

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

September 21, 2021
7:30 P.M.

As Chester County has been defined by the Centers for Disease Control & Prevention (CDC) as a county with high transmission of COVID-19, masks are required for all in-person attendees.

Virtual Meeting Participation Option

This evening's meeting of Malvern Borough Council allows for a virtual meeting option via Zoom. The information on how to participate virtually via telephone or video conferencing is provided below.

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

Meeting link: <https://us02web.zoom.us/j/84197019623>

When prompted, enter the following meeting ID, followed by the “#” symbol: 841 9701 9623. You will be placed in the waiting room and admitted by the host.

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

Malvern Borough is not liable for any computer security problems that participants may experience.

PRESIDING: Amy Finkbiner, Ph.D., President

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

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

2. APPROVAL OF AGENDA:

MOTION: To approve the agenda for the September 21, 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 September 21, 2021 prior to this evening's meeting in order to discuss measures pertaining to emergency preparedness.
- c. The Paoli Battlefield Preservation Fund will host "Paoli Battlefield Heritage Day" on Saturday, September 25, 2021 from 7:00 pm to 10:00 pm at the Paoli Battlefield.
- d. The Upper Main Line Memorial Association will host their annual Malvern Memorial Parade on Sunday, September 26, 2021 at 1:30 pm.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the meeting held on Tuesday, September 7, 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 August 2021, as submitted.

c. BOROUGH COUNCIL COMMITTEE REPORTS

- Finance & Administration
- Public Safety
- Public Works

5. SPECIAL BUSINESS

a. JOSEPH CAPUANO – SWEARING-IN CEREMONY

Officer Joseph Capuano was appointed as a full-time patrol officer with the Malvern Police Department on September 7, 2021. Officer Capuano has been a sworn Police Officer with the Malvern Police Department since 2019. Tonight, we will hold a swearing-in ceremony for Officer Capuano.

b. MALVERN HISTORICAL COMMISSION – 8TH ANNUAL HISTORIC PRESERVATION STEWARDSHIP AWARDS

The Malvern Historical Commission will recognize various properties in the Borough that have made a positive contribution to the fabric of the community and are maintained in good repair by the owners.

c. RESOLUTION NO. 824: DECLARATION OF DISASTER EMERGENCY FOR HURRICANE IDA

MOTION: To adopt Resolution No. 824, issuing a Declaration of Disaster Emergency for Hurricane Ida.

Hurricane Ida impacted the northeastern part of the country on September 1, 2021. The Borough's Emergency Management Coordinator, Corinne Badman, has prepared a Declaration of Disaster Emergency for the damage caused by this storm. The proposed resolution is before Borough Council.

d. DOMESTIC VIOLENCE CENTER OF CHESTER COUNTY – PAINT THE TOWN PURPLE

MOTION: To approve Malvern Borough's participation in the Domestic Violence Center of Chester County's "Paint the Town Purple" awareness effort.

The Domestic Violence Center of Chester County (DVCCC) contacted Malvern Borough regarding the Borough's participation in their "Painting the Town Purple" initiative to raise awareness about domestic violence. This would occur in October. The Borough has participated in this effort in the past.

e. EXPANDED OUTDOOR DINING FORBEARANCE AGREEMENTS

- Malvern Pizza

Malvern Pizza is requesting a 60-day extension of their existing agreement for outdoor dining. All existing conditions are proposed to remain in place. The extension would expire on November 17, 2021.

6. UNFINISHED BUSINESS

a. Proposed Ordinance Amendments – Zoning Ordinance – Outdoor Café

This proposed amendment would revise the Borough's outdoor dining provisions in order to allow outdoor dining on private property as a use by right, while permitting outdoor dining in the public right-of-way permissible by Conditional Use. At the June 15, 2021 meeting, Borough Council requested that the Planning Commission review certain aspects of the proposed ordinance further. The proposed ordinance was reviewed at the August 5, 2021 meeting of the Planning Commission, where it was recommended for adoption. Borough Council authorized the proposed ordinance to be sent to the Chester County Planning Commission for review on August 17, 2021. Comments have been received and are before Borough Council this evening. Based on the comments received, Borough Council may refer this matter back to the Planning Commission for further review.

7. NEW BUSINESS

a. Volunteer Board & Committee Appointment Considerations

- Parks & Recreation Committee

There is currently a vacancy on the Parks & Recreation Committee. The Parks & Recreation Committee has recommended Emalie Zinni to fill this vacancy. If appointed, Ms. Zinni would complete a term that expires on January 1, 2026.

b. Parks & Recreation Committee – StoryBook Walk

The Parks & Recreation Committee is planning an event entitled the “StoryBook Walk.” The activity involves temporary posters in different parks and participants will have to read, answer questions, and find clues. This would involve a partnership with Imaginatium, who would produce the materials for the activity. Per the Borough’s Administrative Code, the Parks & Recreation Committee is prohibited from entering into contracts. Due to this, approval from Borough Council is required.

c. Escrow Release Request – 155 Channing Avenue – Release Request #2

An escrow release for the approved subdivision and land development project at 155 Channing Avenue is before Borough Council. The amount requested for release is \$2,599.20. This would be the final escrow release for this project. A recommendation from the Borough Engineer for this project, Michael Conrad, P.E. of Yerkes Associates, is before Borough Council.

d. Zoning Hearing Board

There are no new applications before the Zoning Hearing Board. The hearing for 421 Monument Avenue was held on September 20, 2021.

8. BOROUGH COUNCIL VACANCY – NOMINATIONS TO FILL VACANCY

Borough Council will accept nominations to the fill the vacancy that currently exists. Borough Council will then appoint one of the nominated candidates at its October 5th, 2021 or October 19th, 2021 meeting, pursuant to the Borough’s Home Rule Charter. The individual appointed will complete a term that expires in January, 2024. The notice of vacancy was published in the September 10, 2021 edition of the Daily Local News, as required, as well as on the Borough website.

9. PUBLIC FORUM

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

10. ADJOURNMENT