

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

JUNE 5, 2007
7:00 P.M.

PRESIDING: Henry H. Briggs, President

1. ROLL CALL:
 - Council President Briggs
 - Council Vice President VanSciver
 - Council Member Crawford
 - Council Member Edge - ABSENT
 - Council Member Lynch - ABSENT
 - Council Member Raymond
 - Council Member Smith
 - 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. Frank Ortner, Upper Main Line Memorial Association – Frank thanked Council, on behalf of the Parade Committee, for all the support they receive from Council in monetary donations, walking in the parade, cooperation, etc. He also expressed appreciation to the police for their participation in the parade and to the Manager and Public Works Department for all the work they did at the Paoli Memorial Park in preparation for the parade activities and for the work at the pavilion. Without the assistance of the Public Works Dept., he felt the park wouldn't look nearly as good as it does. He expressed sincere appreciation for Borough Council's support.

COUNCIL RECESSED TO EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER

Following the Executive Session, Council reconvened the meeting.

- b. John Buckley, 165 Church Street, suggested that the barrel be put back into the E. King Street island and questioned why the benches were placed facing the sidewalk rather than the street. The Manager stated that it was a safety issue so people would not have to step out into the street to sit on the benches.

- c. Comprehensive Plan – Council President Briggs asked Council Vice President VanSciver to brief Council on the Comprehensive Plan. Council Vice President VanSciver gave a brief overview of the Plan and explained that the Plan should reflect the direction of the Borough for the next twenty years. He explained that the Malvern Borough Comprehensive Plan was established over a period of about two years through a series of public meetings held with each of the various areas of the Borough viewed separately (18 such) in the plan. The overall goal of the plan is to **“Protect, retain, enhance the small town community character that contributes to Malvern's distinct identity and sense of place, and maintain the borough's neighborhood and cultural diversity, town center, and features which reinforce the small**

town environment.” The Plan serves as the basis upon which other ordinances; specifically the zoning and subdivision ordinances are developed. These ordinances limit what one might do with one’s property to conform to the goals of the Comprehensive Plan and these limitations are a form of the police power of the Borough – enacted for the common good. The Comprehensive Plan was adopted by Borough Council to establish land use regulation and other Borough decisions over a period of 10 to 20 years. While no plan can anticipate all future occurrences, such a land/lot aggregation similar to what has occurred at the Fisher Feed and Amerigas sites, such events do not necessarily lead to a revision of overall goals. Actually, the overall goals of the plan should serve to guide whatever development may occur in our community as long as we value the same characteristics in our town as we did at the adoption and development of the Comprehensive Plan in 1999.

3. APPROVAL OF MINUTES:

A motion was made by Council Member Raymond, seconded by Council Member Crawford and unanimously carried by a vote of 5-0, to approve the minutes of the Regular Meetings held on Tuesday, April 3, 2007 and Tuesday, April 17, 2007, as submitted.

4. APPROVAL OF REPORTS:

A motion was made by Council Member Crawford, seconded by Council Member Smith, and unanimously carried by a vote of 5-0, 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 2007 as submitted.

5. RESOLUTION NO. 567 – VALLEY FORGE SEWER AUTHORITY UPDATED REGIONAL ACT 537 PLAN:

A motion was made by Council Member Smith, seconded by Council Member Raymond, and unanimously carried by a vote of 5-0, to approve Resolution No. 567, a Resolution adopting the Updated Regional Act 537 Plan for the Valley Forge Sewer Authority that was prepared by Buchart-Horn, Inc.

The Manager explained that the upgrades to the Valley Forge Sewer Authority would be approximately \$457,600 and that the Finance Committee would begin looking at lending institutions. It is anticipated that the upgrades will begin in the first quarter of 2008.

6. RESOLUTION NO. 571 – GRANTING EXTENSION TO RECORD FINAL PLANS – BUILDING BLOCK INVESTMENTS:

A motion was made by Council Vice President VanSciver, seconded by Council Member Raymond and carried by a vote of 4-0, to approve Resolution No. 571, a Resolution granting an

extension of time for recording of final subdivision plans for Building Block Investments, until Friday, August 17, 2007. Council Member Smith abstained.

7. RELEASE OF ESCROW FUNDS – VINTAGE/PENNWYCK SUBDIVISION:

A motion was made by Council Member Smith, seconded by Council Member Crawford and unanimously carried by a vote of 5-0, to authorize release of Escrow Funds, in the amount of \$43,155.00, to Vincent D'Annunzio, Vintage/Pennwyck Subdivision, as recommended by the Borough Engineer.

8. RELEASE OF ESCROW FUNDS – MC MOUR LIMITED PARTNERSHIP:

A motion was made by Council Member Raymond, seconded by Council Vice President VanSciver and unanimously carried by a vote of 5-0, to authorize release of Escrow Funds, in the amount of \$33,139.15, to McMour Limited Partnership, as recommended by the Borough Engineer.

