

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

September 17, 2013
7:30 P.M.

PRESIDING: Catherine O. Raymond, Vice President

INVOCATION: Gerard J. McGlone, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

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

2. PUBLIC FORUM:

Council President informs 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. Kurt Leininger, 211 Channing Avenue, read an e-mail from Danny Fruchter, 234 Channing Avenue, encouraging Council to proceed with the collection of legal fees incurred from advice on the TAG development. He also read an e-mail from Sid Baglini, 203 Channing Avenue, where she stated that she would “refute Council’s previous statement that only a small percentage of the community came out to protest this development. If you look at it from the other side, an even smaller percentage of the community came out in favor of it. Not coming to the meetings does not mean you are in favor. Coming to the meetings means you have an opinion. Way more people had an opinion against than an opinion in favor so I believe they are not representing the will of the “interested” citizens in our community.”

- b. Lynne Hockenbury, Historical Commission, reminded Council that she was here two weeks ago requesting additional funds for the 125th Anniversary. Following that meeting, she and Council Member Uzman agreed that they would fund the cost of the banners for the light poles along King Street if Borough Council would approve the banners. Ms. Hockenbury stated that, from discussion at that meeting, she wasn’t sure if Council wanted the banners or a 125th celebration, or if they did or did not want the Historical Commission involved. She stated that they have held several meetings of interested parties to try to get ideas for a celebration and have had discussions with other parties to coordinate activities, but she doesn’t feel she can invite them back based on the comments that she received at that meeting. She stated that she would

hope that Council would let her know if there was something that Council would like to see happen for this Anniversary that was not on the list of activities presented.

A discussion regarding banners (or flags) for the light poles was discussed and everyone agreed that they liked the idea, but felt the cost of the flags should be included in the 2014 Budget. Council also agreed that the Historical Commission was the group that should be spearheading this 125th Anniversary celebration.

Council Member Uzman stated that he has been working with Ms. Hockenbury a lot this past year, behind the scenes. He stated that Council has been talking about banners for several years but that nothing gets done about it and he would like to advance that discussion to actually seeing banners on the light poles. He believes this 125th celebration is a monumental thing for our Borough Council and we need to be pro-active. Council Member Uzman also felt that once the hardware was purchased for the light poles, additional flags could be sponsored and purchased in order to change out the flags for various events throughout the year.

Council Member Sponenbergh asked Ms. Hockenbury to submit a monetary request so that Council can see if they can make it happen.

Council Member Macaleer suggested that Council Member Uzman act as a liaison to the Historical Commission and Mayor McGlone look into other activities that we might like to see as part of the 125th Anniversary celebration.

Ms. Hockenbury was asked to come back in two weeks with a recommendation, including costs, and then look at the recommendations and costs attributed to specific events.

3. APPROVAL OF MINUTES:

A motion was made by Council Member Uzman and seconded by Council Member Sponenbergh to approve the minutes of the Regular Meetings held on August 6 and Tuesday, August 20, 2013, as submitted. The motion carried by a vote of 4-1 with Council Vice President Raymond abstaining from approval of the August 6th minutes stating that she was not in attendance at that meeting.

4. APPROVAL OF REPORTS:

A motion was made by Council Member Sponenbergh, seconded by Council Member Uzman and unanimously carried by a vote of 5-0 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 August 2013, as submitted.

5. PUBLIC HEARING – ATTORNEY FEES & COURT COSTS:

Council Vice-President Raymond announced that Borough Council will now open the public hearing to consider an Ordinance to provide that any person found guilty of violating an ordinance shall be assessed court costs and reasonable attorney's fees incurred by the Borough in the enforcement proceedings. The Notice of Public Hearing was published in the Daily Local News on August 28, 2013, as required.

This item was discussed at the past several meetings of Council. There being no additional comments from the public, the hearing was closed.

6. ORDINANCE NO. 2013-6 – ATTORNEY FEES & COURT COSTS:

A motion was made by Council Member Macaleer, seconded by Council Member Uzman and unanimously carried by a vote of 5-0 to adopt Ordinance No. 2013-6, an Ordinance amending and supplementing all current and future borough ordinances to provide that any person found guilty of violating an ordinance shall be assessed court costs and reasonable attorney's fees incurred by the Borough in the enforcement proceedings.

7. RESOLUTION NO. 669 – ELIMINATE CONTRIBUTIONS TO THE POLICE PENSION PLAN FOR CALENDAR YEAR 2014:

A motion was made by Council Member Sponenbergh, seconded by Council Member Uzman and unanimously carried by a vote of 5-0 to approve Resolution No. 669, a Resolution to eliminate for the Calendar Year 2014 members contributions to the Police Pension Plan.

8. MINIMUM MUNICIPAL OBLIGATION – PENSION PLANS:

A motion was made by Council Member Sponenbergh, seconded by Council Member Uzman and unanimously carried by a vote of 5-0 to enter into the 2014 Budget the Minimum Municipal Obligation for the Uniformed Pension Plan the amount of \$0 and for the Non-Uniformed Pension Plan the amount of \$55,296.

9. OTHER BUSINESS:

a. Peddling & Soliciting Ordinance – there was considerable discussion regarding this ordinance but everyone agreed that there definitely needs to be a fee affixed to these vendors and something needs to be assessed for the borough's costs.

Council Member Sponenbergh was asked to come up with an estimate for the next meeting.

b. Parking at E. King Street – Andy Rau, Attorney for 237 E. King Street, LLC, had requested a revision to the number of parking spaces that would be “exclusively available” for the patrons of the Malvern retail uses from 59 to 50. They will agree to keep the first level of the garage in Building B open until midnight.

A motion was made by Council Member Uzman, seconded by Council Member Sponenbergh and unanimously carried by a vote of 5-0 to accept the proposal from E. King Street development on the reallocation of parking spaces.

c. Collective Bargaining Agreement – Council Member Macaleer reported that the Borough has completed their discussion with the Police Association and a new three-year contract has been signed.

d. Stop Sign on Monument Avenue at Malvern Avenue – Council Member Coughlin stated that he would like to take a look at installing a Stop Sign on Monument Avenue at Malvern Avenue to slow down traffic in this area by the ballfields.

Council Member Sponenbergh asked if a raised crosswalk should be considered in this area as he feels it would help the situation.

Council Member Coughlin reported that there is an inlet on either side of Malvern Avenue to take the stormwater.

The Borough Engineer will be asked to look into this.

Council Member Sponenbergh stated that the crosswalk gets your attention and the crosswalk adds to the importance of the Stop Sign.

Mayor McGlone stated that the Police Department will evaluate the Stop Sign again and if we don't meet warrants for the Stop Signs, the raised crosswalk will be helpful.

This request was referred to the Public Safety Committee.

10. ADJOURNMENT:

All business having been discussed, a motion was made by Council Member Uzman, seconded by Council Member Macaleer and unanimously carried by a vote of 5-0 to adjourn the meeting at 8:33 p.m.

Respectfully submitted,

Sandra L. Kelley
Secretary/Manager