

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

February 16, 2021
7:30 P.M.

Borough Council Meeting Dial-In Information: 1-877-853-5247 (toll-free)

Meeting link: <https://us02web.zoom.us/j/83334814113>

When prompted, enter the following meeting ID, followed by the “#” symbol: 833 3481 4113. You will be placed in the waiting room and admitted by the host.

This evening’s Borough Council meeting is being conducted via virtual conferencing methods. The public is invited to participate via telephone or video conferencing. Malvern Borough is not liable for any computer security problems that participants may experience.

To unmute if using audio via telephone, please enter *6.

During this meeting, public comment will be handled as follows:

- **Participants will be asked to identify themselves when being accepted into the meeting.**
- **The public will be muted during the meeting when the members of Borough Council are speaking.**
- **For each agenda item, the public will be unmuted and given an opportunity to comment and ask questions.**
- **Public Comment received via email will be read by the Borough Manager either during the topic on the agenda or the general “Public Forum” period.**
- **Participants wishing to comment must state their name and must speak one at a time.**

PRESIDING: Amy Finkbiner, Ph.D., President

INVOCATION: David B. Burton, Mayor

1. **ROLL CALL:** Council President Finkbiner
Council Vice-President Grossman
Council Member Bones
Council Member Laney
Council Member Meisel
Council Member Phillips
Council Member Raynor
Mayor Burton

2. APPROVAL OF AGENDA:

MOTION: To approve the agenda for the February 16, 2021 meeting of Borough Council as presented.

3. ANNOUNCEMENTS

a. RECORDING OF MEETING

Anyone present who is recording the meeting shall announce so at this time, in accordance with Resolution No. 787.

- b. Borough Council met in Executive Session on Thursday, February 4, 2021 for informational purposes with the Borough Solicitor.
- c. Borough Council met in Executive Session on Tuesday, February 16, 2021 prior to this evening's meeting in order to discuss personnel matters.
- d. The Malvern Public Library is now open for limited public browsing on the following days/times: Monday & Tuesday from 4:00 pm to 8:00 pm, Wednesday & Thursday from 4:00 pm to 6:30 pm, and Saturday from 9:00 am to 4:00 pm. Curbside pick-up is still available.
- e. The Comprehensive Plan survey is live and a link is available on the Borough website. Please contact the Borough if you would like a physical copy of the survey to complete.
- f. Borough Council would like to thank the members of the Public Works Department for their efforts during the recent snow events.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the meeting held on Tuesday, February 2, 2021 as presented.

b. APPROVAL OF REPORTS:

MOTION: To approve the Treasurer's Report, the Committee Reports for Finance and Administration, Public Safety, Public Works, the Chief of Police Report, the Code Enforcement Department 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 January 2021, as submitted.

c. BOROUGH COUNCIL COMMITTEE REPORTS

- Finance & Administration
- Public Safety
- Public Works

5. SPECIAL BUSINESS

a. RESOLUTION NO. 821 – AUTHORIZING THE EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE BOROUGH OF MALVERN AND VERIZON PENNSYLVANIA, LLC

MOTION: To approve Resolution No. 821, authorizing the execution of a cable franchise agreement between the Borough of Malvern and Verizon Pennsylvania, LLC.

This resolution would approve the new franchise agreement between the Borough and Verizon Pennsylvania, LLC. The franchise agreement will be for five (5) years and allows Verizon to locate FiOS infrastructure in the public right-of-way in order to provide service to the community subject to applicable fees paid to the Borough. The Borough engaged The Cohen Law Group through the Chester County Municipal Managers Consortium in order to complete the negotiations.

b. EXPANDED OUTDOOR DINING FORBEARANCE AGREEMENTS

- Restaurant Alba – 60-day extension

Restaurant Alba is requesting a 60-day extension of their existing agreement for outdoor dining during the COVID-19 pandemic. All existing conditions are proposed to remain in place.

6. UNFINISHED BUSINESS

a. CONTINUED PUBLIC HEARING – CONDITIONAL USE APPLICATION FOR ROBERT & ARLENE RUGGIERO – 147 W. FIRST AVENUE – APPLICATION # CU-20-01

Council President Finkbiner announces that Borough Council will continue the Public Hearing to consider the Conditional Use application for Robert & Arlene Ruggiero regarding 147 W. First Avenue. The hearing was originally opened on January 19, 2021 and continued to this evening's meeting. The applicant is seeking Conditional Use approval pursuant to section 220-602(A)(5) of the Borough's Zoning Ordinance in order to construct a single-family detached dwelling unit with 25% building coverage.

7. NEW BUSINESS

a. Zoning Hearing Board

There are no new applications before the Zoning Hearing Board.

8. PUBLIC FORUM

Citizens/taxpayers are invited to bring before Borough Council any item not on the agenda.

9. ADJOURNMENT