9. WAIVE PERMIT FEE – MALVERN FIRE COMPANY:

A motion was made by Council Member Raymond, seconded by Council Member Smith and unanimously carried by a vote of 5-0, to authorize the Borough Manager to waive all permit fees to the Malvern Fire Company necessary to hold their Annual Fair at the Paoli Memorial Grounds from Tuesday, July 17 through Saturday, July 21, 2007.

10. AWARD PAVING PROJECT FOR W. FIRST AVE. & WAYNE AVENUE:

A motion was made by Council Member Crawford, seconded by Council Vice President VanSciver and unanimously carried by a vote of 5-0, to award the paving contract for W. First Avenue and Wayne Avenue to S. A. Macanga, Inc., for a lump sum price of \$45,431.65, as recommended by the Borough Engineer.

11. OTHER BUSINESS:

a. Trash & Recycling Bid Results – the Manager explained that Charles Blosenski Disposal Company was the lowest responsible bidder for the Trash & Recycling Contract.

Following discussion, Council agreed to a one-year contract with two times per week trash collection and one time per week recycling collection and one bulk trash pick-up. It was felt there was not enough time to notify the residents if trash was going to be collected on a once a week basis.

b. Pension Plan allocations – Council Member Smith reported that in 2006, the uniformed Pension Plan realized a 12.05% rate of return and the non-uniformed pension plan realized a 12.2% rate of return on their pension plan investments. The uniformed plan was slightly lower because no new money was deposited to that Plan in 2006.

The Finance Committee recommends that \$100,000 be taken from the Total Stock Market Index Fund of each Plan and placed into a Utilities Index Fund for each Plan. The Utilities Index Fund realized an increase of 17.8% in 2006.

c. The Manager reported that she would be attending the PSAB Conference on June 25 & 26 to be held at the Valley Forge Radisson Convention Center in King of Prussia.

d. Request from Alex Rahn to send letters of support for Rajant Corporation located in the Borough of Malvern – Council declined sending the letter of support.

e. Letter from Tidewater Homeowners Association – a letter was received from the Tidewater Homeowners Association requesting that Council meet to discuss their water flow problems.

Council President Briggs reported that we met with them several years ago and they were concerned about the water flowing from the Paoli Memorial Grounds to Tidewater. Unfortunately, when Tidewater was constructed, the homes adjacent to the Paoli Memorial Grounds were built too low. Water has a natural flow. The water was flowing in this direction long before Tidewater was built.

There are water run-off problems all over the Borough. Even if we wanted to do something here, everyone else would be looking to us to address their water run-off issues.

Following discussion, it was agreed that Council President Briggs, Council Member Crawford, the Manager and Frank Ortner from the Paoli Memorial Association, would set up a meeting with Mr. Lodge. The Manager will coordinate the meeting date and times.

f. Aerial Lift – the Manager reported that Council had approved in the 2007 Budget a \$10,000 bucket truck. As it would be almost impossible to purchase a bucket truck for \$10,000, the Manager requested that she be permitted to purchase an Aerial Lift for the \$10,000. The Manager explained that the lift could be placed on a truck that is currently in our fleet and that if we had to replace the truck, the lift could be outfitted onto another truck. The bucket is used for replacing street lights, decorating the tree in Burke Park, tree trimming, etc. It will last for many, many years. The Manager reported that the Public Works Committee discussed this expenditure and was in agreement.

Council unanimously agreed to the purchase of the Aerial Lift.

g. Public Safety Committee – Council Member Raymond reported that the Public Safety Committee met prior to the meeting and discussed the traffic issues on Monument Avenue. Chief McMahon had conducted a survey to ask the residents if they would be in favor of a speed hump and seven out of nine households reported that they would be in favor of a speed hump. Complaints were received about speeding, UPS trucks traveling on Monument Ave. and safety issues for the residents. A Police Officer was on Monument Ave. last Friday and was manually checking the speeds. While the majority of the motorists were traveling within the 25-36 mph speeds, there were some motorists traveling at higher rates of speed. Council Member Raymond reported that there are currently four speed humps on Monument Avenue.

Two groups have requested that more humps be added in their blocks. It seemed to the Committee that it would be wiser to look at the issue of traffic on Monument Avenue as a whole from Warren Ave. to Sugartown Road. The plan is to get an over-all perspective of what the situation is on Monument Ave. by obtaining information on the number of cars and the speeds. The Police Dept. will conduct the studies.

h. Appointment of Full-Time Police Officer – Council Member Raymond reported that Officer Cordone has completed his probationary period with the Department and is up for consideration for full-time employment. The Committee was in agreement that Officer Cordone would be an excellent candidate and recommends that Council agree to appointing Officer Cordone as a full-time police officer with the Borough.

A motion was made by Council Member Raymond, seconded by Council Member Crawford and unanimously carried by a vote of 5-0, to appoint Officer Joseph Cordone as a full-time member of the Malvern Borough Police Department.

12. ADJOURNMENT:

A motion was made by Council Member Raymond, seconded by Council Member Smith and unanimously carried by a vote of 5-0, to adjourn the meeting at 8:48 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager