

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

November 15, 2016
7:30 P.M.

PRESIDING: Todd Lexer, Council Member

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL: Council President Bramwell (Absent)
Council Vice-President Uzman (Absent)
Council Member Arena (Absent)
Council Member Grossman
Council Member Lexer
Council Member Meisel
Council Member Sinquett
Mayor Burton

2. RECORDING OF MEETING:

Council Member Lexer 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. PUBLIC FORUM:

Council Member Lexer 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. No public comment

4. APPROVAL OF MINUTES:

A motion was made by Council Member Sinquett, seconded by Council Member Grossman and carried by a vote of 5-0 to approve the minutes of the meetings held on Tuesday, October 18, 2016 and Tuesday, November 1, 2016 as submitted.

5. APPROVAL OF REPORTS:

A motion was made by Council Member Meisel, seconded by Council Member Sinquett and carried by a vote of 5-0 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 November 2016 as submitted.

6. BOROUGH COUNCIL COMMITTEE REPORTS:

a. Finance & Administration

Borough Manager Bashore stated the Finance & Administration Committee met on November 1, 2016 and discussed a review of the proposed 2017 operating budget, the Pension Management RFP, and the Sewer System Valuation Study. The committee made modifications to the draft budget in order to avoid a potential tax increase, including adjustments to the attendance of municipal professionals at Borough meetings, additional earned income tax revenue based on known development projects, the reduction of certain capital projects, and the injection of funds received from the Eastside Flats Development. The Committee also discussed the final budget projections this year and the need to purchase a new vehicle for the Chief of Police as his vehicle is nearing the end of its life. The Committee recommended the purchase of a new vehicle for the Chief of Police this year as there are funds available. Since this is an unbudgeted expense, it will be presented to Borough Council for approval prior to the purchase. In addition, Council will need to adopt a resolution to reallocate funds in the budget. The Committee also discussed the five (5) year budget projections and we will be working on different models in order to assist in budgeting for the future.

b. Public Safety

Borough Manager Bashore stated the Public Safety Committee met on November 9, 2016 and discussed traffic calming measures on Monument Avenue and Old Lincoln Highway, potential studies on King Street, and a truck traffic study with East Whiteland Township. Based on the discussion at the October 4th Council meeting and the Public Safety Committee meeting on November 9th, it was determined not to move forward with the high-visibility intersections. Due to the cost of the Seminole County-style speed humps, the removal of the existing speed humps and installation of new ones will need to be bid out.

The traffic calming plan for Old Lincoln Highway was discussed at the October 4th Council meeting. There are residents how utilize the street for parking and Council will need to determine how parking is provided for these properties. The Committee determined that the residents on Old Lincoln Highway will be notified of the plan for the project.

John Yurick, Traffic Engineer with McMahan and Associates, Inc. is to provide a proposal for completing a pedestrian improvement study on King Street from Bridge Street to the east Borough boundary.

On October 18th, Borough Manager Bashore attended the East Whiteland Township Transportation Committee meeting to discuss having the bridge re-rated to accept truck traffic. This would help remove truck traffic off of West Broad Street. After reviewing the conditions of the roadway, it was determined that this was not feasible due to the narrow cartway width, bends in the roadway, and the proximity of homes to the cartway.

c. Public Works

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Borough Manager Bashore stated the Public Works Committee met on October 18, 2016 and discussed a review of the energy audit of Borough Hall, prepared by Practical Energy Solutions, discussion on the next steps forward with the HVAC system in Borough Hall, and the inspection of the bridge on Bridge Street.

The Committee met with representatives from Practical Energy Solutions. The representatives from Practical Energy Solutions presented their findings and made several recommended improvements to Borough Hall and were presented to Borough Council at the November 1st meeting. The Committee had previously discussed obtaining a second opinion on the replacement of the HVAC system for Borough Hall. Based on the result of the energy audit, it was determined that a second opinion was not needed at this time as the energy audit provided an alternative system for Borough Council to consider.

The Committee discussed the report being completed by Ingram Engineering Services (IES). IES is preparing a complete plan detailing the scope of work necessary to address any repair items. IES is not preparing a new plan, but is taking the original design and marking it up accordingly. They will be providing a summary as well. Dan Daley has recommended this process in order to prepare a construction proposal for any repair work that is necessary. IES is not preparing any bid packages or beginning the bidding process, but preparing something so that the Borough can move forward with that process if necessary.

