

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

September 17, 2019  
7:30 P.M.

PRESIDING: Jamie S. Grossman, President

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 Siquett

ABSENT

Council President Grossman announced that Borough Council will meet in Executive Session prior to the public meeting to discuss matters related to emergency preparedness.

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 E. Broad Street, stated she was audio recording the meeting.

3. APPROVAL OF AGENDA

A motion was made by Council Vice-President Uzman, second by Council Member Laney, and carried by a vote of 7-0 to approve the agenda for September 15, 2019 as presented.

4. APPROVAL OF MINUTES

A motion was made by Council Vice-President Uzman, second by Council Member Laney, and carried by a vote of 7-0, to approve the minutes of the meeting held on Tuesday, September 3, 2019 as presented.

5. APPROVAL OF REPORTS

A motion was made by Council Vice-President Uzman, second by Council Member Laney, and carried by a vote of 7-0 to approve the Treasurer's Report, the Committee Reports for Finance and Administration, Public Safety, Public Works, the Chief of Police Report, the Code Enforcement Department Reports (Building Inspector's Report, Housing and Property

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Maintenance Report, and Zoning Report), the Superintendent of Public Works Report and the Manager's Report for the month of August 2019 as submitted.

### 6. BOROUGH COUNCIL COMMITTEE REPORTS

#### a. Finance & Administration

Council Vice-President Uzman stated the Finance & Administration Committee met on August 19, 2019 and September 17, 2019.

At the August 19, 2019 meeting, the Committee met with Michael Fuller from Keystone Lighting Solutions in order to review the audit results and project design completed as part of the Borough's participation in the Delaware Valley Regional Planning Commission's Regional Streetlight Procurement Program. This information was presented to Borough Council at the September 3, 2019 meeting.

The Committee met prior to tonight's public meeting. Items before the Committee include the first review of the proposed 2020 Budget for the Borough, a proposed amendment to the Borough's personnel policy, and review of the proposed new lease agreement with Comcast for the property on Ruthland Avenue. The Committee anticipates having further information for the October 15, 2019 meeting of Borough Council.

#### b. Public Safety

Council Member Meisel stated that the Public Safety Committee has not met since the August 20, 2019 meeting of Borough Council. Please be advised that the Borough's Traffic Engineer has prepared a plan for the installation of new pavement markings at the intersection of Powelton Avenue and King Street. The plan proposes the installation of "STOP" on the pavement to better alert motorists to the crosswalk at this location and increasing the size of the crosswalk markings. This plan is currently under review by the Committee, in addition this work will be completed by the Public Works Department.

#### c. Public Works

Council Member Siquett stated that the Public Works Committee last met on August 29, 2019. Items before the Committee included a review of potential paving projects for inclusion in the 2020 budget, a review of the recommendations from the Parks & Recreation Committee and the Shade Tree Commission for the improvements at Quann Park, discussion of the Crest Avenue streetscape project, and the proposed connection point to the pedestrian walkway with Malvern Preparatory School.

### 7. AGENDA REQUEST – ANDREW LOWE – CREST AVE. ROADWAY/SIDEWALK IMPROVEMENT PROJECT

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Borough Manager Bashore stated Andrew Lowe is before Borough Council this evening to discuss the project on Crest Avenue. Mr. Lowe is a resident at 34 Crest Avenue and requested to be on the agenda in order to discuss the roadway/sidewalk improvement project on Crest Avenue. The project involves the mill and overlay of Crest Avenue, establishing a general uniform 28 ft. cartway, installing curb and sidewalk of the west side to connect the two (2) sections that currently exist, and installing curb on the east side. All work is within the public right-of-way (Crest Avenue has a 50 ft. wide right-of-way).

By way of background information, Borough Council authorized the Borough Engineer to prepare bid specifications and a public bid package at the August 21, 2018 meeting for this project. Notification of the meeting was issued to residents of Crest Avenue. As with all streetscape projects, the Borough Engineer attempted to contact residents on the street in order to arrange individual meetings. This was unsuccessful and a letter was sent for a meeting with all residents of Crest Avenue. The meeting was held on August 12, 2019.

Crest Avenue was cited in the 2015 Walkability Study completed by the Planning Commission as an example where sidewalk would yield better access and provides a specific recommendation that sidewalk be installed on the west side. There was also discussion regarding sidewalks along Crest Avenue discussed in 2010, where it was a component of an overall safety recommendation.

Andrew Lowe, 34 Crest Avenue, addressed his concerns regarding the proposed sidewalk installation on his street, citing there is no safety concerns that he is aware of from his personal experience and from talking to fellow neighbors. From his interactions with residents in the area, no one wants sidewalks installed and feel like they are being forced to have the sidewalks and the responsibilities that go along with them such as snow removal and general maintenance.

Council President Grossman asked how Mr. Lowe felt the onsite meeting went with the Borough Engineer. Mr. Lowe found the meeting to be a status report of what was going to happen, rather he had hoped to discuss the overall project and its impact to the residents on Crest Avenue.

Council Vice-President Uzman said that Crest Avenue was referenced in the 2015 Walkability Study, completed by the Planning Commission as an example of where sidewalk would yield better access and provides a specific recommendation that sidewalk be installed on the west side.

Michele Reel, 426 Highland Avenue, asked if any accident data was compiled that raised the question to Borough Council as to whether Crest Avenue is a safety concern to pedestrians.

Anne Bury, 33 Crest Avenue, has lived in the Borough for thirty (30) years and from her experience working at Bryn Mawr Rehabilitation Center does not think sidewalks will be an improvement for pedestrians working on Crest Avenue. She is not aware of any incidents involving pedestrians being struck by moving vehicles as Crest Avenue is wider than other streets in the Borough. Ms. Bury recommended that funds allocate for the Crest Avenue

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sidewalks be used towards a street that is more in need, such as higher volume of traffic, or is being requested for by residents that reside on one. Ms. Bury does not think there are traffic issues/concerns that warrant the installation of sidewalks.

Rose Smith, 39 Malvern Avenue, enjoys the small town charm that the Borough conveys, but does not think sidewalks are necessary on all roads in the Borough. She would prefer to see funds dedicated to sidewalk installation and improvements be reallocated to stormwater management, which she thinks has gotten worse over the years.

Chet Darlington, 33 Malvern Avenue, would like to view the engineer's drawings that show how the sidewalk will address stormwater management that has worsen with the increased development in the Borough. Stormwater management should be Borough Council's top priority, instead of forcing sidewalks on residents that have not requested them.

Paul Rice, 21 Crest Avenue, has reviewed the Borough's various plans, such as the Comprehensive Plan and believes they are outdated and do not reflect the current beliefs of the residents. Mr. Rice questions if sidewalks are more of a benefit for the businesses in the Borough that enable commuters and shoppers to use the sidewalk network.

Kim Glynn, 12 Crest Avenue, feels blind-sided by the decision to install sidewalks on her Street without involving her or other residents on Crest Avenue in the planning process.

David Harshaw, 644 Highland Avenue, recommended that Joe Bones, a Borough resident and a professional tree expert be involved in the decision to remove any trees in the Crest Avenue Right-Of-Way.

Bill Huff, 450 Monument Avenue, stated that not all sidewalks are the same in the Borough with some being narrower/wider, uneven, cracked, or are being upheaved by tree roots. Before Borough Council installs any new sidewalks they may want to consider repairing or replacing the existing ones that are in disrepair.

Scott Yaw, Borough Solicitor, advised Borough Council that based on the feedback received and since no action is required, to postpone further discussion on this agenda item until the Borough Committees, along with the professional consultants, have time to reevaluate the concerns addressed at tonight's meeting.

Borough Council was in agreement to table any further discussion and to send this matter back to the Public Works Committee to address the issues / concerns raised this evening.

### 8. PRESENTATION – HISTORICAL PRESERVATION AWARDS

Lynne Frederick of the Malvern Historic Commission summarized the creation of the Historic Preservation Awards, stating it was conceived in 2014 during the Borough's 125th anniversary celebration in order to honor property owners who are good stewards of their Historic Buildings. The categories recognized are residential, institutional, commercial, and adaptive reuse.

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Lynne Frederick, Catherine Raymond, and Kel Schmitt of the Malvern Historic Commission presented the 2019 Historic Preservation Awards to:

**Commercial Category:** Hunt Engineering, 18-22 East King Street: This commercial building was built in the Masonry Vernacular style in the mid-1920. For many years thereafter, it served as the garage and showroom of Chester V. Thomas's Chevrolet dealership. Since 1966 various other businesses have occupied this space.

**Institutional Category:** Main Line Christian Assembly, 25 Ruthland Avenue: This church was built in 1930 to house a congregation that had left the Malvern Methodist Episcopal Church. It was erected upon a tract of land that is only 80 feet by 150 feet wide. Ground was broken in November of 1929. The cornerstone was laid on May 2, 1930, and the building was dedicated for worship in early June of the same year. Today, this building, still looking almost brand new, houses the Main Line Christian Assembly.

**Residential Category:** 136 & 138 Channing Avenue: These two well-maintained, but unassuming buildings have different owners, but are virtually identical in appearance. Built around 1910, in a Period Revival of the Dutch Colonial style, they share one unusual feature; a "double dormer" on the second story. The *Penguin Dictionary of Architecture* defines a "dormer" as "a window placed vertically in a sloping roof and with a roof of its own. The name derives from the fact that it usually serves sleeping quarters."

**Adaptive Reuse Category:** Alba Restaurant, 1-5 West King Street, this half-block long commercial building was built around 1910 in the Frame Vernacular style. At different points in its history, parts of this building hosted many different businesses, including a news agency; florist; a gun shop; an arcade; a hair salon; an antique store; and a luncheonette. In the mid-1930s, Malvern's post office was housed here. The school bus list for the Malvern Public School at Warren and First Avenues was once posted on its door. Many residents will recall its incarnation as Auntie Carol's, a breakfast and lunch place, in the 1990s.

**Chairman's Award Category:** Troop 7 Boy Scout Cabin: This log cabin was built to resemble log cabins of the Revolutionary War era. It incorporates timbers from General Anthony Wayne's field headquarters, which had been located on South Warren Avenue. Construction started on this building in the 1950s, and the building was finally dedicated in 1963. Though this building is not an "historical" building in the sense that the Commission's typical awardees are, it was built to help instruct Scouts as to an important aspect of Revolutionary War era history, and incorporates surviving historical timbers in its design. For those reasons, the Commission determined that it was worthy of this special Award.

Borough Council thanked the recipients of the awards for maintaining their buildings, and the members of the Historical Commission for their presentation.

## 9. UNFINISHED BUSINESS

Council President Grossman announced that there were no items for discussion under "Unfinished Business."

10. NEW BUSINESS

a. Consideration of Proposals

i. Sewer Meter Installation

Borough Manager Bashore stated before Borough Council is a proposal from Allied Control Services, Inc. for the installation of a new 4" Mag Meter at a total cost of \$6,317. This is a component of the force main upgrade project currently underway. During the preparation of the plans for the Ruthland Avenue Force Main Project, the installation of a meter was discussed and planned for. The intent was to install the meter pit as part of the project currently underway and install the meter at a later date. Allied Control Services, Inc. is the company who has installed the other flow meters in the Borough's sanitary sewer system. The proposed meter is a regular flow meter, as opposed to a smart meter, and will connect to the Borough's monitoring system. In addition, the PA Department of Environmental Protection has been requesting that the Borough consider installing flow meters at each pump station as part of our Chapter 94 requirements. Funds are available in the Sewer Capital Reserve Fund in order to complete this project.

