

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

September 1, 2020
7:30 P.M.

PRESIDING: Amy Finkbiner, Ph.D., President

INVOCATION: David B. Burton, Mayor

1. ROLL CALL

PRESENT

Council President Finkbiner
Council Vice-President Grossman
Council Member Bones
Council Member Laney
Council Member Meisel
Council Member Phillips
Council Member Raynor
David B. Burton, Mayor

ABSENT

Council President Finkbiner announced that this evening's meeting was being held virtually due to the COVID-19 pandemic and as permitted under Act No. 15 of 2020. Council President Finkbiner announced the following guidelines for the meeting:

- Participants will be asked to identify themselves when being accepted into the meeting.
- The public will be muted during the meeting when the members of Borough Council are speaking.
- For each agenda item, the public will be unmuted and given an opportunity to comment and ask questions.
- Public Comment received via email will be read by the Borough Manager either during the topic on the agenda or the general "Public Forum" period.
- Participants wishing to comment must state their name and must speak one at a time.

2. APPROVAL OF AGENDA

A motion was made by Council Member Laney, seconded by Vice-President Grossman, and carried by a vote of 7-0, to approve the agenda for September 1, 2020 as presented.

3. ANNOUNCEMENTS

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a. Recording of the Meeting

Council President Finkbinder asked in accordance with Resolution No. 787 if any member of the audience was recording the meeting. Council President Finkbinder noted that the meeting was being recorded for minute taking purposes, but the recording would not be posted on the Borough website.

No member of the audience identified themselves as recording the meeting.

b. Council President Finkbinder announced that the Planning Commission will hold a public meeting on September 3, 2020 under the gazebo in Burke Park to interview candidates for the vacancies that exist. All attendees are required to wear masks.

c. Council President Finkbinder announced that the Randolph Woods Master Plan Ad Hoc Committee will hold a public meeting on September 9, 2020 via Zoom. Links will be posted on the Malvern Borough website.

d. Council President Finkbinder announced that the paving projects on E. King Street (Bridge Street to Warren Avenue) and N. Warren Avenue (Pennsylvania Avenue to the Borough boundary) are scheduled to begin on September 8, 2020, weather permitting.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

A motion was made by Council Member Laney, seconded by Council Member Raynor, and carried by a vote of 6-0-1, to approve the minutes from the August 18, 2020 meeting of Borough Council as presented. Council Member Phillips abstained due to his absence from the August 18, 2020 meeting.

5. SPECIAL BUSINESS

a. EXPANDED OUTDOOR DINING FORBEARANCE AGREEMENTS

- Malvern Pizza – 60-day extension of agreement

Council President Finkbinder stated that Malvern Pizza is requesting a 60-day extension of their existing agreement for outdoor dining during the COVID-19 pandemic. All existing conditions are proposed to remain in place. This would be extended to November 4, 2020.

A motion was made by Vice-President Grossman, seconded by Council Member Phillips, and carried by a vote of 7-0, to approve the 60-day extension for Malvern Pizza's Outdoor Dining Forbearance Agreement.

- ### b. Domestic Violence Center of Chester County – Painting Malvern Purple

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Council President Finkbiner stated that the Domestic Violence Center of Chester County (DVCCC) contacted Malvern Borough regarding the Borough's participation in their "Painting the Town Purple" initiative to raise awareness about domestic violence. This would occur in October. Council President Finkbiner noted that the ribbons would be placed on lampposts and trees in the community.

Council President Finkbiner asked if information would be posted on the Borough website to make people aware of the activity. Borough Manager Bashore stated that information will be posted and the information will also be forwarded to the Malvern Business & Professional Association.

Vice-President Grossman asked if they only stay up for the month and who would be responsible for removing them. Borough Manager Bashore stated that he would speak with the organization regarding who is responsible for installation and removal. Chief Marcelli stated that he believes that DVCCC installs the ribbons and removes them. Chief Marcelli summarized the operations of DVCCC and noted his good experience working with them during his career.

A motion was made by Vice-President Grossman, seconded by Council Member Phillips, and carried by a vote of 7-0, to approve Malvern Borough's participation in the Domestic Violence Center of Chester County's "Paint the Town Purple" awareness effort.

6. UNFINISHED BUSINESS

Council President Finkbiner announced that there were no items of "Unfinished Business" for discussion.

7. NEW BUSINESS

a. Police & Nonuniform Pension Plans – Minimum Municipal Obligation

Council President Finkbiner stated that municipalities are required to certify the Minimum Municipal Obligation (MMO) for pension plans by the end of September each year. Council President Finkbiner noted that state aid is received annually to offset this cost, noting that the state aid received in 2020 covered approximately 75% of the required MMO. The Borough Treasurer has prepared the MMO that is before Borough Council. Council President Finkbiner stated that there is no MMO for the Police Pension Plan and the MMO for the Nonuniform Pension Plan is approximately \$19,000.

A motion was made by Vice-President Grossman, seconded by Council Member Phillips, and carried by a vote of 7-0, to certify the 2021 Minimum Municipal Obligation for the Police and Nonuniform Pension Plans as presented.

b. Comprehensive Plan Task Force

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Council President Finkbinder stated that Borough Council will be discussing the make-up of the task force to guide the update of the Borough's Comprehensive Plan. Membership will consist of individuals from the Borough's existing boards and committees, as well as other residents. An advertisement for applicants will be posted on the Borough website and appointments will be considered in October. Council President Finkbinder stated that representation from the Malvern Business & Professional Association will also be sought.

Vice-President Grossman asked about the typical size of a task force such as this. Borough Manager Bashore stated that the Randolph Woods Committees both had 10 members and it worked out effectively. Borough Manager Bashore stated that a similar sized task force may be beneficial for this project. Borough Manager Bashore recommended not advertising a specific size and basing the task force size on the responses that are received. Vice-President Grossman noted her support for this recommendation. Council President Finkbinder noted that there is a minimum size due to the representation from the existing boards and committees, but stated that an individual could represent multiple bodies.

A motion was made by Vice-President Grossman, seconded by Council Member Raynor, and carried by a vote of 7-0, to authorize the advertisement for volunteers to serve on the Comprehensive Plan Task Force for potential appointment in October.

c. Zoning Hearing Board

Council President Finkbinder stated that there are no new applications before the Zoning Hearing Board.

8. PUBLIC FORUM

Council President Finkbinder stated that Borough Council will now take comment from the public on any item not on the agenda.

Cathy Raymond, 6 Karen Drive, asked about the status of the vacant lot at the intersection of Bridge Street and King Street. Council President Finkbinder stated that the property owner is exploring multiple avenues, including the possibility of a sale.

Vice-President Grossman expressed that she believes that the Borough should seek out avenues to prioritize items for families in light of the continuing situation with the COVID-19 pandemic. Vice-President Grossman noted that the Parks & Recreation Committee might be a good place to start. Vice-President Grossman stated that the Borough could potentially look to provide outdoor activities while the weather is still favorable, while still adhering to the recommendations from the PA Department of Health and the Chester County Health Department.

Council Member Phillips, who also serves on the Parks & Recreation Committee, stated that several activities were postponed, but they have tried to migrate to virtual activities. Council Member Phillips highlighted the virtual activities to date, including the online scavenger

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hunt and rock painting activities. Council Member Phillips noted that there is hesitation to hold a large outdoor event due to the COVID-19 pandemic, but noted that the Committee is very open to any ideas that the members of Borough Council may have.

Council Member Phillips noted that the Parks & Recreation Committee had attempted to hold a drive-in movie night and was looking to hold it at the Paoli Memorial Grounds, but the request was denied. Council Member Phillips stated that they are continuing to explore possibilities.

Council President Finkbiner noted that the Borough could try to assist more with the advertisement of the virtual activities.

Council Member Laney asked about the postponed Malvern Memorial Parade. Kel Schmitt, 17 Channing Avenue, stated that the Malvern Memorial Parade will not occur as planned in 2020 due to the requirements for the COVID-19 pandemic. Mr. Schmitt noted that the Wreaths Across America event will be a closed event that is streamed live on the Internet. Mr. Schmitt stated that a small group marched the parade route on May 31, 2020 and this will serve as the parade of record.

Council Member Laney asked about Halloween activities. Borough Manager Bashore stated that no guidance on Halloween has been received at this time.

Council Member Laney noted that she believes that any large event is questionable. Council Member Bones stated that he thought an event could be held under certain parameters.

Vice-President Grossman asked if the Paoli Battlefield Preservation Fund's Paranormal Tour is still scheduled. Borough Manager Bashore stated that he believes that this event is still scheduled to occur.

Chief Marcelli stated that the Officers in the Malvern Police Department will be displaying blue ribbons this month for Prostate Cancer Awareness Month and will display pink ribbons for Breast Cancer Awareness Month in October.

9. ADJOURNMENT

All business having been discussed, a motion was made by Council Member Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Christopher Bashore
Borough Manager/Secretary