if they have any additional questions at that time.

3. APPROVAL OF MINUTES:

A motion was made by Council Member Uzman and seconded by Council Member Sponenbergh to approve the minutes of the Regular Meetings held on Tuesday, April 6 and April 20, 2010, as submitted.

Council Vice President Raymond asked that Item Number 5, Page 3, Paragraph 4, first sentence, be amended to read "Council Vice President Raymond reported that the Committee was also considering a form of Petition to be submitted by the residents for traffic calming measures on their street."

The motion, as amended, carried unanimously by a vote of 6-0.

4. APPROVAL OF REPORTS:

A motion was made by Council Vice President Raymond, seconded by Council Member Sponenbergh 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 April 2010, as submitted.

5. RESOLUTION NO. 621 – MALVERN PREPARATORY SCHOOL:

A motion was made by Council Member Uzman, seconded by council Member Sponenbergh and unanimously carried by a vote of 6-0 to adopt Resolution No. 621, a Resolution approving, subject to conditions, a Plan, entitled "Preliminary/Final Land Development Plan of Malvern Preparatory School" as a preliminary/final land development plan, pursuant to the Malvern Borough Subdivision and Land Development Ordinance of 2006, as amended, for the development of certain property located in the Borough of Malvern, Chester County, Pennsylvania, which development is located in the I-1 district, at the corner of Paoli Pike and Warren Avenue.

A recommendation was received from the Borough Planning Commission.

6. WAIVER OF LAND DEVELOPMENT – MALVERN PREPARATORY SCHOOL:

A motion was made by Council Member Macaleer, seconded by Council Member Sponenbergh and unanimously carried by a vote of 6-0 to approve the request of Malvern Preparatory School for a waiver from land development to install a gazebo on their property at 318 So. Warren Avenue.

A recommendation was received from the Borough Planning Commission.

A stormwater condition was requested by the Planning Commission, but Council determined that as the Stormwater Ordinance did not require stormwater management for structures less than 400 sq. ft., this condition did not apply.

7. OTHER BUSINESS:

a. Zoning Hearing Board Application – an Application was received for 204 W. King Street. The applicant is saying that the builder of the home at 204 W. King Street built the home on the property line. They are claiming a hardship. Following discussion, Council directed the Manager to draft a letter which we will copy them on saying we do not support a hardship because this error was self-inflicted. Council would support "fast tracking" a lot line revision.

b. Memorial Parade – Council President Van Sciver reported that the Memorial Parade will be held on June 6th and the Parade Committee would like Council to be a part of it and participate by riding in the parade.

8. ADJOURNMENT:

All business having been discussed, a motion was made by Council Member Lynch, seconded by Council Member Uzman and unanimously carried by a vote of 6-0 to adjourn the meeting at 8:04 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager