

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

November 20, 2018
7:30 P.M.

PRESIDING: Council President Grossman

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 Meisel
Council Member Raynor
Council Member Sinquett
Mayor Burton

ABSENT:

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. BENCH DEDICATIONS

Council President Grossman summarized the bench dedications that occurred on Sunday, November 18, 2018 in Burke Park for Patricia Rossiter and Adam Swope, both of whom were dedicated and instrumental in shaping the Borough's community engagements.

Council President Grossman thanked the Chester County Community Choir members who sang at the bench dedication. Council Member Raynor, a member of the choir, stated the next scheduled concert is January 26, 2019 at 3:00 p.m. in the East High School auditorium.

4. PAVING PROGRAM UPDATE

Borough Manager Bashore stated that paving work will begin the week after Thanksgiving on West King Street and Daisy Lane, as outlined in the 2018 Paving Program.

5. EMPLOYEE RECOGNITION

Borough Manager Bashore recognized Neil Lovekin, Assistant Borough Manager, for being appointed as the Secretary and Treasurer for the Chester County Consortium of Municipal Managers.

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6. APPROVAL OF REPORTS

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

7. BOROUGH COUNCIL COMMITTEE REPORTS

a. Finance & Administration

Council Vice-President Uzman stated the Finance & Administration Committee has not met since the October 16, 2018 meeting of Borough Council. An initial public presentation of the 2019 Budget was presented at the November 6, 2018 meeting of Borough Council.

b. Public Safety

Council Member Meisel stated the Public Safety Committee met prior to tonight's Borough Council Meeting. During this meeting, the Committee reviewed information pertaining to the pedestrian signals proposed for the intersections of Ruthland Avenue and King Street, and Church Street and King Street, in front of Eastside Flats. The Committee reviewed plans prepared by the Borough Traffic Engineer, as well as information on different products that are available. The Borough Traffic Engineer will present a draft proposal of intersection improvements at the December 18, 2018 meeting of Borough Council.

c. Public Works

Council Member Sinquett stated the Public Works Committee last met on October 16, 2018. As an update to Borough Council, pricing information through COSTARS has been received from Oliver Mechanical for the remainder of the HVAC system. The Committee is scheduled to meet on December 4, 2018. Charles Blosenski Disposal Co. has submitted a request to change the collection day for recycling from Tuesday to Friday.

A motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 7-0, to authorize the Charles Blosenski Disposal Co. to notify residents of the request to change the collection day for recycling from Tuesday to Friday, as stipulated in the Trash and Recycling Contract.

8. RESOLUTION NO. 771 – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR 324/328 E. KING ST. – RENEHAN REALTY, LLC

Council Vice-President Uzman recused himself from discussions and any action taken due to having a prior work relationship with Renehan Building Group, LLC, the applicant.

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Matt Bush, P.E. was present on behalf of the applicant, Renehan Building Group, LLC.

Council Member Finkbiner reviewed the Borough-Wide Multimodal Study recommendations for the area of East King Street near the applicant. Specifically, the removal of on-street parking and moving the centerline of East King Street south, closer to the applicant.

Matt Bush determined that the applicant would likely not be affected by the recommendations found in the study.

Borough Manager Bashore stated that Borough Council has two (2) options for setting a condition for Right-Of-Way (ROW) dedication: 1) Set a 21 year time period for the Borough to take the additional ROW; or 2) Set a 'Perpetual' time period, in which no specific date is set.

After discussion, Borough Council determined that a 21 year time period for the continuing offer of additional ROW was sufficient. It was determined that partial waivers would be granted from sections of the Borough's Subdivision & Land Development Ordinance.

A motion was made by Council Member Finkbiner, seconded by Council Member Laney, and carried by a vote of 6-0, to approve, subject to conditions, the plan entitled "Preliminary/Final Land Development Plan for 324 & 328 E. King St.," prepared by JMR Engineering, LLC, dated August 8, 2018, last revised October 8, 2018, signed and sealed by John M. Robinson, P.E., Registered Professional Engineer, proposing the widening of the existing driveway and construction of seven (7) additional parking spaces at the rear of 324 & 328 E. King Street, pursuant to the Malvern Borough Land Development Ordinance of 2006, as amended ("Land Development Ordinance") for the development of certain property ("Property") located in the Borough of Malvern ("Borough"), Chester County, Pennsylvania, in the C3 – Town Center Commercial District.

9. RESOLUTION NO. 772 – DESIGNATIONS OF EMERGENCY SERVICE PROVIDERS FOR THE BOROUGH OF MALVERN

A motion was made by Council Vice-President Uzman seconded by Council Member Laney, and carried by a vote of 6-0, to approve Resolution No. 772, designating emergency service providers for the Borough of Malvern.

10. UNFINISHED BUSINESS

Council President Grossman stated there were no items for discussion.

11. NEW BUSINESS

a. Agenda Request – Parking on Karen Drive

Fiona Wyszynski, 18 Karen Drive, appeared before Borough Council in order to discuss parking on Karen Drive and the potential for increasing the number of officers in the Police Department. Ms. Wyszynski asked if the increased tax revenue witnessed as a result of new development could be used to hire additional officers. Ms. Wyszynski stated that since her

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previous appearance before Borough Council on October 2, 2018, Chief Marcelli has painted certain curbs yellow and the Police Department has been enforcing and monitoring Karen Drive. Council Member Meisel stated that the Public Safety Committee is reviewing her concerns. Chief Marcelli noted that, through the support of Borough Council, additional officers have been hired in recent years.

b. Zoning Hearing Board

Borough Manager Bashore stated that there are two (2) applications before the Zoning Hearing Board at their meeting on November 26, 2018. They are as follows:

- **11 Griffith Avenue:** Variance request from Section 220-602.A.1. in order to allow for a lot smaller than the minimum lot area for a single-family detached dwelling unit.
- **331 Old Lincoln Highway:** Appeal of a determination of the Zoning Officer for violations of section 220-201, 220-701, and 220-2309 of the Borough's Zoning Ordinance. The applicant has requested a continuance until January 9, 2019 and the Zoning Hearing Board and Borough Administration have agreed to the continuance.

12. 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.

Mayor Burton requested that Borough Council reconsider amending the 2019 Meeting Schedule by moving the first meeting in November from Tuesday, November 5, 2019, General Election Day, to the next day, Wednesday, November 6, 2019.

Cathy Raymond, 6 Karen Drive, agrees with Mayor Burton that changing the meeting date would enable any newly-elected Borough Council Members to attend the Wednesday, November 6, 2019 as part of the transition process.

Kel Schmitt, 17 Channing Avenue, noted a difficulty in attending the meeting on Election Day after a long day of working at the polls.

A motion was made by Council Member Raynor, seconded by Council Member Finkbinner, and carried by a vote of 5-2, to amend the meeting date for the first November meeting of Borough Council from Tuesday, November 5th to Wednesday, November 6th. Council Vice-President Uzman and Council Member Laney opposed the meeting date change as they did not see a conflict with having the meeting the same day as Election Day, as has been done in prior years.

13. ADJOURNMENT:

At 8:25 p.m. Council President Grossman stated Council will adjourn to Executive

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Session to discuss personnel matters.

Council President Grossman reconvened the public meeting at 8:38 p.m.

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 7-0 to adjourn the meeting at 8:40 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Borough Secretary