

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

April 20, 2021
7:30 P.M.

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

Meeting link: <https://us02web.zoom.us/j/81794746443>

When prompted, enter the following meeting ID, followed by the “#” symbol: 817 9474 6443. 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 April 20, 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. Pennsylvania has opened COVID-19 vaccine eligibility to all residents age 16 and older. Information from the Chester County Health Department is available on the Borough website. A link to the Chester County Health Department is provided below:

<https://www.chesco.org/4822/COVID19Vaccine>

- c. The Malvern Public Library will host a book sale on Friday, April 30, 2021 and Saturday, May 1, 2021. The book sale will occur in the rear yard of Borough Hall along Channing Avenue.

- d. Malvern Borough will host a Community Visioning Session on May 10, 2021 (rain date of May 12, 2021). This is part of the update to the Borough's Comprehensive Plan that is currently underway. Information on the time and final location will be posted shortly on the Borough's website.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the meeting held on Tuesday, April 6, 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 March 2021, as submitted.

c. BOROUGH COUNCIL COMMITTEE REPORTS

- Finance & Administration
- Public Safety
- Public Works

5. SPECIAL BUSINESS

- a. 51 Ruthland Avenue Subdivision – Request for street trees not to be planted

The residents of the new subdivision on 51 Ruthland Avenue are requesting that the street trees on Ruthland Avenue outlined on the approved subdivision and land development plan not be planted. The approved plan calls for the installation of eight (8) street trees and the owners of four (4) of the five (5) new homes are requesting that a fee-in-lieu be accepted by the Borough.

b. ORDINANCE NO. 2021 – 1: AMENDMENTS TO CHAPTER 200 (VEHICLES & TRAFFIC)

- PUBLIC HEARING: Council President Finkbiner announces that Borough Council will now open a public hearing to consider Ordinance No. 2021 – 1. This ordinance would amend chapter 200 of the Malvern Borough Code of Ordinances pertaining to vehicles and traffic. Specifically, the proposed ordinance would amend section 200-23 in order to restrict parking on the west side of Channing Avenue from First Avenue to the entrance to the Malvern Police Department and section 200-26 in order to establish prohibitions for loading/unloading times by commercial vehicles on Bridge Street.

The Notice of Public Hearing was published in the April 9, 2021 edition of the Daily Local News, as required, as well as posted on the Borough website.

- ADOPTION – ORDINANCE NO. 2021 – 1: AMENDMENTS TO CHAPTER 200 (VEHICLES & TRAFFIC)

MOTION: To adopt Ordinance No. 2021 – 1, amending chapter 200, sections 200-23 and 200-26, of the Malvern Borough Code of Ordinances.

c. 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. The extension would expire on June 19, 2021.

6. UNFINISHED BUSINESS

7. NEW BUSINESS

a. 2021 Paving Program – Awarding of Bid – Ruthland Avenue & Green Street

MOTION: To award the contract for the paving of Ruthland Avenue from First Avenue to King Street and the paving of Green Street from Second Avenue to First Avenue to John A. DiRocco Contractors based on their bid dated April 1, 2021 in the amount of \$32,582.22 based on the recommendation of the Borough Engineer.

These projects involve the mill overlay of Ruthland Avenue from First Avenue to King Street and Green Street from Second Avenue to First Avenue. Costs for these projects have been allocated in the 2021 budget in the Highway Aid Fund.

- b. Proposed Ordinance Amendment – Chapter 200 (Vehicles & Traffic) – Authorization to Advertise

An ordinance is before Borough council this evening to amend Chapter 200 of the Borough's Code of Ordinances. This ordinance is being recommended by the Public Safety Committee. The proposed ordinance would establish Second Avenue from Warren Avenue to Channing Avenue as a one-way street in the eastbound direction. This has also been recommended in the 2018 Malvern Borough-wide Multimodal Transportation Study. If authorized for advertisement, a public hearing on the proposed ordinance could be held at the May 4, 2021 meeting of Borough Council.

- c. Volunteer Board & Committee Appointment Considerations

- Zoning Hearing Board (alternate member)

Lloyd Stackhouse had submitted his resignation as an alternate member of the Zoning Hearing Board effective March 31, 2021 as he intended to move out of Malvern Borough. Mr. Stackhouse has advised that he will be remaining in the Borough and desires to continue in his role as an alternate member of the Zoning Hearing Board. Borough Council would need to re-appoint Lloyd Stackhouse as an alternate member to the Zoning Hearing Board for a term to expire on January 1, 2024. With this re-appointment, there would still be one (1) vacancy for an alternate member on the Zoning Hearing Board.

- d. 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