

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

August 18, 2009
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 Crawford
Council Member Edge
Council Member Lynch
Council Member Smith
Council Member Vike
Mayor McGlone

COUNCIL RECESSED TO EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER
FOLLOWING THE EXECUTIVE SESSION, COUNCIL RECONVENED THE MEETING.

2. PUBLIC FORUM:

Council President informs all present that copies of the agenda are available at the press 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. APPROVAL OF MINUTES:

A motion was made by Council Member Lynch, seconded by Council Member Smith and unanimously carried by a vote of 7-0 to approve the minutes of the meetings held on Tuesday, July 7, 2009, and July 21, 2009, as submitted.

4. APPROVAL OF REPORTS:

A motion was made by Council Vice President Raymond, seconded by Council Member Edge and unanimously carried by a vote of 7-0 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 July, 2009, as submitted.

5. WAIVE PERMIT FEE – MALVERN FIRE COMPANY:

A motion was made by Council Member Crawford, seconded by Council Member Vike and unanimously carried by a vote of 7-0 to authorize the Borough Manager to waive all permit fees to the Malvern Fire Company for a renovation project at the fire station located at 424 E King Street.

6. RESOLUTION NO. 603 – APPLIED ENERGY SYSTEMS – REVISION TO THE “OFFICIAL SEWAGE FACILITIES PLAN”:

A motion was made by Council Member Smith, seconded by Council Member Lynch and unanimously carried by a vote of 7-0 to adopt Resolution No. 603, 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 Applied Energy Systems.

7. OTHER BUSINESS:

- a. Commercial Contractor’s Licensing Ordinance – In Section 90.13, the word “shall” was questioned. “Shall” means non-discretionary and Council Members questioned whether the word “shall” should refer to all items A.-G. The Manager was asked to contact the Solicitor to ask the purpose behind the use of the word “shall” instead of the word “may”. It was asked if perhaps the Ordinance was written to conform to state regulations and the Manager responded that it was. Clarification will be obtained from the attorney.
- b. Advertise to conduct a Public Hearing to Review the Draft Revitalization Plan on September 15, 2009. The Ordinance to amend the Comprehensive Plan to include the Revitalization Plan will be placed on the November Regular Meeting Agenda for adoption.
- c. The Manager announced that the Malin Road RFP’s were advertised and proposals are due September 4, 2009. Council President Van Sciver reminded Council that as a part of this RFP, a Study Advisory Committee must be formed consisting of representatives from East Whiteland, Malvern Borough, DVRPC, Chester County Planning Commission, PennDOT and SEPTA.
- d. Chief McMahon reported that the Borough was not awarded a grant for an additional full-time police officer.

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- e. The Manager reported that the Malvern Fire Company was one of 125 applicants, out of 6,600, who were asked to provide additional information for their expansion project of the Fire House. It is anticipated that the grant awards will be announced by August 31, 2009.

8. ADJOURNMENT:

All business having been discussed, a motion was made by Council Vice President Raymond, seconded by Council Member Vike and unanimously carried by a vote of 7-0 to adjourn the meeting at 8:24 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager