

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

November 4, 2009
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 - LATE
 - Council Member Crawford
 - Council Member Edge - ABSENT
 - Council Member Lynch
 - Council Member Smith
 - Council Member Vike
 - 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?

There were no comments from the public.

3. RESOLUTION NO. 607 – ANDREWS MANAGEMENT CORP.:

A motion was made by Council Member Lynch, seconded by Council Member Smith and unanimously carried by a vote of 6-0 to approve Resolution No. 607, a Resolution approving, subject to conditions, the minor land development plan of Andrews Management Corp., as preliminary/final land development plan, pursuant to the Malvern Borough Subdivision and Land Development Regulations 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 R5 residential zoning district, at 101 Church Street.

Council Vice President Raymond arrived during the discussion of the lighting of this property.

Council agreed that the offsite parking lot is an existing non-conforming use and will remain a non-conforming use; therefore, no lighting will be required.

4. OTHER BUSINESS:

- a. Request to add a portion of Green Street to the Church Street Streetscape Project – the Manager asked that Council consider adding 80 feet of sidewalk along Green Street to the Church Street streetscape project that is currently underway. This 80 foot sidewalk along the southeast side of Green Street is in serious disrepair and it would make sense to incorporate this sidewalk into the Church Street streetscape project at this time.

Following discussion, Council agreed to extend this sidewalk if the County agreed to include this additional piece to the streetscape project. The Manager was asked to request from the contractor the additional cost of including a grass strip between the sidewalk and the curb.

b. Shade Tree Policies and Ordinance – Council President Van Sciver stated that he liked the Swarthmore Borough Ordinance that was included in the packets and would like our attorney to prepare an ordinance based on that model.

Tony Dufour, Chairman of the Shade Tree Commission, reported that he distributed copies of the Swarthmore Ordinance to the Shade Tree Commission members, but they have not yet had an opportunity to comment. Mr. Dufour stated that they would like to review the material and come back to Borough Council with their recommendations.

Council Vice President Raymond stated that she would like to see a list of recommended trees for planting and replanting. She feels that having had such a list twenty or so years ago would have avoided some of the issues they are now having with the trees on Karen Drive.

Wendy McLean suggested that the list of trees in the Subdivision Ordinance for new trees and replacement trees be consistent with any lists produced for a Shade Tree Ordinance.

Also discussed was the establishment of a Fee-in-Lieu of Shade Tree Fund that would be incorporated into an Ordinance.

Mr. Dufour asked Council if they would consider the Proposed Shade Tree Improvements outlined in a Memo from the Shade Tree Commission dated November 4, 2009 (copy attached). Funding would come from the Shade Tree Maintenance Budget Line Item in the 2009 Budget. The cost of tree removals should not exceed \$5,000.

Council approved the Proposed Shade Tree Improvements.

5. ADJOURNMENT:

A motion was made by Council Member Lynch, seconded by Council Member Crawford and unanimously carried by a vote of 6-0 to adjourn the meeting at 8:03 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager