ROLL CALL

1. PRESENT
   Council Vice-President Uzman
   Council Member Finkbiner
   Council Member Laney
   Council Member Meisel
   Council Member Raynor
   Council Member Sinquett

   Council Vice-President Uzman announced that Borough Council met in Executive Session prior to the meeting in order to discuss Collective Bargaining Agreement negotiations.

2. RECORDING OF MEETING
   Council Vice-President Uzman asked in accordance with Resolution No. 787 if any member of the audience was recording the meeting.

   Lynne Frederick, 227 East Broad Street, stated she was audio recording the meeting.

3. APPROVAL OF AGENDA
   A motion was made by Council Member Finkbiner, second by Council Member Laney, and carried by a vote of 6-0 to approve the agenda for July 16, 2019 as amended to include discussion of the Home Rule Charter.

4. APPROVAL OF MINUTES
   A motion was made by Council Member Laney, seconded by Council Member Sinquett, and carried by a vote of 6-0, to approve the minutes of the meeting held on Tuesday, July 2, 2019, as amended.

5. APPROVAL OF REPORTS
   A motion was made by Council Member Finkbiner, seconded by Council Member Laney, and carried by a vote of 6-0 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

6. BOROUGH COUNCIL COMMITTEE REPORTS

   a. Finance & Administration

      Council Vice-President Uzman stated that the Finance & Administration Committee is scheduled to meet on July 18, 2019. Michael Peter from General Code will present information on a program called MapLink. This is an interactive zoning map site that would connect to the Borough’s Zoning Ordinance and would allow property owners to interact with their properties to learn the regulations for their property. The service has been adopted by other municipalities in Chester County.

   b. Public Safety

      Council Member Meisel stated that the Public Safety Committee last met on July 10, 2019. Items before the Committee included a review of the recommendations for the intersection of King Street and Powelton Avenue from the Malvern Borough-wide Multimodal Transportation Study, a review of the recommendations from the Borough Traffic Engineer for the intersection of King Street and Griffith Avenue/Karen Drive, review of concerns raised about the intersection of Old Lincoln Highway and Daisey Lane/Mountain Laurel Lane, and discussion about safety enhancements in Borough Hall.

      Council Member Sinquett asked why the intersection of Old Lincoln Highway, Mountain Laurel Lane, and Daisey Lane is considered a mid-block crosswalk. Police Chief Marcelli stated that the reason is there are no stop signs on Old Lincoln Highway, which is a two-lane collector road, while both Mountain Laurel Lane and Daisey Lane are dead-end local roads. The intersection is not controlled on all intersections with stop signs.

      Council Vice-President Uzman asked about the status of re-stripping the centerline on East King Street, at the intersection of Channing Avenue. Police Chief Marcelli stated the re-stripping will occur after the existing stripping wears off and the street is repaved.

   c. Public Works

      Council Member Sinquett stated that the Public Works Committee has not since the June 18, 2019 meeting of Borough Council. The paving of Green Street is scheduled to begin on July 22, 2019, weather permitting. S.A. Macanga, Inc. is preparing the necessary documentation to begin the work on West King Street and the parking lots. The Borough Engineer is preparing the bid package and advertisement for the paving of the 200 block of Church Street, as authorized by Borough Council at the July 2, 2019 meeting. Bid results and a recommendation of award for the Ruthland Avenue Force Main project are before Borough Council this evening.

7. PRESENTATION – MICHAEL SKUJA – SUSTAINABILITY ADVISORY COMMITTEE
Borough Manager Bashore stated Michael Skuja is here to present information related to the establishment of a Sustainability Advisory Committee in Malvern Borough. Mr. Skuja recently moved to the Borough from the San Francisco Bay area and resides on Monument Avenue. In an email dated June 20, 2019, Mr. Skuja noted the recent establishment of a Sustainability Advisory Committee in East Goshen Township. To assist in tonight’s discussion, Mr. Bashore reached out to the Township Manager of East Goshen Township and obtained a copy of the resolution that it adopted.

Michael Skuja suggested that if a Sustainability Advisory Committee is formed that it compile five (5) priorities, such as community-wide composting, that it will set out to accomplish.

Discussion among Borough Council included a consensus for a need and support to create a Sustainability Advisory Committee. Priorities discussed, included flooding/stormwater management and environmental issues that would typically be addressed by an Environmental Advisory Committee.

Council Vice-President Uzman asked Mr. Skuja if he would be interested in serving on the committee and coordinating the five (5) priorities. Mr. Skuja said he would be interested in serving on the Sustainability Advisory Committee and make certain the goals are realistic, not just well-intended.

Council Member Finkbiner recommended creating an ad hoc committee to define the scope of work for a Sustainability Advisory Committee, similar to how the Randolph Woods Ad Hoc Committee was created.

Borough Manager Bashore suggested sending a Constant Contact email out in an effort to spread the word of the Sustainability Advisory Committee. Council Member Finkbiner requested that the Randolph Woods Ad Hoc Committee be notified prior to a public announcement is made.

Kel Schmitt, 17 Channing Avenue, asked what residents are supposed to do when they see Spotted Lanternflies in the Borough. Borough Manager Bashore stated there is information on the Borough’s website that explains how residents are to report sightings and steps to take.

Kel Schmitt, 17 Channing Avenue, asked for the status of the streetlight efficiency upgrades. Borough Manager Bashore stated the DVRPC Streetlight Program is entering the second phase of the project and the Borough is moving forward in completing the program.

8. UNFINISHED BUSINESS

   a. Amendments to the Home Rule Charter – Section 409 Forfeiture of Office & Procedure for Removal

   Council Vice-President Uzman stated Borough Council has tabled discussion of two (2)
ordinances to initiate the amendment of the Borough’s Home Rule Charter. These amendments were discussed by the Home Rule Charter Ad Hoc Committee. The proposed amendments would establish meeting attendance requirements for the Mayor’s office and associated removal procedures. After obtaining a letter from a resident questioning the constitutionality of the amendments, a review by the Borough Solicitor revealed there is proposed legislation in the PA General Assembly that may override any decisions of Borough Council. Therefore, the proposed amendments should be closed for discussion and the Borough Council should wait to see what the PA General Assembly decides.

Council Member Sinquett asked about the current provisions in the Home Rule Charter that placed attendance requirements on the Borough Council and established removal procedures. Borough Solicitor Yaw stated these provisions remain in effect as approved, until the legality of them is determined by the courts or adoption of the proposed legislation by the PA legislature.

A motion was made by Council Member Raynor, seconded by Council Member Finkbiner, and carried by a vote of 6-0 to close the Amendments to the Home Rule Charter – Section 409 Forfeiture of Office & Procedure for Removal.

a. Update – In Great Valley Magazine

Borough Manager Bashore stated he spoke with Julie Talerico from In Community Magazine regarding three (3) issues as was identified at the June 4, 2019 meeting of Borough Council:

1) Is it possible to reduce the number of pages that the Borough is committed to for each edition?

2) What has been the response from the other entities who contribute to INGV?

3) Is this charge something unique to INGV or are is it being imposed on all the community magazines that are published?

After the June 16, 2019 meeting of Borough Council, Borough Manager Bashore reached out to Julie Talerico from In Community Magazine regarding these matters. Ms. Talerico informed him that the Borough is able to reduce the number pages it is committed to in each edition. East Whiteland Township is continuing their partnership with In Community Magazine with the pricing, as is Great Valley School District. Willistown Township has informed him that they are holding off participation this year and will consider budgeting this cost in 2020.

Kel Schmitt, 17 Channing Avenue, mentioned that the In Great Valley is different from the Borough Broadcaster in that it is printed in color, has a larger readership base to inform more readers of the Borough’s events, and does not place word limits/articles lengths on the writers like the Borough Broadcaster.
A motion was made by Council Member Raynor, seconded by Council Member Sinquett, and carried by a vote of 6-0 to suspend participation in the In Great Valley magazine and to increase the readership base of the Borough Broadcaster.

9. NEW BUSINESS

a. Bid Award – Ruthland Avenue Force Main Replacement Project

Borough Manager Bashore stated the Ruthland Avenue Force Main Replacement Project has been allocated in the Borough’s budget for the last several years. The force main experienced a significant break in 2018. Bids were received on July 10, 2019. There were three (3) bids received and the apparent low bidder is Delaware Valley Utility Contractors, Inc. of Reading, PA in the amount of $309,475.48. Borough Manager Bashore advised that this amount is above the originally projected cost for this project, however there is a significant need for this project and adequate funds in both the Sewer Capital Reserve Fund budget and the Borough’s reserves to complete this project at the low bid price.

Council Member Finkbiner noted that a significant factor in the increase in cost were design changes, specifically noting the flow meter pit installation and the replacement of an existing manhole.

