

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH
1 East First Avenue
Malvern, PA 19355

February 16, 2016
7:30 P.M.

PRESIDING: David G. Bramwell, President

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL: Council President Bramwell
Council Vice-President Uzman
Council Member Arena
Council Member Grossman
Council Member Lexer
Council Member Meisel
Council Member Sinquett
Mayor Burton

2. PUBLIC FORUM:

Council President Bramwell informed all present that copies of the agenda are available at the front entrance. Citizens/taxpayers were advised that Public Forum is the time to offer comments on any item on the agenda to bring any issues/concerns before Council.

a) Parking Permit Request

Helen McDonnell, 322 E. King Street, stated she is following up from the December 15, 2015 Council Meeting as to the status of her obtaining a permit allowing her to park on King St. Council Member Lexer said he will add her inquiry to the March 1st Public Safety Committee Agenda.

b) Year-End Reports of Volunteer Committees

Barbara Rutz, 212 Monument Griffith Avenue, asked when the volunteer committees, such as the Historical Commission will be presenting their 2015 accomplishments. Council Members Lexer and Sinquett recommended Council have the committees present their 2015 Reports at the March 1, 2016 Work Session. Council agreed and directed Borough Manager Bashore to communicate with the Committee Chairs.

3. APPROVAL OF MINUTES:

A motion was made by Council Member Grossman, seconded by Council Member Lexer and carried by a vote of 7-0, to approve the minutes of Tuesday, January 4, 2016 and Tuesday, January 19, 2016, as submitted.

Council Member Grossman made a correction to the Work Session minutes of Tuesday February 2, 2016 regarding the timeline to evaluate the traffic impacts on First Avenue that may be caused by the installation of speed humps on Monument Avenue. Council agreed with Council Member Grossman's correction of deleting "6-months" from Item 4.a., Page 2.

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4. APPROVAL OF REPORTS:

A motion was made by Council Vice-President Uzman, seconded by Council Member Lexer, and unanimously carried by a vote of 7-0 to approve the Treasurer's Report, the Committee Reports for Finance & Administration, Public Safety, Public Works and the Chief of Police Report, the Code Enforcement and Zoning 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 January 2016, as submitted.

5. PUBLIC HEARING – ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS:

Council President Bramwell announced a Public Hearing to consider an ordinance to establish all-way stop intersections at the intersection of South Warren Avenue and Roberts Lane and the intersection of South Warren Avenue and Monument Avenue. The Notice of Public Hearing was published in the February 8, 2016 edition of the Daily Local newspaper as required.

Patti Rossiter, 241 Miner Street, stated Council may want to remove one or two of the stop signs at Monument Avenue and Roberts Lane to reduce traffic congestion.

Cathy Raymond, 6 Karen Drive, recalled from her tenure on Council that the three-way stop signs by the Malvern Post Office were installed to better manage rush hour traffic coming and going from the SEPTA train station. Council Member Meisel stated the proposed ordinance is similar in its intent to better managing commuters during peak hours.

There being no further public comment, Council President Bramwell closed the hearing.

6. ORDINANCE NO. 2016-1 – ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS:

A motion was made by Council Member Lexer, seconded by Council Vice-President Uzman and carried by a vote of 7-0, to adopt Ordinance No. 2016-1, amending Chapter 200 of the Borough of Malvern Code of Ordinances entitled "Vehicles and Traffic," article II entitled "Traffic Regulations" in order to add the intersection of South Warren Avenue and Roberts Lane and the intersection of South Warren Avenue and Monument Avenue as all-way stop intersections.

7. PUBLIC HEARING – NON-ELECTORAL DEBT AND THE AWARD OF A QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT:

Council President Bramwell recommended Council table the agenda item for litigation purposes. Council agreed, no further discussion was made.

8. ORDINANCE NO. 2016-2 – NON-ELECTORAL DEBT AND THE AWARD OF A QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT:

Council tabled the agenda item.

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9. RESOLUTION NO. 703 – PROCEDURES FOR THE DISPOSITION OF RECORDS:

A motion was made by Council Vice-President Uzman, seconded by Council Member Siquett and carried by a vote of 7-0, to adopt Resolution No. 703, declaring the intent of the Borough of Malvern to follow the schedule and procedures of the disposition of records pursuant to the Municipal Records Manual approved on December 16, 2008.

10. RESOLUTION NO. 704 – AUTHORIZING THE DISPOSITION OF RECORDS:

A motion was made by Council Vice-President Uzman, seconded by Council Member Siquett and carried by a vote of 7-0, to adopt Resolution No. 704, authorizing the disposition of records of the Borough of Malvern pursuant to the Municipal Records Manual.