A motion was made by Council Member Sinquett, second by Council Vice-President Uzman, and carried by a vote of 7-0, to approve the proposal from Allied Control Services, Inc. for the installation of a 4" Mag Meter at the Ruthland Avenue Pump Station in the amount of \$6,317.00, based on their proposal dated August 21, 2019.

ii. Borough Hall Fire Alarm Upgrade

Borough Manager Bashore stated before Borough Council is a proposal to upgrade the fire alarm system in Borough Hall. This was allocated in the 2019 Budget at a projected cost of \$15,000. The current fire alarm was installed with the building renovation in 2003 and has begun to experience malfunctions. In accordance with bidding requirements, three (3) written proposals were received. The following proposals were received/reviewed for this work:

- Kistler O'Brien Fire Protection – \$10,698.95
- Oliver Fire Protection & Security – \$13,730.00
- Marco Protection Systems, LLC – \$32,363.00

After review, the Superintendent of Public Works, Ira Dutter, is recommending that the project be awarded to Kistler O'Brien Fire Protection.

A motion was made by Council Vice-President Uzman, second by Council Vice-Member Sinquett, and carried by a vote of 7-0, to award the upgrade of the Borough Hall fire alarm system to Kistler O'Brien Fire Protection based on their proposal dated, August 16, 2019 in the amount of \$10,698.95.

b. Volunteer Boards & Committees

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Borough Manager Bashore stated that before Borough Council are applications from John Finkbiner and Angela Lewis for vacancies on the Parks & Recreation Committee. These applicants are seeking to fill vacancies that exist due the passing of Joseph O'Donnell and the resignation of Francis Givnish, Jr. Mr. Finkbiner is a resident on Woodland Avenue and Ms. Lewis is a resident on Church Street. Both applicants attended the September 4, 2019 meeting of the Parks & Recreation Committee and they are being recommended for appointment. If appointed, they would complete terms that expire on January 1, 2021 and January 1, 2024, respectively.

A motion was made by Council Vice-President Uzman, second by Council Vice-Member Laney, and carried by a vote of 6-0, Council Member Finkbiner abstained due to her marriage to John Finkbiner, to appoint John Finkbiner and Angela Lewis to the Parks & Recreation Committee with terms to expire on January 1, 2021 and January 1, 2024, respectively.

### c. Zoning Hearing Board

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

## 11. PUBLIC FORUM

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

Dan Goff, 45 Jacqueline Drive in Paoli, announced on Saturday, October 5, 2019, from 6:00 to 9:00 p.m. the Boy Scout Cabin, known as '*Malvern Memorial Cabin*,' located at the intersection of Monument Avenue and Sugartown Road will be hosting its version of an Oktoberfest with proceeds to benefit the Malvern Memorial Cabin Foundation. The event includes live music, campfires with s'mores, games, as well as food and drinks from the Mobile Mess Hall and Locust Lane Craft Brewery.

Kel Schmitt, 17 Channing Avenue, announced this Saturday, September 21, 2019 is the 7th Annual Paoli Battlefield Heritage Day. The event includes an American Military Timeline starting at the French and Indian War and going through to present day. There will be a firing demo and evolution of the guns used from the time period by both British and Continental Forces. The day will close with a remembrance to all our veterans killed in the line of duty with a wreath laying ceremony at the monuments. Vendors include 6 food trucks: Nick's Roast Beef, Mobile Mess, Aristocrat Café, Scoops & Smiles, Crab Cake Truck, and Big Ben Potato Company. There will also be a beer garden for adults to take part in.

12. ADJOURNMENT

All business having been discussed, a motion was made by Council Vice-President Uzman, seconded by Council Member Laney, and carried by a vote of 7-0, to adjourn the meeting at 9:12 p.m.

Respectfully submitted,

Neil G. Lovekin  
Assistant Borough Secretary