

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

June 4, 2019
7:30 P.M.

PRESIDING: Council President Grossman

INVOCATION: Council Member Laney

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 Meisel
Council Member Sinquett

ABSENT

Council Member Raynor
Mayor Burton

Council President Grossman announced that Borough Council met in Executive Session prior to the meeting in order to discuss a personnel matter.

2. RECORDING OF MEETING

Council President Grossman 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 Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 6-0, to approve the agenda for the June 4, 2019 meeting of Borough Council as amended in order to include discussion about the investment of Borough Funds under "New Business."

4. APPROVAL OF MINUTES

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 minutes of the meeting held on Tuesday, May 21, 2019, as amended.

5. PRESENTATION – 2019 BUDGET SUPPLEMENTAL REPORT

Borough Manager Bashore provided a status of the current 2019 revenues and expenditures as outlined in the 2019 Budget.

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Council President Grossman asked about the cost for the pedestrian signals slated to be installed on E. King St. Borough Manager Bashore stated that a mandate was issued by the PA Department of Transportation during the design process that resulted in a cost increase in the project from the initial estimate. Council President Grossman asked about funding. Borough Manager Bashore stated that the developer of Eastside Flats paid the Borough an impact fee as part of their Conditional Use approval that was intended to be used for capital projects.

Council Member Finkbiner asked about the fluctuation in revenue verses expenditures over the last three (3) years. Borough Manager Bashore noted that several major capital projects were completed in 2018, which resulted in the fluctuation.

Kel Schmitt, 17 Channing Avenue, thanked Borough Manager Bashore for his thorough presentation and Borough Council for operating the Borough in a transparent manner.

Gail Newman, 11 Landmark Drive, asked about salary allocations in the budget. Borough Manager Bashore stated that salaries are allocated based on job responsibilities and that this is a standard practice. Ms. Newman thanked Borough Manager Bashore for outlining the Borough staff's salary allocations. Council Member Finkbiner asked Borough Manager Bashore to post a summary of staff salary allocations to the Borough website. Borough Manager Bashore stated he will have the summary on the Borough's website.

George Fieo, CPA, Borough Auditor, clarified how the Borough divides staff salaries among the General and Sewer Funds, noting that the allocation of salaries among various accounts is necessary to avoid mixing lines of business. In order to be efficient, the Borough has only one payroll and spreads the cost of its employees across funds. Mr. Fieo stated that the General Fund and the Sewer Fund operate on two (2) different funding sources, noting that the Sewer Fund is based on user fees and operates like a business and it would be inefficient to allocate salary costs in any other manner. Mr. Fieo stated that this is a common practice. This practice is supported by professional associations, including the Government Finance Officers Association of Pennsylvania.

6. UNFINISHED BUSINESS

Council President Grossman stated that there are no items of Unfinished Business for discussion.

7. NEW BUSINESS

a. Investment of Borough Funds

Borough Manager Bashore stated before Borough Council this evening is information regarding the investment of Borough funds with the National Bank of Malvern, an approved depository for the Borough. In 2018, the Borough invested its contingency funds in CDs at a rate of 2.00%. These CDs have matured and the resulting interest income was \$6,997.57. As these have matured, Mary Lou Whitcomb, Borough Treasurer, reached out to the National Bank of Malvern to see where rates stood for new CDs for the Borough's contingency funds. In addition,

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since attending the Government Finances Officers Association conference last month, she has been researching new ways to obtain better rates on the Borough's funds.

Borough Manager Bashore stated that the rates provided for the new CDs is 2.50% for 12 months and the rate for the proposed money market account is 1.15%. Borough Manager Bashore stated that the operating funds placed in the money market account would still be accessible by the Borough. Borough Manager Bashore stated this information was reviewed by the Finance & Administration Committee. The Committee is in agreement with the plan that has been outlined.

As the National Bank of Malvern is an approved depository for Borough funds and there will not be any money transferred out, no action is required.

b. Proposed Ordinance – Land Acquisition for the N. Warren Avenue Transit Project – Authorization to Advertise

Scott Yaw, Esq., Borough Solicitor stated before Borough Council this evening is consideration to proposed ordinance authorizing the acquisition of land for the North Warren Avenue Transit Project. As Borough Council is aware, the Borough recently received approval from the PA Department of Transportation. As part of this project, additional right-of-way and acquisition of private property is required. While the ordinance authorizes the use of eminent domain, it also expressly authorizes the acceptance of deeds in lieu of condemnation. Borough Solicitor Yaw stated that the total additional right-of-way is 62 sq. ft. over three (3) properties.

Borough Manager Bashore stated that the action before Borough Council is to authorize the advertisement of the proposed ordinance for a public hearing at the June 18, 2019 meeting.

A motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 6-0, to authorize advertisement of the proposed ordinance to acquire land for the North Warren Avenue Transit Project.

c. Discussion –Borough Council Meeting Room A/V System

Borough Manager Bashore stated before Borough Council are quotes Neil Lovekin, Assistant Borough Manager, obtained for upgrades to the A/V system in the Borough Council meeting room. The quotes were obtained due to the voters of the Borough approving an amendment to the Home Rule Charter in order to allow for the option of teleconferencing to meetings. As such, the 2019 budget allocated \$20,000 in the Capital Reserve Fund budget in order to accommodate an anticipated upgrade to the existing A/V system in the Borough Council meeting.

Assistant Borough Manager Lovekin stated he obtained five (5) quotes, which were reviewed by the Finance and Administration Committee prior to tonight's discussion. The scope of work Mr. Lovekin provided to the vendors were as follows: 1) Wireless gooseneck microphones with push-to-talk feature and/or a "chair" feature that would replace the existing wireless microphones, with the exception of keeping 2-4 wireless microphones for the wheeled

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side tables and public comment; 2) Remote audio participation of a Borough Councilor with the ability to hear all meeting business, including public comments, and for everyone in the Meeting Room to hear the Borough Councilor; 3) Maintain the ability to provide ADA hearing assist devices; and 4) Priority was given to audio upgrades, while video upgrades were given as an option.

Joe Bones, 25 High Street, would prefer the Borough not have an annual subscription fee for remote meeting participation since it will likely be rarely used. Council Member Sinquett agreed with Mr. Bones that he would support a service that is paid on an as-needed basis or another alternative to a subscription fee.

Brendan Phillips, 228 Church Street, cautioned Borough Council on spending too much money on technology that will likely be outdated within a few years after it is installed.

Council Vice-President Uzman stated the Finance and Administration Committee will re-evaluate the quotes to identify priorities and key functions necessary for the upgrade.

d. Discussion – In Great Valley Magazine

Borough Manager Bashore stated before Borough Council is discussion pertaining to the Borough's involvement with In Great Valley Magazine. Other entities involved are Great Valley School District, East Whiteland Township, and Willistown Township. Recently, In Community Magazines, the publisher of the quarterly In Great Valley Magazine, contacted the Borough Manager in regards to the costs for this publication. When the Borough agreed to participate in this endeavor five (5) years ago, it was explained that this would be at no cost to the Borough and that the cost for publication would be made up through the sale of advertising space. Due to rising costs of paper, mailing, and printing, In Community Magazines is proposing a charge of \$300 per page beginning with the fall 2019 edition. For Malvern Borough, the charge would be \$7,200 per year (\$1,800 per edition x 4 editions per year).

Borough Council discussed readership statistics, existing borough communication (i.e. Borough Broadcaster and Constant Contact), magazine content, and readership demographics.

Lynne Frederick, 227 East Broad Street, asked how many pages do the other municipalities use in the In Great Valley magazine. Borough Manager Bashore stated East Whiteland and Willistown Townships both use four (4) pages. Malvern Borough uses six (6) pages and typically has to reduce the number and length of articles to meet the six page limit.

Kel Schmitt, 17 Channing Avenue, said he reads the Tredyffrin/Easttown magazine from cover-to-cover and would like to see the Borough continue to participate in the In Great Valley magazine since the readership goes beyond the Borough's borders.

Joe Bones, 25 High Street, questioned whether the Borough should contribute to the publication costs since much of the information is contained in the Borough Broadcaster newsletter.

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Council Member Finkbinder would like to know what the magazine publisher is charging other areas in the Pennsylvania. Borough Manager Bashore stated he will find out what the publisher is charging in other regions of the state.

Fran Givnish, 24 Monument Avenue, said from a business perspective, the advertising fees are the costs for getting your organization's story told to the readership.

Borough Manager Bashore stated that he follow-up with Borough Council regarding the additional information that has been requested.

e. Zoning Hearing Board

Borough Manager Bashore stated that there are no new applications before the Zoning Hearing Board.

8. 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.

Joe Bones, 25 High Street, praised the Malvern Memorial Parade for its reenactor, participants, vendors and the turnout of borough residents and businesses.

Kel Schmitt, 17 Channing Avenue, an active member of the Upper Main Line Memorial Association is the entity that has been coordinating the Malvern Memorial Parade. There are approximately twenty (20) members that serve on the parade committee and of that about eight (8) members actively aided in the 2019 Malvern Memorial Parade, which was the 151st annual parade.

Gail Newman, 11 Landmark Drive, asked when the budget summary will be available for public viewing. Borough Manager Bashore stated he will have the summary uploaded to the Borough's website before the end of the work week.

Brian Field, 112 Mountain Laurel Lane, stated a sinkhole opened up at the bottom of Mountain Laurel Lane at the intersection of Old Lincoln Highway. Borough Manager Bashore stated the Borough Engineer has been investigating subsurface water issues on Old Lincoln Highway and he would speak to him about this matter.

Nancy Zion, 104 Mountain Laurel Lane, requested that a pedestrian crosswalk be installed on Old Lincoln Highway where Mountain Laurel and Daisey Lanes intersect.

Lynne Fredrick, 227 East Broad Street, requested a pedestrian crosswalk be painted on West Broad Street where it intersects with Bridge Street.

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Council Member Meisel stated he will add those requests to the agenda for an upcoming meeting of the Public Safety Committee for its consideration.

Police Chief Marcelli clarified that pedestrian crosswalks should be installed at safe intersections that have appropriate lines of sight for approaching traffic. Traffic studies have shown that crosswalks installed mid-block are unsafe and do not slow down traffic.

9. ADJOURNMENT

All business having been discussed, a motion was made by Council Vice-President Uzman, seconded by Council Member Meisel, and carried by a vote of 6-0, to adjourn the meeting at 8:58 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Borough Secretary