A motion was made by Council Member Sinquett, seconded by Council Member Laney, and carried by a vote of 6-0, to award the Ruthland Avenue Force Main Replacement Project to Delaware Valley Utility Contractors, in the amount of $309,475.48, based on their bid dated July 9, 2019, as the lowest responsible bidder.

b. Authorization to Advertise – International Property Maintenance Code Update

Borough Manager Bashore stated the purpose of the proposed ordinance is to amend Chapter 153 of the Borough’s Code of Ordinance in order to adopt the 2015 International Property Maintenance Code. Currently, the Borough is enforcing the 2003 International Property Maintenance Code. The Borough’s Building & Code Enforcement Official, Bill Wilfong, has been working with the Borough Solicitor in order to prepare the proposed ordinance.

The proposed ordinance has not been authorized for advertisement at this time by Borough Council. If Borough Council authorizes the proposed ordinance for advertisement, the required public hearing could be scheduled for the August 6, 2019 meeting of Borough Council.

A motion was made by Council Member Sinquett, seconded by Council Member Laney, and carried by a vote of 6-0, to authorize the advertisement of the proposed ordinance to amend Chapter 153 of the Borough’s Code of Ordinance in order to adopt the 2015 International Property Maintenance Code.

c. Volunteer Boards & Committees
i. Parks & Recreation Committee – Resignation

Borough Manager Bashore stated Francis Givnish, Jr. has submitted his resignation from the Parks & Recreation Committee, for the reason that he recently moved out of the Borough. Mr. Givnish would like to continue to assist the Committee at events. There is no issue with this other than may not be an official member of the Committee for no longer being a resident of the Borough. The individual appointed to fill this vacancy will complete a term that expires on January 1, 2024.

ii. Randolph Woods Nature Preserve Master Plan Ad Hoc Committee

Borough Manager Bashore was recently contacted by Helise Bichefsky, DO, regarding her interest in serving on the Randolph Woods Nature Preserve Master Plan Ad Hoc Committee. Dr. Bichefsky currently serves on the Parks & Recreation Committee. Please note that the original committee that prepared the 2017 report to Borough Council consisted of ten (10) members. If appointed, the total number of members on the re-established Ad Hoc Committee would be ten (10).

A motion was made by Council Member Finkbiner, seconded by Council Member Meisel, and carried by a vote of 6-0, to appoint Helise Bichefsky, DO, to serve on the Randolph Woods Preserve Master Plan Ad Hoc Committee with a term to expire at the conclusion of the final draft of the Master Plan.

d. Zoning Hearing Board

Borough Manager Bashore stated that there are no new applications before the Zoning Hearing Board. As reported at the July 2, 2019 meeting, the Borough received an application from Malvern Veterinary Hospital on June 27, 2019. The Zoning Hearing Board meeting is scheduled for Monday, August 26, 2019.

10. PUBLIC FORUM

Council Vice-President Uzman informed all present that Public Forum is the time to offer comments on any item not on the agenda and to bring any issues/concerns before Council.

Frank Venditti, 118 West First Avenue, asked what the immediate plans are for addressing public safety issues on West First Avenue. A specific concern is the lack of sidewalk on the Quann Park side of West First Avenue for when children from the Willistown Day School go out for recess. In addition, the absence of sidewalk on South Warren Avenue, between First and Second Avenues.

Council Vice-President Uzman said the Public Works and Public Safety Committees are both working on solutions to Mr. Venditti’s public safety concerns. Council Member Sinquett said that TAG Builders, Inc. will be installing sidewalk from First to Second Avenues, on South Warren Avenue based on an approved land development plan for the former Gables property.
Joe Bones, 25 High Street, requested the Borough Council consider the side effects of creating a paved parking lot at the bottom of Quann Park, specifically stormwater runoff and water quality issues. Mr. Bones is concerned that commuters that currently park on Powelton and West First Avenues will use the proposed lot if restrictions are not in-place. In addition, he requested that Borough Council investigate constructing the proposed parking facility in porous pavement. Borough Manager Bashore stated that he would ask for a cost estimate from the Borough Engineer on using porous pavement.

Council Member Finkbiner wants to ensure the Malvern Preparatory School coordinates with the Borough in installing its walking path along South Warren Avenue.

11. **ADJOURNMENT**

All business having been discussed, a motion was made by Council Member Sinquett, seconded by Council Member Meisel, and carried by a vote of 6-0, to adjourn the meeting at 8:36 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Borough Secretary