

AGENDA

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH

October 5, 2021  
7:30 P.M.

**As Chester County has been defined by the Centers for Disease Control & Prevention (CDC) as a county with high transmission of COVID-19, masks are required for all in-person attendees.**

**Virtual Meeting Participation Option**

This evening's meeting of Malvern Borough Council allows for a virtual meeting option via Zoom. The information on how to participate virtually via telephone or video conferencing is provided below.

**Borough Council Meeting Dial-In Information: 1-877-853-5247 (toll-free)**

**Meeting link: <https://us02web.zoom.us/j/87344197585>**

**When prompted, enter the following meeting ID, followed by the “#” symbol: 873 4419 7585. You will be placed in the waiting room and admitted by the host.**

**To unmute if using audio via telephone, please enter \*6.**

**Malvern Borough is not liable for any computer security problems that participants may experience.**

PRESIDING: Amy Finkbiner, Ph.D., President

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL:  
Council President Finkbiner  
Council Vice-President Grossman  
Council Member Bones  
Council Member Laney  
Council Member Phillips  
Council Member Raynor  
Mayor Burton

2. APPROVAL OF AGENDA:

MOTION: To approve the agenda for the October 5, 2021 meeting of Borough Council as presented.

3. ANNOUNCEMENTS

a. RECORDING OF MEETING

*Anyone present who is recording the meeting shall announce so at this time, in accordance with Resolution No. 787.*

b. Borough Council met in Executive Session on October 5, 2021 prior to this evening's meeting in order to discuss personnel matters.

c. Malvern Parks & Recreation is hosting a Community Campout, free of charge, on October 8<sup>th</sup> at Randolph Woods Nature Preserve. Please contact [malvernparks&rec@malvern.org](mailto:malvernparks&rec@malvern.org) to attend or for more information.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the meeting held on Tuesday, September 21, 2021 as presented.

5. SPECIAL BUSINESS

a. HEARING – ANTHONY'S PIZZA AND ITALIAN RESTAURANT, II, LLC - LIQUOR LICENSE REQUEST

MOTION: To approve the transfer of the liquor license Liquor License R-21022 from Uwchlan Township, as presented, located at Anthony's Pizza and Italian Restaurant II, Inc. at 127 W. King Street, Malvern, PA 19355.

*Malvern Borough will hold a public hearing at 7:30pm to consider the application for allowing an inter-municipal transfer of a liquor license (Liquor License R-21022 from Uwchlan Township) for Anthony's Pizza and Italian Restaurant II, Inc. regarding the property located at 127 W. King Street, Malvern, PA 19355.*

b. APPOINTMENT OF ACTING MANGER

MOTION: To appoint Tiffany Loomis, Interim Borough Manager/Zoning Officer, additionally as Acting Borough Manager/Secretary for Malvern Borough effective September 18, 2021.

*Tiffany Loomis was appointed Interim Manager as of September 18, 2021 at the September 7, 2021 Borough Council Meeting. Section 504 of the Home Rule Charter requires Borough Council to designate an Acting Manager in the event of a vacancy in the office of Borough Manager. The title of Acting Borough Manager should be assigned to the Interim Borough Manager position.*

c. HANDICAPPED ACCESSIBILITY DOOR OPENER AT BOROUGH HALL

MOTION: To approve the installation of a handicapped accessible door opener at Borough Hall in Year 2021.

*Malvern Borough is proposing to install a handicapped accessible door opener at Borough Hall. Two (2) quotes were received in the amounts of \$5,721.20 and \$6,232. This item would be part of the 2021 budget and completed in conjunction with the Public Works Department.*

d. ENERGY EFFICIENCY DAY PROCLAMATION

MOTION: To approve Malvern Borough's participation in Energy Efficiency Day, October 6, 2021, through Proclamation.

*ENERGY EFFICIENCY DAY promotes energy efficiency as the cheapest, quickest, and cleanest way to meet Malvern Borough's energy needs, avoid dangerous pollution, and reduce utility bills for residents and businesses in our community.*

e. RESOLUTION NO. 825 DECLARATION OF FIRE PREVENTION WEEK

MOTION: To adopt Resolution No. 825 issuing a Declaration of Fire Prevention Week

*Malvern Borough is committed to ensuring the safety and security of all those living in the Borough. Fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire. The Borough's Fire Marshal, Bill Wilfong, has prepared a Declaration of Fire Prevention Week declaring the week of October 3, 2021 through October 9, 2021 as Fire Prevention Week. This specific time frame is dictated by the National Fire Protection Association (NFPA). The Borough has participated in this effort in the past.*

6. UNFINISHED BUSINESS

a. Parks & Recreation Committee – StoryBook Walk

MOTION: To approve Malvern Borough's participation in the StoryBook Walk held through Imaginatium the fourth weekend of October 2021 upon approval of the license agreement by the Borough Solicitor.

*The Parks & Recreation Committee is planning an event entitled the "StoryBook Walk." The activity involves temporary posters in different parks and participants will have to read, answer questions, and find clues. This would involve a partnership with Imaginatium, who would produce the materials for the activity. Under the Borough's Administrative Code, the Parks & Recreation Committee is prohibited from entering into contracts. Due to this, approval from Borough Council is required.*

7. NEW BUSINESS

a. 190 PENNSYLVANIA AVENUE – CODE ENFORCEMENT UPDATE

*Malvern Borough has been investigating this property regarding noise and use complaints received over the years. There is currently an active on-going investigation. Tiffany Loomis will provide a status update.*

b. ZONING HEARING BOARD

*There is one (1) new application before the Zoning Hearing Board. The hearing for 128-142 E. King Street, appealing the Zoning Officer's Notice of Violation regarding the junk yard use of the property, is scheduled for October 18, 2021.*

8. BOROUGH COUNCIL APPOINTMENT

*Borough Council will appoint one of the nominated candidates pursuant to the Borough's Home Rule Charter. The individual appointed will complete a term that expires in January, 2024. The notice of vacancy was published in the September 10, 2021 edition of the Daily Local News, as required, as well as on the Borough website.*

9. PUBLIC FORUM

Citizens/taxpayers are invited to bring before Borough Council any item not on the agenda.

10. ADJOURNMENT