

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

July 17, 2012
7:30 P.M.

PRESIDING: Woody J. Van Sciver, President

INVOCATION: Gerard J. McGlone, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL:
 - Council President Van Sciver
 - Council Vice President Raymond - ABSENT
 - Council Member Giandonato
 - Council Member Macaleer
 - Council Member McCrory
 - Council Member Sponenbergh
 - Council Member Uzman
 - Mayor McGlone

COUNCIL PRESIDENT VAN SCIVER ANNOUNCED THAT BOROUGH COUNCIL MET IN EXECUTIVE SESSION FOLLOWING THE JUNE 19TH COUNCIL MEETING TO DISCUSS A PERSONNEL MATTER

2. PUBLIC FORUM:

Council President informed all present that copies of the agenda are available at the front desk. This is a Public Session of Council. Should any citizen/taxpayer wish to offer comments on any item on the agenda, now is the time to bring those comments before Council. Are there any citizens/taxpayers who wish to bring before Council any item not on the agenda?

a. John Buckley, 165 Church Street, reported that he called 911 to report some stolen chairs. He asked that a police officer come to his home, but they did not come, they just called. He also reported that some kids were coming out of his yard late one evening and he tried to stop a police officer who was driving by, but the officer just waved at him and kept going.

b. Frank Ortner, 144 Griffith Avenue, stated that many times negative comments come out about the Police Department, but he would like to share some positive comments. He stated that the MBPA received tremendous cooperation from both the Police Department and Fire Department for the bicycle race in June. He stated that he wanted to say thank you on behalf of the MBPA for the great job they did regarding this event. He reported that they had a meeting last night to address both the positive and negative aspects of the bike race and both the Chief and the Fire Chief attended and offered their comments. Also, the Police Department did a great job at the fair and the Fire Department did a wonderful job as well keeping everything in order. Mr. Ortner thanked both the Police Chief and the Fire Chief for their efforts.

c. Clean Water Action – Joe Nye, Program Organizer out of the Philadelphia office, reported that Clean Water Action is a citizen funded environmental organization. They have

offices in 17 states nationwide and most of their work is geared towards local government entities. Local government is required to go through the MS4 permit process and it is a pain to go through. The new MS4 process requires towns and municipalities to update their ordinance for low impact development. This means less pavement in a town. Stormwater management is a big issue when there is more pavement and the municipalities should be looking to reduce the amount of pavement in their towns. In 2015, this town will have to report to DEP regarding low impact development changes and Clean Water Action is trying to emphasize that towns can make changes to their ordinances at a very lost cost. For example, if you build a sidewalk that slopes into the street, the stormwater will run into the street and not onto the lawns. Some changes that can be considered include decreasing the width of a driveway from 10-12' to 9' as a 9' driveway would require a lot less pavement; the Boroughs stream buffer ordinance is very narrow and there is no provision for compact cars in a parking lot. Compact cars require smaller parking spaces that result in less pavement. Mr. Nye stated that he is here to offer assistance with ordinances, if needed.

Council Member Macaleer stated that our culture is to develop and grow. He stated that he feels Clean Water Action is fighting against that with some of the recommendations Mr. Nye presented.

Mr. Nye responded that they are trying to make recommendations for stormwater management in order for the Borough to be in compliance with DEP in 2015.

Council Member McCrory stated that he read the report and they had a lot of different ideas; i.e., a 45' right-of-way instead of a 50' right-of-way that he never thought about with regard to stormwater.

Mr. Nye stated that low impact development is looking into the future with their ideas. The ideas could be considered for new development.

Council President Van Sciver stated that some of the things that Clean Water Action is advocating will increase density, not decrease it; i.e. parking. The new Comprehensive Plan includes similar ideas as Clean Water Action.

Mr. Nye stated that the report was put out to get people thinking about it in a different way.

Mr. Ortner stated that the pavilion at the Paoli Memorial Grounds had to have the water recharged into the ground from the roof.

Mr. Nye stated that Boroughs do tend to get lower scores because they are established communities and development is more dense. Clean Water Action would like to work with us moving forward.

3. APPROVAL OF MINUTES:

A motion was made by Council Member Uzman, seconded by Council Member McCrory and unanimously carried by a vote of 6-0 to approve the minutes of the Regular Meetings held on Tuesday, June 5 and Tuesday, June 19, 2012, as submitted.

Council President Van Sciver stated that there is a statement in the minutes made by Council Vice-President Raymond that she may wish to address and would ask that Council keep that option open for her upon her return. Council concurred.

4. APPROVAL OF REPORTS:

A motion was made by Council Member Sponenbergh and seconded by Council Member Uzman to approve the Treasurer's Report, the Committee Reports for Finance and Administration, Public Safety, Public Works and the Chief of Police Report, the Code Enforcement 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 June 2012, as submitted.

Council Member Macaleer asked Council if they thought they were getting sufficient financial information from the Treasurer's Reports.

Council Member McCrory stated that he would like a list of charge codes included with each months report so that he can try to find things that stand out.

Council Member Macaleer suggested that a summary be provided of the biggest variances.

The motion unanimously carried by a vote of 6-0.

5. ESCROW RELEASE – N. OTTAVIANO MASONRY:

A motion was made by Council Member Uzman, seconded by Council Member Sponenbergh and unanimously carried by a vote of 6-0 to authorize the request for Escrow Release #2 for Lot 2 of the Subdivision/Land Development Plan for Michael Santoleri, 105 Woodland Avenue to N. Ottaviano Masonry, for 218 Roberts Lane, in the amount of \$26,231.10, as recommended by the Borough Engineer.

6. RESOLUTION NO. 656 – MALVERN VETERINARY HOSPITAL:

A motion was made by Council Member Macaleer, seconded by Council Member Uzman and unanimously carried by a vote of 6-0 to approve Resolution No. 656, A Resolution approving, subject to conditions, a Plan, entitled "Proposed Building Addition, Minor Land Development Plan for Malvern Veterinary Hospital" prepared by Commonwealth Engineers, Inc., dated April 8, 2012, last revised May 29, 2012 as a final land development plan, pursuant to the Malvern Borough Subdivision and Land Development Ordinance of 2006, as amended, for the development of certain property located in the Borough of Malvern, Chester County, Pennsylvania, which development is located in the R-1 district, at 545 South Warren Avenue.

7. OTHER BUSINESS:

a. Farmer's Market – the Manager asked if Council had an opportunity to review the Farmer's Market proposal that was e-mailed to Council.

Council Member McCrory stated that he felt our local businesses should not be prevented from participating as he would not like to see the Market competing with our local businesses.

Frank Ortner stated that he would check with the MBPA. At the Memorial Parade's Family Fun Day, they had a Farmer's Market come in for that one day.

Council President Van Sciver stated that in the Comprehensive Plan, it mentions how, as a community, we are lacking a diverse food market location. He feels that this would certainly be one of the things we can check off if it is there on Saturdays.

Council Member Sponenbergh questioned the parking. The Manager responded that the Market was being proposed for Saturday morning in order to address the parking issue as there would be more on-street parking and parking in the municipal lot because some of the businesses on King Street would not be open. Also, the church parking lots would be available on a Saturday morning.

Council Member Uzman stated that he feels it is a great idea.

Frank Ortner asked if anyone has talked to Eli Kahn about who he might have coming into town. Frank stated that he will talk to Eli about this.

Council Member Uzman stated that competition isn't a bad thing. If somebody else comes in once a week, will they really hurt anyone else's business?

Council stated that they are encouraged by the request to have a Farmer's Market in the Borough.

b. Council Member Macaleer stated that he stopped for gas at the local gas station and met the new owner. The new owner is looking for any support he can get for people to shop there. Council Member Macaleer stated that gas prices are reasonable and stuff in the store is reasonably priced.

Council Member Uzman stated that the interior of the store is cleaner, looks nicer and gas prices are better.

c. Council Member McCrory stated that the grass in the grassy strip adjacent to the SEPTA station along So. Warren Avenue is high and needs to be addressed.

d. Council President Van Sciver reported that the TOD Kick-Off meeting will be held the end of July or beginning of August. He also reported that the Joint Historical Committee between the Planning Commission and Historical Commission is still working on a Historical Ordinance.

8. ADJOURNMENT:

All business having been discussed, a motion was made by Council Member Uzman, seconded by Council Member Sponenbergh and unanimously carried by a vote of 6-0 to adjourn the meeting at 8:11 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager