

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

June 21, 2016
7:30 P.M.

PRESIDING: David G. Bramwell, President

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
Council Member Sinquett
Mayor Burton

2. 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 on any item on the agenda to bring any issues/concerns before Council.

- a) Televised Borough Council Meetings
Karen Martinez, 142 West First Avenue, suggested Council consider broadcasting the meetings on cable television for residents who are unable to attend the meetings.

Borough Council agreed to discuss Mrs. Martinez's suggestion at a later date.

3. APPROVAL OF MINUTES:

A motion was made by Council Vice-President Uzman, seconded by Council Member Sinquett and carried by a vote of 7-0, to approve the minutes of Tuesday, May 17, 2016, as submitted.

4. APPROVAL OF REPORTS:

A motion was made by Council Vice-President Uzman, seconded by Council Member Arena, and unanimously carried by a vote of 7-0 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 and Zoning Officer's 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 2016, as submitted.

5. WAYFINDING SIGNAGE PRESENTATION:

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Dave Knies, Malvern Borough Planning Commission Chair presented the Commission's recommendation regarding wayfinding signage throughout the borough. Signage needs were identified as part of the 2015 Walkability Study previously provided to Borough Council by the Planning Commission. Signage would be separated into two (2) types: 1) Interior signage primarily for pedestrian traffic; and 2) Perimeter signs primarily for motorists and cyclists. Dave Knies identified next steps for Borough Council by reviewing pole types, sign configuration, destinations, potential costs, and potential stakeholders.

Council President Bramwell asked in the Planning Commission considered including the "QRS Codes" that resemble barcodes that smartphones are capable of reading. Dave Knies stated the Planning Commission did not consider this option, however, if Council would like to that is its choice.

Council Member Grossman asked how the Planning Commission identified the locations for the signage. Council Member Siquett stated the locations are conceptual, Borough Council will make the final determination.

Council Member Meisel questioned if the existing signage in the Borough will remain or be removed with the additional proposed signage. Dave Knies stated that is a matter for Borough Council to determine. He recommended that conducting Public Outreach Sessions may be beneficial to get resident buy-in and feedback.

Frank Ortner, 144 Griffith Avenue, the sign located near the intersection of Sugartown Road and Monument Avenue was installed by Chester County.

Council Member Arena asked Dave Knies if the Planning Commission has a summary of the existing signage in the Borough so it may be compared to the proposed signage. Mr. Knies stated the 2015 Walkability Study has the existing signage listed.

Council President Bramwell inquired about having gateway signage on the east-side of King Street near Eastside Flats. Borough Manager Bashore will review the land development agreements to determine what action(s), if any may be taken by Borough Council for installing a sign similar to the one located in the median of West King Street, near Charlestown Greene.

6. PARKS & RECREATION COMMITTEE APPOINTMENT:

A motion was made by Council Member Arena seconded by Council Vice-President Uzman and carried by a vote of 7-0, to appoint Brendan Phillips to the Malvern Borough Parks & Recreation Committee, with a term to expire on December 31, 2020.

7. PUBLIC HEARING – SOLID WASTE ORDINANCE AMENDMENT:

Council President Bramwell announced that Borough Council will open a Public Hearing to consider an ordinance to amend Chapter 173 (Solid Waste) of the Malvern Borough Codes of Ordinances in order to bring the Borough Code in line with the recent solid waste and recycling

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collection award. The Notice of Public Hearing was published in the June 10, 2016 edition of the Daily Local newspaper as required.

There being no public comment, Council President Bramwell closed the hearing.

8. ORDINANCE NO. 2016-10 – AMENDING THE SOLID WASTE ORDINANCE:

A motion was made by Council Vice-President Uzman, seconded by Council Member Grossman and carried by a vote of 7-0, to adopt Ordinance No. 2016-10, amending Chapter 173 of the Malvern Borough Code of Ordinances pertaining to Solid Waste.

9. RESOLUTION NO. 714 – CODE OF CONDUCT:

Borough Council tabled discussion until the June 21, 2016 meeting for all Council Members to have ample time to review and provide comments prior to adoption.

Danny Fruchter, 234 Channing Avenue, stated he thinks there is a fine line between promoting democracy while being efficient in conducting borough business during public meetings. Public Comment promotes transparency, therefore, Council should insure it does not stifle it with overly-detailed procedures, such as time restrictions.

Council Member Grossman stated that the Code of Conduct would be a means to hold both Council and the residents accountable for conducting themselves in a courteous and non-adversarial manner.

Frank Ortner, 144 Griffith Avenue, stated he had a few questions regarding the Code of Conduct. Council Member Grossman addressed his comments by stating the revised draft, which Mr. Ortner had an older draft, addressed his concerns. Council Member Grossman stated she thinks Mr. Ortner will be in agreement after he reviews the revised draft that will be posted on the borough's website in the coming day(s).

10. BID AWARD – 2016 PAVING PROGRAM:

A motion was made by Council Vice-President Uzman seconded by Council Member Arena and carried by a vote of 7-0, to award Melchiorre Construction, as the lowest responsible bidder, at a costs of \$142,168.00, as recommended by the Borough Engineer to award the following streets as part of the 2016 Paving Program: 1) Old Lincoln Highway; 2) East King Street; 3) West King Street; and 4) Monument Avenue.

Michael Martinez, 142 West First Avenue, questioned how the Borough is able to enforce the workmanship of its contractors. Borough Manager Bashore stated the bid documents require contractors to provide a one (1) year performance bond from the time the work is completed, for circumstances when repairs are warranted.

11. OLD BUSINESS:

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- a) Ordinance No. 2016-2: Issuance of Non-Electoral Debt
Council agreed to table discussion for a later meeting date.

12. NEW BUSINESS:

- a) 190 Pennsylvania Avenue

Borough Manager Bashore stated on June 15th, Borough Engineer Daley, met with representatives from 190 Pennsylvania Ave, the location of the Aras Rug Company, owned by Jayne and Angelo Aras. There is an approved land development plan associated with this property. The previous approval was extended through the Permit Extension Act. This protection expires on July 2, 2016. Before Council is a request from the property owners for a time extension to record their plans in order to complete the remaining stormwater management analysis. The Aras' are requesting an extension in order to allow their engineer to finalize the required calculations that are necessary to record the plan pursuant to the Municipalities Planning Code.

John Aras, Attorney and son of Mr. George Aras, owner of 190 Pennsylvania Avenue provided an overview of the revised stormwater calculations. Due to timing constraints, Mr. Aras requested an extension until September 9, 2016 which is approximated to be a 60 days extension.

A motion was made by Council Vice-President Uzman seconded by Council Member Grossman and carried by a vote of 7-0, to approve a 90-Day time extension for 190 Pennsylvania Avenue to complete its stormwater calculations.

- b) East Whiteland Township Comprehensive Plan

Dave Knies, Malvern Borough Planning Commission Chair provided the Commission's recommendations for Council to address with East Whiteland Township regarding its Comprehensive Plan. The Planning Commissions' comments are:

- i. General – The Comprehensive Plan is an excellent piece of community planning work. It displays a clean methodology, thorough survey, and solid level of information on the priorities and initiatives. In particular, the community survey was well formulated and garnered a good response rate. Citizen, corporate, and institutional - participation in the update process was excellent.

- ii. Trails and Connectivity – Completion of the Patriot Path Plan - Old Lincoln Highway to Route 29 is a high-priority pedestrian initiative; it is unclear whether this connection includes sidewalks on Old Lincoln Highway or only on Route 30 between Old Lincoln Highway and Route 29.

- iii. Regional Traffic – Extension of Three Tun Road to Malin Road - no mention was made of the potential extension of Malin Road to Pennsylvania Avenue; Planning Commission encourages revisiting the truck traffic limitations on North Warren Avenue.

- iv. Official Map – Applaud East Whiteland Township's efforts to create an Official Map as it is a valuable planning tool.

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v. Ordinance Initiative – Consider bicycle facilities and amenities as part of SALDO projects is a smart and forward-thinking approach.

Council President Bramwell stated he will attempt to clear his schedule so he could attend the East Whiteland Township Public Hearing on July 13th as a taxpayer (i.e. Business owner in the Township) as a means to be heard during Public Comment period.

Borough Solicitor Christakis recommended Council consider drafting a written position statement to the East Whiteland Township Supervisors.

Council agreed with the Planning Commissions' comments and authorized Borough Manager Bashore to forward the comments to the East Whiteland Township Supervisors. In addition, Council agreed to send a Councilor and Commissioner to the Public Hearing on July 13th at the East Whiteland Township Building.

c) Zoning Hearing Board

i. Opening on the Zoning Hearing Board

Borough Manager Bashore stated at the May 17, 2016 Meeting, Borough Council accepted the resignation of Louis Thomas from the Zoning Hearing Board, effective June 1, 2016. The Borough administration received six (6) applicants for Borough Council to review and appoint one (1) applicant to the Zoning Hearing Board and one (1) applicant as an alternate.

Borough Council agreed to invite all applicants to the July 5th Borough Council Meeting for a 2-3 minute one-on-one interview. Borough Manager Bashore to notify the applicants of the interviews.

ii. Applications

Borough Manager Bashore stated the application for 346 East King Street should receive the Zoning Hearing Board's decision before June 30, 2016. He will notify Borough Council when a date is set for the public decision.

13. ADJOURNMENT:

At 9:20 p.m. Council President Bramwell stated Council will adjourn to Executive Session to discuss personnel matters.

Council President Bramwell reconvened the public meeting at 9:55 p.m.

a) Keystone Municipal Services Agreement

A motion was made by Vice-President Uzman, seconded by Council Member Meisel and carried by a vote of 7-0, to approve the agreement with Keystone Municipal Services for temporary building inspection services for the Borough of Malvern.

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All business having been discussed, a motion was made by Council Vice-President Uzman, seconded by Council Member Meisel and unanimously carried by a vote of 7-0 to adjourn the meeting at 9:58 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Secretary