

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

April 4, 2017
7:30 P.M.

PRESIDING: Council President Bramwell

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 (Absent)
Council Member Siquett
Mayor Burton

2. RECORDING OF MEETING:

Council President Bramwell asked in accordance with Resolution No. 714 if any member of the audience was recording the meeting.

No audience member identified themselves as recording the meeting.

3. RESOLUTION NO. 733 – RECOGNITION OF PAUL H. WILKINS:

A motion was made by Council Vice-President Uzman, seconded by Council Member Siquett, and carried by a vote of 6-0, to adopt Resolution No. 733, commemorating Paul H. Wilkins and his contributions to the Borough of Malvern and surrounding communities.

Council President Bramwell thanked the members of the Malvern Fire Company for their service to the Borough and condolences to the Wilkins Family.

4. OLD BUSINESS:

a. Ordinance #2016-2: Issuance of Non-Electoral Debt
Council President Bramwell stated this agenda item is tabled for discussion.

5. NEW BUSINESS:

a. 2017 Actuarial Valuations – Police & Non-Uniformed Pension Funds

Borough Manager Bashore stated the Borough Actuary, Beyer-Barber Company, has prepared the 2017 Actuarial Valuations for the Borough's Police and Non-Uniformed Pension Plans. These reports indicate that both plans have assets in excess of accrued liabilities; the report indicates that the Non-Uniformed Pension Plan is 114% funded and the Police Pension

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Plan is 212% funded. The funding levels are based on dividing the actuarial value of the assets by the actuarial value of the accrued liability. Both pension plans are in a healthy condition.

Therefore, the Finance & Administration Committee recommends that Borough Council accept the 2017 Actuarial Cost Studies for the Police and Non-Uniformed Pension Plans prepared by Beyer-Barber Company dated January 1, 2017. The Committee is also recommending that Borough Council approve reducing the assumed interest rate for the Police Pension Plan to 6% and maintaining the current 6% assumed interest rate for the Non-Uniformed Pension Plan.

A motion was made by Council Member Arena, seconded by Council Vice-President Uzman, and carried by a vote of 6-0 to approve reducing the assumed interest rate for the Police Pension Plan to 6% and maintaining the current 6% assumed interest rate for the Non-Uniformed Pension Plan as presented in the 2017 Actuarial Valuations, dated January 1, 2017, as prepared by Beyer-Barber Company.

b. Bid Award – 2009 Dodge Nitro

A motion was made by Council Member Lexer, seconded by Council Vice-President Uzman, and carried by a vote of 6-0 to award the bid to Richard Versnel of Toms River, New Jersey in the amount of \$4,900 based on their bid dated March 31, 2017.

c. Proposed Resolution – Support for Citizens' Commission for Legislative and Congressional Redistricting

Amy Finkbiner, 121 Woodland Avenue, presented a proposed resolution in support of a citizens' commission for legislative and congressional redistricting. The proposed resolution seeks support for a constitutional amendment that would assign the decennial task of both legislative and congressional redistricting to an independent citizens' redistricting commission. This effort is being coordinated by an organization called Fair Districts PA.

Amy Finkbiner stated state legislative and congressional voting districts are redrawn after the completion of the national census each decade, to allow for fair representation by population as required by the U.S. Constitution and the Pennsylvania Constitution. However, legislative and congressional redistricting has often resulted in gerrymandering, that is the redrawing of districts to favor one political party or other. The Fair Districts PA organization is advocating for fair, fully transparent, impartial, and depoliticized process of the decennial post-census re-drawing of state legislative and congressional districts of near equal population.

Amy Finkbiner mentioned that creating an independent citizens redistricting commission devoid of political motivation or partisanship will help to ensure a fair and accurate legislative and congressional redistricting process that respects political subdivisions and communities of interest.

Amy Finkbiner stated that she has acquired seventy-four (74) signatures to show support for the redistricting.

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Council Member Grossman sees supporting the redistricting as a bipartisan effort that is for the betterment of all political affiliations.

Council Member Lexer inquired how citizens would be selected to serve on the redistricting commission and how the majorities (i.e. Democrats and Republicans) in areas will not maintain control. Mrs. Finkbiner stated citizens would be pre-selected through an application process. Citizen members will have to hold no position of influence, nor be related to politicians.

Council President Bramwell asked if the citizen positions would be paid for their services. Amy Finkbiner stated the positions would be paid, however, there has been no discussion as to how much.

Council Member Lexer asked how citizen positions, if paid, would be not be influenced by lobbyists and political officials since they would in essence be government employees. Mrs. Finkbiner stated the entire redistricting process is proposed to be done in front of the public, with public hearings and notices.

Council President Bramwell asked about the timeline for the redistricting. Mrs. Finkbiner stated she would like to see council pass the resolution supporting the redistricting by Tuesday, April 18, 2017 to maintain momentum and not possibly get held up during the summer months. If all municipalities move at a steady pace, there is time for the redistricting process to be completed prior to the next censuses of 2020.

d. Zoning Hearing Board

Borough Manager Bashore stated the Monday, April 24, 2017 Hearing has been cancelled due to no new applications. The next scheduled hearing is Monday, May 22, 2017.

6. 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 to bring any issues/concerns before Council that are not on the agenda.

a. Kelly Schmitt, 133 Church Street, announced seven (7) volunteers collected three (3) large bags of trash from the Paoli Battlefield on Saturday, April 2, 2017.

b. Barbara Casey, 130 Margaret Lane, made two (2) comments: 1) Trash is being dumped in the vacant lot, located along Old Lincoln Highway and Longford Avenue; and 2) When will sidewalk construction start on North Warren Avenue. Borough Manager Bashore stated he will have the Codes and Zoning Officer investigate the dumping of debris on the vacant lot and that the sidewalk construction is scheduled to commence in the summer, after schools break for the summer.

c. Gail Newman, 11 Landmark Drive, asked who owns the section of North Sugartown

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Road, located on the north-side of King Street. Borough Manager Bashore stated there are multiple owners, however, none of them are municipalities. Therefore, any maintenance agreements would have to be performed by the private owners.

Marty Laney, 4 Landmark Drive, stated as the current President of the Homeowners' Association for Landmark, she had a discussion with the Association's' solicitor who identified Erin Glen to be the legal owner for the northern most section of North Sugartown Road.

Police Chief Marcelli stated the situation of North Sugartown Road is similar to the private drive off of Old Lincoln Highway, in that all owners have a vested interest and must be amendable to a legal-binding maintenance agreement, whether through their lawyers and/or through the court system.

d. Borough Manager Bashore announced on Saturday, April 8, 2017 is the seventh annual Easter Egg Hunt sponsored by the Malvern Parks & Recreation Committee. The event commences at 2:00 P.M. at the Paoli Battlefield.

7. ADJOURMENT:

All business having been discussed, a motion was made by Council Member Lexer, seconded by Council Vice-President Uzman, and carried by a vote of 6-0 to adjourn the meeting at 8:25 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Secretary