11. RESOLUTION NO. 705 – POLICE PENSION PLAN OFFICERS:

A motion was made by Council Member Lexer, seconded by Council Vice-President Uzman and carried by a vote of 7-0, to adopt Resolution No. 705, authorizing officers of the Borough of Malvern to act on behalf of the Borough of Malvern Police Pension Fund in connection with Vanguard Mutual Fund shares or securities.

12. RESOLUTION NO. 706 – NON-UNIFORMED PENSION PLAN OFFICERS:

A motion was made by Council Vice-President Uzman, seconded by Council Member Arena and carried by a vote of 7-0, to adopt Resolution No. 706, authorizing officers of the Borough of Malvern to act on behalf of the Borough of Malvern Non-Uniformed Pension Fund in connection with Vanguard Mutual Fund shares or securities.

13. OLD BUSINESS:

a) Herzak Property – Sale Announcement (Bids due March 3, 2016 at 4:00 p.m.)
Borough Manager Bashore provided a summary of the bid process and milestones to Council.

b) Intersection of King St. & Bridge St. Property
Borough Manager Bashore will schedule a meeting with the property owner to determine what, if any development plans the owner may have.

c) 151 & 153 Old Lincoln Highway
Council Member Lexer requested an update on the status of 151 & 153 Old Lincoln Highway remediation efforts. Borough Manager Bashore stated compliance efforts are ongoing.

14. NEW BUSINESS:

a) King Street Closure – Malvern Blooms & Fall Festival
Borough Manager Bashore presented two (2) requests for Council support regarding outdoor consumption of alcohol in pre-identified areas: 1) Spring Festival: Christopher's

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Restaurant in the Malvern Borough's parking lot on King St. adjacent to Malvern Pizza; and 2) Harvest Festival: The Flying Pig Saloon in the rear parking lot of Ginny's Consignment.

A motion was made by Council Vice-President Uzman, seconded by Council Member Meisel and carried by a vote of 7-0, to approve the two (2) requests as submitted in the Council's packet per Borough Manager Bashore's memorandum.

15. ADJOURNMENT:

Council President Bramwell stated Council will adjourn to Executive Session to discuss litigation matters.

All business having been discussed, a motion was made by Council Vice-President Uzman, seconded by Council Member Siquett and unanimously carried by a vote of 7-0 to adjourn the meeting at 7:53 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Secretary

BOROUGH COUNCIL
WORK SESSION
March 1, 2016
7:30 P.M.

Invocation: David B. Burton, Mayor

Pledge of Allegiance to the Flag

1. Roll Call: Council Members Arena, Bramwell, Grossman, Lexer, Meisel, Siquett, Uzman (Absent), and Mayor Burton

2. Council President Bramwell announced copies of the Agenda were available at the front desk. This was a Work Session of Council and, as such, there is no public forum scheduled; however, citizens/taxpayers were invited to offer comments during the discussion phase of each agenda item.

3. 2015 Committee Reports:

a) Parks & Recreation Committee

Patti Rossiter, Chair of the Parks & Recreation Committee provided the 2015 Year-End Accomplishments:

i. Activities:

- 5th Annual Easter Egg Hunt on Saturday, March 28th
- 5th Annual Spring Yard Sale was held on Saturday, ay 16th.
- 11th Annual Spring Fling/Ice Cream Social with Rita's Water Ice and D.J. was held on Friday, May 29th.
- Movie night with food trucks, band, and popcorn has been very well received, held on Friday, June 26th
- 5th Annual Fall Yard Sale, held on Saturday, September 19th, did very well! It seems to be a good idea to have it back to September instead of October.
- 12th Annual Fall Fest on Sunday, October 11th with pizza, soda, and a band continues to be well received!
- Came in \$1,291.34 under budget

ii. Planned 2016 Events:

- 2 Yard Sales – spring and fall
- Easter Egg Hunt
- Contacted Bill Knapp to see about using the Paoli Battlefield for this event. Need to investigate brining sound system to battlefield
- Spring Fling (water ice in the park with music)
- Movie Night (food trucks and music)
- Fall Fest (pizza in the park with music)

iii. New Event Ideas:

- Sports Nights - volleyball or kickball in the park or indoor location during the winter for adults. Need to find a suitable location – St. Pat’s or Malvern Prep
- Theater in the Park. Work with a local group to put on a play in the park

iv. Needs:

- Equipment: Est. \$500.00 – We are looking at a new, larger screen for movie night or the possibility of building our own.
- Increase Committee Membership. Would like to increase the number of people we can officially have on our committee. It is currently 5, but we would like the Council to look at increasing that number.
- Soliciting more volunteers, even besides increasing our official committee member number, is something we also need to do to help with our events as they grow. It is hard for 5 people to be at each event for the entire time. Any the borough could provide in soliciting volunteers would be helpful.

b) Shade Tree Commission

Linda Burton, Chair of the Shade Tree Commission provided the 2015 Year-End Accomplishments:

i. Activities:

- Fall Bare Root Tree Planting – 48 bare root trees were planted the past year. (23 in the fall and 25 in spring). Approximately 12 different species were offered to residents. Some of the selections of tree species were: Princeton Elm, Green Mountain Sugar Maple, Linden, and Sun Valley Red Maple. Cost \$ 1,200
- Inspected several streets in the borough for possible tree root-sidewalk conflicts.

c) Planning Commission

David Knies, Chair of the Planning Commission provided the 2015 Year-End Accomplishments:

i. Ordinance-related Activities

- Reviewed SALDO and General Ordinances
- Lessons Learned on Application Cases
- Inconsistencies between SALDO & Ordinances

ii. Review Topics

- Definitions
- Application Review Procedures
- Lot Dimensions

iii. 2016 Expectations

- Application Processing
- Continue with SALDO & Ordinance Amendments

d) Historical Commission

Barbara Rutz, Member of the Historical Commission provided the 2015 Year-End Accomplishments:

i. Activities:

- 2015 marked a milestone for the Historical Commission, after almost 30 years of work by many people, Borough Council passed a Historic Ordinance.
- Several historic resources, such as Malvern Hall on E. King St. and the Rubino house on Old Lincoln Highway and Rafaella Drive were lost.
- Commission members' salvaged wood from the Rubino House that will be used to make benches at the Monument Grounds. In addition, the Commission was able to take interior and exterior photos before demolition began of the Rubino house.
- The commission had interns Anastasia and Sarah from HSP's Hidden collections Initiative come and inventory all the collections in the Borough's History Center. The collection catalog will be available online once the final reports are received.
- Walking tour brochure was updated and is available for download from the Borough website.
- In April 2015, the Commission dedicated a bench to Nancy B. Schmitt in Burke Park, a former Commission member author of the books about the Borough.
- In May a mini-tour was conducted before Malvern Blooms. There were 4 stops on King Street where commissioners provided information of historic buildings.
- The Methodist Church on Monument Avenue closed in 2015, the Commission was able to take photos of the interior and exterior. In addition several early record books found in the church were donated.
- Commission members manned booths at Malvern Blooms, Oktoberfest, PBPF Heritage Day and Victorian Christmas.
- Four commissioners attend the PBPF/PMA dinner, and had a display.
- Three researchers requested access to files for genealogical purposes.
- In September the Commission gave out four preservation awards at a Borough Council Meeting.
- Continues to maintain and update its Facebook page with borough events, Malvern history tidbits, other local municipality events, pictures and we answer questions. Their Facebook page has over 600 likes.
- A Boy Scout troop toured the History Center in December.
- A commissioner provides articles for the borough newsletter and InGreat Valley.
- 1 Commissioner attended a CCHPN Camp workshop in April.
- 5 Commissioners attended a CCHPN Volunteer Recognition dinner in June.
- 2 Commissioners attended an HSP workshop in October on archives, preservation and policy/procedure in July.
- 5 Commissioners attended a CCHPN workshop in October on preservation, restoration, reclamation

4. Old Business:

a) Goals & Objectives

i. Borough Council – No discussion.

ii. Boards & Committees

Dave Knies, Chair of the Planning Commission presented the Commission's goals:

- Purchase and install informative signs
- New sidewalk construction – Sidewalk Management Program
- Increase intersection safety at key locations
- Review status and need of Borough parks and recreation facilities
- Continuously update SALDO, Zoning, and General Code

Council Member Sinquett questioned Solicitor Christakis as to whether Borough Council may hold Zoning Hearing Board members accountable for attending county-sponsored training. Solicitor Christakis stated each council member can choose to appoint/reappoint depending on their individual stance on training necessities.

Lynne Hockenbury, Historical Commission Member presented the Commission's goals:

- Ability for the Commission to sell its merchandise online
- Historical plaques linked to the website
- Add content to website without affecting usage
- Hire an intern for data entry into the Past Perfect software

Patti Rossiter, Chair of the Board presented the Parks and Recreation Board's goals:

- Increase social media traffic
- Purchase a large movie screen for Burke Park
- Increase Committee Membership
- Create a Sports Night for adults, possibly Volleyball and/or Kickball
- Develop theatre performances in the Parks

Linda Burton, Chair of the Commission presented the Shade Tree Commission's goals:

- Update current Shade Tree Commission Ordinance
- Review boundary between Randolph Woods and Willistown Township for increased green cover
- Conduct Spring and Fall Shade Tree Giveaways
- Shade Tree Replacement Survey
- Review trees at borough parks for care

b) Ordinance Amendments – Borough Manager Bashore stated Borough Council and the Malvern Planning Commission have been reviewing proposed amendments to the Borough's zoning and subdivision and land development ordinances. These ordinance amendments would accomplish the following objectives: 1) Revising the table of requirements and recommendations for processing subdivision and land development applications, including requiring reviews by the Fire Marshal and a Landscape Architect; and 2) Provide consistency and clarification among definitions in the Zoning and Subdivision and Land Development Ordinances.

i. Subdivision & Land Development Ordinance – No discussion from Council. Borough Solicitor Christakis will create a 'Blank-lined' version

depicting the proposed changes for Council review. Borough Manager Bashore will plan to advertise for adoption at the regular Meeting scheduled Tuesday, April 19th.

- ii. Zoning Ordinance – No discussion from Council. Borough Solicitor Christakis will create a ‘Blank-lined’ version depicting the proposed changes for Council review. Borough Manager Bashore will plan to advertise for adoption at the regular Meeting scheduled Tuesday, April 19th.

4. New Business

- a) Amendment to Home Rule Charter – Section 205

Borough Solicitor Christakis recommended Council to provide language of what they would like to see the intent of the term limits to be for Council members. Council President Bramwell requested Solicitor Christakis to provide samples of other Home Rule Charter language regarding term limits. Solicitor Christakis summarized the three-step process of amending a section of the Home Rule Charter: 1) July deadline to Chester County Government for inclusion on the November 2016 Ballot as a simple ‘Yes/No’ option; 2) Ballot language must be plain and limited to 75 words; and 3) Borough Council must make an official decision of the language no later than its July 19th Regular Meeting.

- b) Traffic Engineer Proposal

Council Member Lexer provided a summary of the Public Safety Committee’s recommendation to have Council appoint McMahon Associations as the Borough’s special professional services in traffic engineering. Council agreed to move forward with the Public Safety Committee’s recommendation. Borough Manager Bashore stated he will place it on the March 15th Regular Meeting Agenda for formal action. Council Member Lexer stated the Public Safety Committee’s next recommended study area is West First Avenue to Wayne Avenue.

- c) Proposed Resolutions

- i. Sale of Surplus Property

Borough Manager Bashore stated the proposed resolution would enable Borough Council to adopt a procedure for the sale of individual items of, or lots of, surplus personal property via in-person or electronically. Council had no discussion. Borough Manager Bashore stated the proposed ordinance will be advertised for adoption prior to the March 15th Regular Meeting.

- ii. Volunteers

Borough Manager Bashore stated the proposed resolution would authorize the Historic Commission to permit unpaid volunteers to assist in certain Historic Commission business. Specifically, Council Member Uzman has offered to provide the services of an individual to assist the Historic Commission in its duties at no cost to the Borough of Malvern. Council had no discussion. Borough Manager Bashore stated the proposed ordinance will be advertised for adoption prior to the March 15th Regular Meeting.

- d) Proposed Ordinance

- i. Expansion of Parks & Recreation Committee

Borough Manager Bashore stated the ordinance was requested by the current members of the Park & Recreation Committee as a means to get active volunteers recognized for their dedication and hard work with the Committee. Council had no discussion.

Borough Manager Bashore stated the proposed ordinance will be advertised for adoption prior to the March 15th Regular Meeting.

ii. Zoning Ordinance Amendment

Borough Solicitor Christakis advised Council that the proposed ordinance is intended to remove ambiguity of terms and definitions. Council had no questions. Borough Manager Bashore will forward the draft ordinance to the Chester County Planning Commission for its review.

e) Historical Commission Vacancy

Borough Manager Bashore stated the Borough received one application for membership to the Historical Commission, in which at a meeting of the Historical Commission they voted to recommend the applicant, Catherine Raymond to be appointed by Council. Council agreed to take action at its March 15th Regular Meeting.

5. Adjournment:

All business having been discussed, council adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Secretary