

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

March 15, 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 (Absent)  
Council Member Meisel  
Council Member Sinquett  
Mayor Burton

2. POLICE OFFICER SWEARING IN – TYLER BURY

Mayor Burton administered the oath of office to Mr. Bury. Council welcomed Officer Bury and thanked him for his future public service to the Borough.

3. 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) Mobile Gas Station

Council Member Arena questioned Borough Manager Bashore as to whether the Malvern Mobile Gas Station was properly zoned to sell tobacco accessories, such as glass pipes. Borough Manager Bashore stated he will direct Bill Wilfong, Codes & Zoning Officer to investigate the matter.

4. APPROVAL OF MINUTES:

A motion was made by Council Vice-President Uzman, seconded by Council Member Grossman and carried by a vote of 6-0, to approve the minutes of Tuesday, February 16, 2016, as submitted.

5. APPROVAL OF REPORTS:

A motion was made by Council Member Meisel, seconded by Council Vice-President Uzman, and unanimously carried by a vote of 6-0 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 February 2016, as submitted.

6. HISTORICAL COMMISSION APPOINTMENT:

A motion was made by Council Vice-President Uzman, seconded by Council Member Arena and carried by a vote of 6-0, to appoint Catherine O. Raymond, Esq. to the Malvern Borough Historical Commission to complete a term to expire December 31, 2017.

7. PUBLIC HEARING – EXPANSION OF PARKS & RECREATION COMMITTEE:

Council President Bramwell announced that Borough Council will now open the public hearing to consider an ordinance to expand the membership of the Malvern Borough Parks & Recreation Committee from five (5) to nine (9) members. The Notice of Public Hearing was published in the March 4, 2016 edition of the Daily Local newspaper as required.

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

8. ORDINANCE NO. 2016-3 – AUTHORIZING MEMBERSHIP EXPANSION OF THE PARKS & RECREATION COMMITTEE

A motion was made by Council Vice-President Uzman, seconded by Council Member Siquett and carried by a vote of 6-0, to adopt Ordinance No. 2016-3, amending Chapter 25 of the Borough of Malvern Code of Ordinances entitled “Administrative Code,” article VI entitled “Boards, Commissions, & Committees,” sections 25-29 entitled “Advisory Commissions & Committees” in order to expand the membership from five (5) to nine (9) members.

9. PUBLIC HEARING – AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE BOROUGH OF MALVERN:

Council President Bramwell announced that Borough Council will now open the public hearing to consider an ordinance to authorize the sale of certain real property owned by the Borough of Malvern. The property is located at the intersection of Old Lincoln Highway and Bridge Street (UPI# 2-4-11.1). The Notice of Public Hearing was published in the March 8, 2016 edition of the Daily Local newspaper as required.

10. ORDINANCE NO. 2016-4 – AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE BOROUGH OF MALVERN:

A motion was made by Council President Bramwell, seconded by Council Vice-President Uzman and carried by a vote of 6-0, to reject the one (1) received bid of \$16,000 from Mr. Jeffrey Chen as it does not meet the estimated Fair Market Value, as outlined in the appraisal of February 7, 2014.

A motion was made by Council Vice-President Uzman, seconded by Council Member Grossman and carried by a vote of 6-0, to not re-advertise for new bids, have Borough Manager Bashore acquire a second appraisal, and to restart the sale process per Section 301 of the Home Rule Charter.

Ordinance No. 2016-4 was not approved. No further action was taken.

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### 11. RESOLUTION NO. 707 – HISTORICAL COMMISSION VOLUNTEERS

A motion was made by Council Member Sinquett, seconded by Council Member Meisel and carried by a vote of 6-0, to adopt Resolution No. 707, authorizing the Historic Commission to permit unpaid volunteers to assist in certain Historic Commission business.

### 12. RESOLUTION NO. 708 – SALE OF SURPLUS PROPERTY

A motion was made by Council Member Sinquett, seconded by Council Vice-President Uzman and carried by a vote of 6-0, to adopt Resolution No. 708, establishing the procedure for the sale of surplus personal property of the Borough.

### 13. OLD BUSINESS:

#### a) Traffic Engineer Proposal – Consideration of Appointment

Borough Manager Bashore provided a summary of the professional services proposal to Council.

A motion was made by Council Vice-President Uzman, seconded by Council President Bramwell and carried by a vote of 6-0, to appoint McMahon & Associates, Inc. as the professional traffic engineering firm, per the proposal of services dated, February 12, 2016.

#### b) Ordinance No. 2016-2: Authorization of Non-Electoral Debt

Council President Bramwell tabled discussion due to pending litigation.

#### c) Proposed Ordinance Amendments

Borough Manager Bashore provided a summary of the two (2) proposed ordinance amendments.

A motion was made by Council Vice-President Uzman, seconded by Council Member Meisel and carried by a vote of 6-0, to advertise the two (2) public notices for adoption regarding amendments to the Subdivision & Land Development Ordinance and Zoning Ordinance at the April 19<sup>th</sup> Regular Borough Council Meeting.

### 14. NEW BUSINESS:

#### a) Paoli Memorial Association – Request for Fee Waiver

Borough Solicitor Christakis stated waiving a zoning fee is an administrative function that he would advise against Council approving without a prior written policy.

A motion was made by Council President Bramwell, seconded by Council Vice-President Uzman and carried by a vote of 5-1, to deny a request for fee waiver per legal counsel. Council Member Arena voted to waive the fee.

#### b) Trash & Recycling Bid Specifications

Borough Manager Bashore stated the Borough's current contracts with Republic Services, Inc. d/b/a BFI Waste Services of Pennsylvania, LLC for trash collection and Eagle Disposal of Pennsylvania, LLC are set to expire on June 30, 2016. As such, the Borough

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administration is beginning the process of soliciting bids for the collection of residential trash and recycling. The Borough administration would like direction from Borough Council on the structure of the bids, specifically: 1) Should the Borough solicit bids for a two-year contract with trash collection twice a week and recycling collection once a week or provide the same alternative scenarios from the 2014 bid; 2) Would Council like to include a provision for two bulk item collection dates per year of the contract; and 3) Would Council like to have trash and recycling included in one (1) bid in order to have both items collected by a single hauler?

Council agreed to the following bid specifications:

**Base:** Two (2) year contract with residential trash collected twice a week, recycling collected once a week, and bulk trash collected once a year

**Options:** Two (2) recycling collections/per week  
Two (2) bulk trash collections/per year  
One (1) large recycling container (e.g. 35 gallon capacity)

c) MacMahon Associates – Proposal for First Avenue./Wayne Avenue traffic study  
Borough Manager Bashore provided an overview of the traffic study proposal. Council Member Grossman reiterated that the traffic study is to identify what affects the speed humps on Monument Avenue will have on adjacent streets, that is will traffic divert off Monument Avenue and onto other streets, such as First Avenue.

15. ADJOURNMENT:

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

All business having been discussed, a motion was made by Council Vice-President Uzman, seconded by Council Member Sinquett and unanimously carried by a vote of 6-0 to adjourn the meeting at 8:48 p.m.

Respectfully submitted,

Neil G. Lovekin  
Assistant Secretary