

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 - ABSENT
  - Council Member Smith
  - Council Member Vike
  - Mayor McGlone

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?

- a. Annual Report of the Paoli Battlefield Preservation Fund (Bruce Knapp) – Mr. Knapp reported that the PBPF participated in the following activities in 2008: National History Day Competition for SE PA at Immaculata University, Let Freedom Ring event, First Annual Anniversary and Remembrance of the Paoli Battlefield at the General Warren Inne and the Battlefield Illumination & Tour at the battlefield.

In 2009, the PBPF has scheduled the following events: National History Day Competition for SE PA, participation in the Malvern Memorial Parade, Let Freedom Ring event, Battlefield Illumination & Tour, and preparation of a 2010 Reenactment of the Battle of Paoli. In addition, the PBPF is proposing the following projects: National Historic Landmark Status of the Battlefield, Archeological Survey of the Battlefield and Protecting and Improving the site by removal of the invasive weeds and replacing with traditional crops.

The PBPF will seek grants to plant a tree and shrub buffer between the battlefield and existing homes along W. First Avenue, to plant the crops to get rid of the invasive weeds and to assist in the long term archeological survey plan.

The PBPF has requested support from the Borough for these projects and has asked for volunteers to serve on the Board and to assist at these events.

- b. Dr. Joe Leonetti, Chester Valley Little League – made a power point presentation of the facilities at the Monument Park ballfields and explained the fundraising effort they would like to undertake to upgrade those facilities. Dr. Leonetti asked Council for a letter of support that could be used as they approach the fundraising season. They anticipate a \$1Million fundraising campaign to upgrade the fields at First Avenue, Monument Park and Mill Road Park. Following the presentation and discussion, Council stated they would be willing to state that they support the organization, beautification, continue their mission, etc., in the Borough for a long time without tying it into a particular plan that doesn't exist right now. Wendy McLean stated

that one of the key issues is that they are providing a service that if the School District or the Borough were doing it, it would cost the taxpayers a lot more money. The Borough would not be increasing taxes to support this project. This is a good point to include in any letter of support to potential donors.

d. Tina England – reported that she has been volunteering with the Historical Commission since the Town Tour and feels it is a worthwhile organization. She further stated that she would like to donate her time and be appointed to the Commission.

3. APPROVAL OF MINUTES:

A motion was made by Council Member Smith and seconded by Council Member Vike to approve the minutes of the meetings held on Tuesday, December 2, 2008 and Tuesday, December 16, 2008, as submitted.

Council Vice President Raymond asked that the December 2, 2008 minutes be amended as follows: Page 3, second paragraph where it reads “She stated that maybe the true scope of the project *is* to provide sidewalks.....”. She requested that the wording be changed to “She stated that maybe the true scope of the project *should be* to provide sidewalks.....”.

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 Edge 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 December 2008 as submitted.

5. CITIZEN COMMITTEE – APPOINTMENTS & REAPPOINTMENTS:

A motion was made by Council Member Vike, seconded by Council Member Smith and unanimously carried by a vote of 6-0, to reappoint the following citizens to the positions indicated:

William Dodge, as a member of the Zoning Hearing Board. Term to expire 1/1/2012.  
William Coffey, as a member of the Planning Commission. Term to expire 1/1/2013.  
Tony Dufour, as a member of the Shade Tree Commission. Term to expire 1/1/2014.  
Dale Levin, as a member of the Park & Recreation Committee. Term to expire 1/1/2014.

To appoint the following citizens to the positions indicated:

Evangeline Linkous, as a member of the Planning Commission. Term to expire 1/1/2012.  
Tina England, as a member of the Historical Commission. Term to expire 1/1/2012.  
Barbara Rutz, as a member of the Historical Commission. Term to expire 1/1/2013.

Deborah Collins, as a member of the Historical Commission. Term to expire 1/1/2014.  
Christopher McGowan, as a member of the Park & Recreation Committee. Term to expire 1/1/2010.

Michael Salek, Esq., as a member of the Park & Recreation Committee. Term to expire 1/1/2013.

Neil Vaughn, as Fire Marshall for the year 2009.

6. RELEASE OF ESCROW FUNDS – GREENSTONE DEVELOPMENT II CORP.:

A motion was made by Council Member Crawford, seconded by Council Member Edge and carried unanimously by a vote of 6-0, to authorize the release of escrow funds for Greenstone Development II Corp., in the amount of \$147,566.15, as recommended by the Borough Engineer.

7. RELEASE OF ESCROW FUNDS – MALVERN PREPARATORY SCHOOL:

A motion was made by Council Vice President Raymond, seconded by Council Member Smith and unanimously carried by a vote of 6-0, to authorize the release of escrow funds for the demolition of Dennis Hall, to Malvern Preparatory School, in the amount of \$43,000, as recommended by the Borough Engineer.

8. RESOLUTION NO. 599 – ELECTRONIC ACCESS TO PENNDOT SYSTEMS:

A motion was made by Council Member Edge, seconded by Council Member Crawford and unanimously carried by a vote of 6-0 to adopt Resolution No. 599, a Resolution approving an Agreement to authorize electronic access to PennDOT systems by the Borough of Malvern to annually file the required Liquid Fuels forms.

Council Vice President Raymond questioned the cost of the software but the cost was unknown and would be provided at the next meeting.

The Manager explained that the Borough would be required to file electronically next year for liquid fuels monies.

9. RESOLUTION NO. 600 – OPEN RECORDS OFFICER & DEPUTY OFFICER FOR THE MALVERN POLICE DEPARTMENT:

A motion was made by Council Vice President Raymond, seconded by Council Member Edge and unanimously carried by a vote of 6-0, to adopt Resolution No. 600, a Resolution appointing an Open Records Officer and Deputy Open Records Officer for the Malvern Police Department and adopting an Open Records Policy and Fee Schedule.

10. OTHER BUSINESS:

a. Review PC Sidewalk Recommendations – Council President Van Sciver asked that the Sidewalk Survey recommendations be reviewed with the thought of joining it with some expert consultant assistance from the County and get the circulation plan done so that we can tell

contractors what to build when they come to the Borough with plans. There may also be recommendations for eliminating some sidewalks.

Council President Van Sciver asked that this item be tabled until a future meeting.

Council should also consider how to enforce private property owners to repair/replace sidewalks

b. Review the Final Draft of the Administrative Code – following discussion, Council agreed to advertise for adoption this Final Draft of the Administrative Code. This Code will be adopted at the February 17<sup>th</sup> meeting.

c. Discuss Ordinance Re. VFSA Rules & Regulations – following discussion, Council agreed to advertise for adoption Ordinance No. 2009-1 amending the Borough's sewer ordinance to incorporate the Rules & Regulations of the VFSA, that were changed due to updated U.S. EPA industrial pretreatment rules and regulations. These amendments will be adopted at the February 17<sup>th</sup> meeting.

d. Council President Van Sciver asked any Council member who desired to change his current Committee appointment to contact him before the next Council meeting.

e. Council executed the letter to the residents and the letter will be mailed this week.

11. ADJOURNMENT:

All business having been discussed, a motion was made by Council Vice President Raymond, seconded by Council Member Edge and unanimously carried by a vote of 6-0 to adjourn the meeting at 9:10 p.m.

Respectfully submitted,

Sandra L. Kelley  
Secretary/Manager