7. PRESENTATION – MALVERN BOROUGH PLANNING COMMISSION RECOMMENDATIONS FOR PASSIVE RECREATIONAL USE AND MANAGEMENT OF RANDOLPH WOODS:

Mark Niemiec, Planning Commissioner provided a summary of a report compiled by Joe Bones and himself regarding the condition of Randolph Woods and possible maintenance issues and suggested activities. Joe Bones, 25 High Street, provided greater detail of the encroachment by adjoining Willistown residents onto parkland and the environmental impacts the BMX obstacle course has caused on the trail network, as well as, the significance that phragmites have in degrading the wetlands habitat. Mr. Niemiec contacted other outdoors educational venues, such as RiverBend, Great Valley Nature Center, and The Willistown Conservation Trust in regards to using Randolph Woods as a resource for environmental education and will set-up a meeting to discuss in-person. Also discussed the idea reusing the old pump house or the land for an educational reason.

Mark Niemiec stated he presented his and Joe Bones' findings and recommendations for Randolph Woods to Borough Council. Mark stated that Borough Council may form a taskforce of various Borough officials, including members from the Parks & Recreation Committee, Planning Commission and Borough Council.

8. OLD BUSINESS:

- a. Ordinance #2016 – 2: Issuance of Non-Electoral Debt

Council Member Lexer stated the agenda item is tabled.

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b. Proposed 2017 Budget – Authorization to Advertise

A motion was made by Council Member Grossman, seconded by Council Member Sinquett and carried by a vote of 5-0 to authorize Borough Manager Bashore to advertise the proposed 2017 Budget in two (2) printed newspapers of circulation.

A motion was made by Council Member Grossman, seconded by Council Member Sinquett and carried by a vote of 5-0 to authorize Borough Manager Bashore to advertise the proposed Ordinances 2017-17 regarding 2017 tax rate millage.

c. Zoning Hearing Board

Borough Manager Bashore stated the Zoning Hearing Board rendered three (3) decisions at its Monday, October 24, 2016 public hearing. The Board voted to grant variances to the three (3) applicants regarding Borough Zoning Ordinances, which were for: 1) A deck installation at 203 East Broad Street; 2) Setbacks for a new Middle School building on Malvern Preparatory School; and 3) A home occupation at 210 Second Avenue.

9. NEW BUSINESS:

a. 2017 Meeting Schedule

A motion was made by Council Member Meisel, seconded by Council Member Grossman and carried by a vote of 5-0 to authorize Borough Manager Bashore to advertise the proposed 2017 Meeting Schedule for Borough Council and the Planning Commission.

b. Collective Bargaining Agreement between the Borough of Malvern and the Malvern Police Officers' Association

A motion was made by Council Member Grossman, seconded by Council Member Sinquett and carried by a vote of 5-0 to authorize the execution of the agreement dated, January 1, 2016 through December 31, 2019.

c. Authorization for purchase of new vehicle

Borough Manager Bashore stated the new vehicle would replace the Chief of Police's aging Dodge Nitro. This is an unbudgeted expense and would need to be authorized for purchase by Borough Council. Borough Administration solicited quotes for a new vehicle and is recommending the purchase of a 2017 RAM 1500 in the amount of \$31,489.00. This vehicle will be purchased through Pennsylvania's COSTARS purchasing program and does not need to be bid out as a result. The vendor is New Holland Auto Group and would be purchased under COSTARS contract number 25-117. The Chief of Police's out-going vehicle will be placed on MuniBid for sale.

A motion was made by Council Member Sinquett, seconded by Council Member

Meisel and carried by a vote of 5-0 to authorize the purchase a 2017 Dodge Ram 1500 in the amount of \$31,489.00.

d. Vision Partnership Program Grant Agreement

Borough Manager Bashore stated the Chester County Planning Commission awarded a \$20,500 grant to the Borough for conducting a Multimodal Transportation Study in the 2017 calendar year. Before Council is the executed grant agreement for authorization.

A motion was made by Council Member Meisel, seconded by Council Member Sinquett and carried by a vote of 5-0 to authorize the execution of the Chester County Vision Partnership Grant.

e. Proposed Ordinance 2016-16: Authorizing the conveyance of land to the Borough of Malvern

A motion was made by Council Member Grossman, seconded by Council Member Sinquett and carried by a vote of 5-0 to authorize the purchase of real estate located on North Warren Avenue in the amount of \$110,000.

f. Membership in the Chester County Association of Township Officials

Borough Manager Bashore provided an overview of the benefits associated with becoming a member. Annual membership dues are based on population, which will cost the Borough approximately \$250.

Borough Council was in agreement and directed Borough Manager Bashore to join the Chester County Association of Township Officials.

10. ADJOURNMENT:

At 8:45 p.m. Council Member Lexer stated Council will adjourn to Executive Session to discuss legal matters.

Council Member Lexer reconvened the public meeting at 9:10 p.m.

All business having been discussed, a motion was made by Council Member Sinquett, seconded by Council Member Grossman and carried by a vote of 5-0 to adjourn the meeting at 9:12 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Secretary