

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

June 17, 2014
7:30 P.M.

PRESIDING: David G. Bramwell, President

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL: Council President Bramwell
Council Vice-President Raymond
Council Member Lexer
Council Member Meisel
Council Member Oswald
Council Member Radano
Council Member Van Sciver
Mayor Burton

Council President Bramwell called the meeting to order at 7:35 p.m.

Council President Bramwell announced that Council held an Executive Session with their solicitor to discuss a litigation matter (Code Enforcement).

2. PUBLIC FORUM:

Council President informed all present that copies of the agenda are available at the front desk. Citizens/taxpayers were advised that Public Forum is the time to offer comments on any item on the agenda to bring any issues/concerns before Council.

a. Kristin Thomas, 326 East Broad Street, stated the Malvern Community Arts Project is partnering with the Malvern Historical Commission on a project to honor the Borough's 125th Anniversary and working with local artist Randall Graham. The group plans to paint the King Street landscape through time, from 1889 to present day, on very large canvases in the lobby of the Borough Hall/Malvern Public Library. She encouraged council and residents to visit the group's Facebook page to stay informed about this project and others, and to see photos of the mural's progress.

Randy Graham stated his artistic work has been on exhibit at the PA Academy of the Fine Arts and has created murals for the Montgomery County Health Department, Horsham clinic.

Council thanked Kristin and Randy for their time and looks to future updates regarding the progress of the murals to be painted in the lobby of the Borough Hall.

b. Frank Ortner, Jr., 144 Griffith Avenue, provided an update of the Malvern Business and Professional Association. Starting July 2014, every third Thursday of the coming months, merchants along East King Street will be meeting to identify ways to better market their

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businesses to residents and surrounding municipalities.

c. Frank Ortner, Jr., 144 Griffith Avenue, requested an update regarding the status of the temporary parking restrictions being enforced on Monument Avenue.

Police Chief Marcelli stated commuters of the SEPTA train station who were parking on Monument Avenue are now parking along First and Powelton Avenues. Temporary 'No Parking' signs were posted to observe where the commuters would relocate to, because on-street parking will always have a cause and affect that should be closely monitored before revising borough ordinances.

Jeanne and Eli Kahn, 151 Griffith Avenue, cited traffic flow and safety concerns for residents and emergency response vehicles traveling on Monument Avenue due to the altering of the temporary signs along the north and south sides. Eli expressed concerns for the high traffic volume caused by the SEPTA train station commuters, causing the intersection of Monument and Warren Avenues to be dangerous to access.

3. APPROVAL OF MINUTES:

A motion was made by Council Vice-President Raymond, seconded by Council Member Radano and unanimously carried by a vote of 7-0 to approve the minutes of Tuesday, May 20, 2014, as submitted.

4. APPROVAL OF REPORTS:

A motion was made by Council Member Oswald, seconded by Council Member Radano and unanimously carried by a vote of 7-0 to approve the Treasurer's Report, the Committee Reports for Finance & Administration, Public Safety, Public Works and the Chief of Police Report, the Code Enforcement and Zoning 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 May 2014, as submitted.

5. PUBLIC HEARING – TWO-HOUR PARKING ON E. KING STREET:

Council President Bramwell announced that Borough Council will now continue the public hearing to consider an Ordinance to regulate parking to two hours on the north side of King Street between Church Street and the East Borough Line.

The proposed Ordinance was advertised in the Daily Local News on May 1, 2014, as required and discussion on this ordinance was continued from the meeting held on May 20, 2014.

Helen McDonnell, 322 E. King Street stated her concerns of motorists parking on the south side of King Street as to avoid the north side parking restrictions. Police Chief Marcelli

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stated there is additional parking located in the rear of Eastside Flats, as well as, at the future Kimberton Whole Foods parking lot to accommodate transient motorists.

ORDINANCE NO. 2014-7 – VEHICLES AND TRAFFIC:

A motion was made by Council Member Lexer, seconded by Council Member Oswald and unanimously carried by a vote of 7-0 to adopt Ordinance No. 2014-7, an Ordinance amending Chapter 200 of the Borough of Malvern Code of Ordinances entitled “Vehicles and Traffic” to limit parking to two hours on the north side of King Street, Monday through Friday, between the hours of 7:00 a.m. to 6:00 p.m. between Church Street and the East Borough line.

6. RESOLUTION NO. 679 – MULTIMODAL TRANSPORTATION FUND GRANT:

Dan Daley, Borough Engineer provided a summary of the proposed scope of work that the Borough will be requesting from the Commonwealth Financing Authority in the form of a grant application. If awarded, the borough will upgrade the inefficient and noncompliant traffic signal that does not conform to PennDOT standards, at the intersection of King Street and Warren Avenue, with new Accessible Pedestrian Signals (APS). This project will complete the sidewalk network on North Warren Avenue from King Street to Pennsylvania Avenue as identified in Malvern’s 2013 Transit Oriented Development Study, as well as, to assist in the implementation of pedestrian access and traffic circulation recommendations along North Warren Avenue. LED signal heads and overhead street name signs are not present and would also enhance the safety of the intersection. Estimates for the total project cost is \$800,000.00, with a grant request of \$560,000.00 and the borough providing a 30% match of \$240,000.00. Grant awards will be announced this fall. If awarded, the borough could begin construction in the summer of 2015.

Council Member Oswald clarified that the borough would have to budget the \$240,000.00 in the 2015 Capital Fund.

A motion was made by Council Member Van Sciver, seconded by Council Member Lexer and unanimously carried by a vote of 7-0 to approve Resolution No. 679, a Resolution requesting a Multimodal Transportation Fund Grant from the Commonwealth Financing Authority.

7. BID AWARD – CHANNING AVE. & SO. WARREN AVE. STREETSCAPE PROJECT:

Council President Bramwell inquired about how the contractor will detour traffic during construction. Dan Daley, Borough Engineer, stated that the bid specifications outlined that the contractor must provide PennDOT-approved signage to direct motorists while construction is underway.

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Lynne Hockenbury, 7 Raffaella Drive, reminded council of the Historic Trolley Tours scheduled for Thursday, August 7, 2014 from 4:30 p.m. to 7:30 p.m. She questioned if the construction will interfere with the tours. Mr. Daley stated the contractor will be working from 9:00 a.m. to 3:00 p.m. and should not interfere with the tour.

Police Chief Marcelli asked Mr. Daley if the contractor will be providing advanced warning prior to construction commencing and if penalties could be levied against the contractor for not following the agreed to schedule. Mr. Daley stated the contractor will give seven days notice prior to starting construction to provide motorists with advanced warning of detours, potential delays, and to select alternative routes. Dan further stated that the bid specifications clearly identify the option for the borough to levy penalties if the work schedule is not followed.

A motion was made by Council Member Van Sciver, seconded by Council President Bramwell and unanimously carried by a vote of 7-0 to award the bid for the Channing Avenue and So. Warren Avenue Streetscape Project to Marino Corporation of Skippack, PA, in the amount of \$785,127.90 with an additional \$19,860.50 for the reconstruction of First Avenue from Warren Avenue to the entrance of the Borough Hall parking lot, for the purpose of reducing the steep grade of First Avenue, specifically the south-side of the roadway, as recommended by the Borough Engineer as being the lowest responsible bidder and contingent on the County Department of Community Development review and bid results and necessary documentation.

8. RESOLUTION NO. 677 – VANGUARD POLICE PENSION PLAN:

A motion was made by Council President Bramwell, seconded by Council Vice-President Raymond and unanimously carried by a vote of 7-0 to approve Resolution No. 680, a Resolution authorizing officers of the Borough of Malvern to act on behalf of the Borough of Malvern Police Pension Plan in connection with Vanguard Mutual Fund Shares or Securities.

9. RESOLUTION NO. 678 – VANGUARD NON-UNIFORM PENSION PLAN:

A motion was made by Council President Bramwell, seconded by Council Member Meisel and unanimously carried by a vote of 7-0 to approve Resolution No. 678, a Resolution authorizing officers of the Borough of Malvern to act on behalf of the Borough of Malvern Non-Uniform Pension Plan in connection with Vanguard Mutual Fund Shares or Securities.

10. ESCROW RELEASE – 237 KING PARTNERS:

A motion was made by Council President Bramwell, seconded by Council Member Lexer and unanimously carried by a vote of 7-0 to authorize the request for Escrow Release #6 to 237 King Partners, LLC, in the amount of \$236,417.70, as recommended by the Borough Engineer.

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11. NEW BUSINESS:

a. Malvern Fire Company – requesting a letter in support of a fundraising event on August 2, 2014, that would include the serving of alcoholic beverages for their volunteers, staff and friends of the Fire Company.

A motion was made by Council Member Van Sciver, seconded by Council President Bramwell and unanimously carried by a vote of 7-0 to approve the letter as drafted by the Borough Manager supporting the Fire Company's fundraising event August 2, 2014 that would include the serving of alcoholic beverages for their volunteers, staff and friends of the Fire Company

b. E-mail Received from Resident re Parking on South Side of E. King Street -

Cathy King, 233 Eastside Flats, read a letter she prepared for the Council, which was her reaction to a May 2, 2014 article published in the Philadelphia Inquirer that contained negative remarks made by borough residents opposed to the Eastside Flats development. She cited walk-ability of the borough, kindness of retail owners along King Street, and access to public transportation as primary reasons for moving to Malvern Borough. She thinks many of the future residents of Eastside Flats will cite her first impressions as reasons for choosing to live in the borough, and will come to cherish the 'small town charm' as she has become accustomed to.

Council thanked Cathy for her time to come before them to share her personal impressions and initial experiences of the Borough.

c. East Whiteland Township Police Contract Extension

A motion was made by Council Member Oswald, seconded by Council Member Van Sciver and unanimously carried by a vote of 7-0 to authorize the extension of the East Whiteland Township Police Department Contract for a period of six months from July 1, 2014 to December 31, 2014.

12. OLD BUSINESS:

a. CTI Towers Update

Council President Bramwell moved to have the Administration and Finance Committee review the proposal of CTI Towers. This could potentially be a good revenue stream for the Fire Company. Council President Bramwell stated that he would not want to reject this proposal out of hand and deferred further discussion until the July 1st meeting in order to study the proposal.

13. ADJOURNMENT:

Council President Bramwell stated Council will adjourn to Executive Session to discuss a litigation matter with the solicitor (Code Enforcement).

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All business having been discussed, a motion was made by Council Member Lexer, seconded by Council Member Meisel, and unanimously carried by a vote of 7-0 to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Neil G. Lovekin
Assistant Secretary