

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

June 19, 2018
7:30 P.M.

PRESIDING: Jamie S. Grossman, President

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL:

PRESENT:

Council President Grossman
Council Vice-President Uzman
Council Member Finkbiner
Council Member Laney
Council Member Raynor
Council Member Sinquett
Mayor Burton

ABSENT:

Council Member Meisel

Council President Grossman announced that Borough Council met in Executive Session prior to this evening's meeting to discuss matters pertaining to personnel and litigation.

2. RECORDING OF MEETING:

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

No member of the audience identified themselves as recording the meeting.

3. APPROVAL OF MINUTES:

A motion was made by Council Vice-President Uzman, seconded by Council Member Finkbiner, and carried by a vote of 6-0, to approve the minutes of the meeting held on Tuesday, June 5, 2018, as submitted.

4. APPROVAL OF REPORTS:

A motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and 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 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 May 2018, as submitted.

5. BOROUGH COUNCIL COMMITTEE REPORTS:

a. Financial & Administration

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Council Vice-President Uzman stated the Finance & Administration Committee last met on May 22, 2018. Matters discussed by the Committee included a review of investment opportunities for Borough funds with the National Bank of Malvern and the Pennsylvania Local Government Investment Trust (PLGIT), discussion of an ordinance amendment to threshold for competitive bidding, discussion on the Borough's vision insurance policy, discussion on the proposals for providing a second 457 plan option for Borough employees, a review of the proposal for permit management software, and discussion of 209 Old Lincoln Highway.

b. Public Safety

Borough Manager Bashore stated the Public Safety Committee last met on May 30, 2018. The Committee continued their review of the first draft of the *Malvern Borough-wide Multimodal Transportation Study* and its recommendations. Based on this review, comments were forwarded to the Borough Traffic Engineer for consideration. The next meeting of the Public Safety Committee is scheduled for June 21, 2018.

c. Public Works

Council Member Sinquett stated the Public Works Committee last met on June 5, 2018. Items of discussion included the 2018 paving program and the proposals received for the upgrades to the Borough Hall HVAC system. The next meeting of the next meeting of the Public Works Committee has not yet been scheduled.

6. PUBLIC HEARING – ORDINANCE NO. 2018 – 5: AMENDMENT TO CHAPTER 25 (ADMINISTRATIVE CODE) PERTAINING TO THE THRESHOLD FOR COMPETITIVE BIDDING:

Council President Grossman announced that Borough Council will now open a Public Hearing to consider an ordinance to amend Chapter 25, Administrative Code, of the Borough of Malvern Code of Ordinances. The proposed ordinance would amend the provisions of the Administrative Code pertaining to the threshold for which competitive bidding is required for purchases.

The Notice of Public Hearing was published in the June 7, 2018 edition of the Daily Local News as required.

There being no comments by the audience, Council President Grossman closed the public hearing.

7. PROPOSED ORDINANCE NO. 2018 – 5 – AMENDING CHAPTER 25 (ADMINISTRATIVE CODE), ARTICLE V (FISCAL AFFAIRS) OF THE BOROUGH OF MALVERN CODE OF ORDINANCES:

A motion was made by Council Vice-President Uzman, seconded by Council Member

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Laney, and carried by a vote of 6-0, to adopt Ordinance No. 2018 – 5, amending Chapter 25, Article V of the Malvern Borough Code of Ordinances pertaining to the threshold for competitive bidding requirements of the Borough of Malvern.

8. UNFINISHED BUSINESS:

a. Update – Backyard Poultry

Borough Manager Bashore stated at the April 17, 2018 meeting Borough Council requested that the Planning Commission review the Borough's Zoning Ordinance in regards to the keeping of backyard poultry. The Planning Commission discussed this provision at their meeting on May 3, 2018 and amendments to the Zoning Ordinance pertaining to the keeping of backyard poultry. The items discussed were: 1) Coop/run setbacks from property lines, 2) Minimum acreage to allow livestock, 3) Permit type(s) for regulating livestock, and 4) Zoning Officer enforcement procedures. A draft ordinance amendment has been prepared by the Borough Solicitor and will be reviewed by the Planning Commission on Thursday, June 21, 2018.

9. NEW BUSINESS:

a. Request for Fundraiser – Malvern Fire Company

Borough Manager Bashore stated before Borough Council this evening is a request from the Malvern Fire Company for Borough Council to send a letter to the Pennsylvania Liquor Control Board supporting the Company's request for the annual Pig Roast on August 4, 2018 from 2:00 p.m. to 7:00 p.m. to serve alcoholic beverages. In prior years, Borough Council has supported this request of allowing the service of alcoholic beverages during the Pig Roast.

A motion was made by Council Member Siquett, seconded by Council Vice-President Uzman, and carried by a vote of 6-0, to authorize the Borough Manager to submit a letter to the Pennsylvania Liquor Control Board supporting the Malvern Fire Company's request for a fundraiser that includes the serving of alcoholic beverages at its annual Pig Roast on August 4, 2018 from 2:00 p.m. to 7:00 p.m.

b. Escrow Release Request – 323 Old Lincoln Highway – Release Request #2

A motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 6-0 to authorize the release of \$29,099.00 per the recommendation of the Borough Engineer's letter dated, June 14, 2018, for the subdivision project currently under development at 323 Old Lincoln Highway by Providence One Builders, LLC.

c. Retirement Agreement and General Release between the Borough of Malvern and Joseph Cordone

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A motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 6-0, to execute a Retirement Agreement and General Release between the Borough of Malvern and Joseph Cordone.

d. Borough Hall HVAC Upgrade – Proposals

Borough Manager Bashore stated before Borough Council this evening are quotes to replace the boiler, address the issues in the History Center, and for the attic access replacement. The first two (2) items were to be addressed by a COSTARS contractor. In addition, the Borough received pricing to address the heating in the eastern stairwell and to do water balancing to ensure that the new equipment functions correctly.

A motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 6-0, to approve the quotes from Oliver Mechanical dated June 5, 2018 for upgrades to the HVAC system in Borough Hall in the amount of \$141,376.00 through COSTARS contract #008-355 and to approve the quote from O'Rourke & Sons, Inc. dated June 5, 2018 in the amount of \$7,800.00 to replace the attic access area in the western stairwell of Borough Hall.

e. Zoning Hearing Board

Borough Manager Bashore stated there is one (1) item that will be before the Zoning Hearing Board that has been continued to July 23, 2018 for 353 Old Lincoln Highway, the property owner, LaGrie, LLC. is appealing a Notice of Violation issued by the Zoning Officer.

At the May 15, 2018 meeting of Borough Council, Council was in agreement to authorize the Borough Solicitor attend the Zoning Hearing Board meeting to defend the determination of the Zoning Officer.

f. Chester County Commissioners – Sunshine Meeting

Council Member Finkbiner stated that she and Mayor Burton attended the June 19, 2018 Sunshine Meeting of the Chester County Commissioners and learned about a program called WalkWorks ChesCo! that is an initiative that aims to increase physical activity and reduce obesity rates in Chester County by promoting places and opportunities to walk, supporting walking groups, planning and promoting walking events, and coordinating walking challenges. The Chester County first responders have created their own walking groups and the Malvern Fire Company was recognized as a group, with member Neil Vaughn having the most steps.

g. Borough Staff Recognition

Council President Grossman recognized Borough Manager Bashore for his appointment to the Executive Board of the Chester County Consortium of Municipal Managers.

Borough Manager Bashore recognized Assistant Borough Manager Lovekin for his

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attainment of the Certified Borough Official, an achievement award, at the annual conference of the Pennsylvania State Association of Boroughs.

10. PUBLIC FORUM:

Council President Grossman 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.

No member of the audience had comments.

11. ADJOURNMENT:

All business having been discussed, a motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 6-0, to adjourn the meeting at 7:53 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Borough Secretary