

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

July 6, 2010
7:30 P.M.

PRESIDING: Woody J. Van Sciver, President

PLEDGE OF ALLEGIANCE TO THE FLAG

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

2. PUBLIC FORUM:

Council President informed 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. Jim Rapp, Nolan Drive, asked what was the Borough's response to the storm. Council President Van Sciver responded that there was no emergency response from anyone. Mr. Rapp stated that there were quite a few roads impassable in the Borough. It was a freak storm. Mr. Rapp asked when people were calling in, what is the plan. He stated that a lot of folks were out of electricity for 24 to 36 hours. He asked what provisions were made for the elderly. Council President Van Sciver stated that the Borough is investigating whether we can put the air conditioning on the emergency generator to offer respite for any elderly residents who need it. He also stated that the County opened their Emergency Operations Center for a couple of hours, but when they did not receive any calls, they closed. Mr. Rapp asked how we could get the word out to the residents that we are working on things.

3. PUBLIC HEARING - 237 KING PARTNERS, LLC:

Council President Van Sciver announced that Borough Council will now open the public hearing, continued from June 15, 2010, to consider and act upon the following conditional use application: Conditional Use Application of 237 King Partners, LLC as to 3.72 acres in the Borough (3.92 acre gross to title lines) on the north side of East King Street, extending west from the Malvern Borough Line, including tax parcels UPI 2-4-148; 2-4-150; 2-4-151; 2-4-152; 2-4-153; 2-4-158; 2-4-159; 2-4-160; 2-4-161; and 2-4-162, to permit a Multi-Use Development in the C-4 High Intensity Commercial District, pursuant to Malvern Zoning Ordinance Sections 1501

(C-4 Use Regulations); 2425 (Multi Use Development); 2910 (Conditional Uses) and related ordinance standards.

Wendy McLean, Esq., reported that there was no need to readvertise the hearing as it had been publicly continued at the June 15th meeting, with all the parties present. Ms. McLean reported that the Planning Commission will present evidence this evening and take questions and the applicant will have the opportunity to ask questions. There will be two witnesses and exhibits from the Planning Commission. Ms. McLean turned the hearing over to Fronefield Crawford, Esq., who was representing the Planning Commission.

Ross Unruh, Esq., stated that he was filling in for Andy Rau, Esq., who was on vacation.

Copies of the Transcript of the Conditional Use Hearing are available at Borough Hall.

4. RESOLUTION NO. 623 – TRANSFER OF FUNDS:

A motion was made by Council Vice President Raymond, seconded by Council Member Uzman and unanimously carried by a vote of 6-0 to adopt Resolution No. 623, a Resolution transferring funds from the General Fund to the Capital Reserve Fund.

5. APPOINTMENT TO PLANNING COMMISSION:

A motion was made by Council Member Sponenbergh, seconded by Council Member Uzman and unanimously carried by a vote of 6-0 to appoint Carroll Siquett to the Malvern Borough Planning Commission to fill the unexpired term of Evangeline Linkous, for a term to expire January 1, 2012.

6. REQUEST FOR WAIVER OF PERMIT FEES – FIRST BAPTIST CHURCH:

A motion was made by Council Member Uzman, seconded by Council Member Sponenbergh and unanimously carried by a vote of 6-0 to approve the request of the First Baptist Church of Malvern for a waiver of permit fees to re-roof the Church and Sunday School buildings.

7. RELEASE OF ESCROW FUNDS – GREENSTONE DEVELOPMENT II CORP.

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 release of escrow funds, in the amount of \$10,575.00, for Greenstone Development II Corp. Subdivision, TAG Builders, Griffith Avenue, as recommended by the Borough Engineer.

8. OTHER BUSINESS:

a. Monument Ave. and Sugartown Road – Council Member Sponenbergh reminded Council of their previous discussion regarding this intersection and the plan to visit with the Willistown Supervisors to ask for their support to approach PennDOT to improve the safety of the intersection at Monument Ave. and Sugartown Road.

A motion was made by Council Member Sponenbergh, seconded by Council Vice President Raymond and unanimously carried by a vote of 6-0, to approve action by members of Borough Council in seeking the assistance of Willistown Township Supervisors in approaching PennDOT to investigate improved safety measures at the intersection of Sugartown Road and Monument Avenue. Council Members Lynch and Raymond have previously volunteered to accompany Council Member Sponenbergh to Willistown.

9. ADJOURNMENT:

A motion was made by Council Member Uzman, seconded by Council Member Sponenbergh and unanimously carried by a vote of 6-0 to adjourn the meeting at 10:22 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager