

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH  
1 E. First Avenue, Suite 3  
Malvern, PA 19355

November 18, 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 (Absent)  
Council Member Oswald  
Council Member Radano (Absent)  
Council Member Van Sciver  
Mayor Burton

2. PUBLIC FORUM:

Council President Bramwell 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. Mayor Burton recited a proclamation titled, "Giving Tuesday", a national movement launched in 2012. The Mayor declared Tuesday, December 2<sup>nd</sup>, as "Giving Tuesday" in Malvern Borough. Baker Industries, a nonprofit work rehabilitation program for vulnerable adults, located in Malvern, is asking shops and restaurants in Malvern to donate 5% of sales that day to their operation.

- Mayor Burton read aloud a portion of a letter prepared by Christian Talbot, Head of School for Malvern Prep, in which Police Chief Marcelli and his officers' were commended for their professionalism in dealing with an incident on school grounds. Council reflected the school's sentiments.

- b. Frank Ortner, 144 Griffith Avenue, requested an update on the status of the proposed Parking Ordinance on Monument Avenue as it was mentioned in the Borough newsletter. Council Member Lexer stated the Public Safety Committee is reviewing all options and potential impacts to identify the best solution with the least adverse affect on residents. Mr. Ortner wanted to insure Council was considerate of businesses in the Borough that may be affected by any proposed parking changes, not just residents. Council Member Lexer stated the Public Safety Committee is reviewing all options and potential impacts.

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### 3. APPROVAL OF MINUTES:

A motion was made by Council Vice-President Raymond, seconded by Council Member Van Sciver and carried by a vote of 5-0 to approve the minutes of Tuesday, October 21, 2014, as submitted.

### 4. APPROVAL OF REPORTS:

A motion was made by Council President Bramwell, seconded by Council Member Oswald and unanimously carried by a vote of 5-0 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 October 2014, as submitted.

### 5. ESCROW RELEASE – 237 KING PARTNERS:

A motion was made by Council Member Lexer, seconded by Council Vice-President Raymond and unanimously carried by a vote of 5-0 to authorize Escrow Release #7 to 237 King Partners, LLC, in the amount of \$80,007.50, as requested by the Borough Engineer.

### 6. APPOINTMENT – HISTORICAL COMMISSION

A motion was made by Council Member Van Sciver, seconded by Council Member Lexer and unanimously carried by a vote of 5-0 to appoint Joan Zimnoch to the Historical Commission to replace Barbara Leighton, who resigned, for a said term to expire January 1, 2017.

### 7. OLD BUSINESS:

a. Sale of Borough Property at 130 Woodland Avenue, Tax Parcel Number 2-4 244.1E – A motion was made by Council Member Van Sciver, seconded by Council President Bramwell and unanimously carried by a vote of 5-0 to have Borough Manager Kelley draft a formal request on behalf of Council addressed to the Planning Commission to review the property located at 130 Woodland Avenue for potential sale by the Borough of Malvern.

Frank Ortner, 144 Griffith Avenue, asked Council if a potential buyer has expressed interest in purchasing the borough-owned property. Council President Bramwell stated that no interested buyers have approached the Borough. Mr. Ortner asked what the lot size is of the property. Borough Manager Kelley stated the lot is approximately 10,000 square feet and is located in a residential zoning district, which per the Zoning Ordinance is suitable for 1-single family home or 1-twin home.

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b. 2015 Proposed Budget – Council President Bramwell stated Council should start planning for how the Borough will cover its share of the Valley Creek Sewer Trunk force main repairs and replacements. Council discussed raising Sewer Rental fees back to 2013 costs, which translates to \$95.60 (18.75% increase) from the 2014 fees of \$80.00. Council agreed to reinstate the 2013 Borough Sewer Fees. Council Member Van Sciver requested Borough Solicitor McLean review the Valley Creek Sewer Consortium Contract to determine the Borough's actual cost share. Council President Bramwell requested Borough Manager Kelley to research policies affecting the use of the Borough's Contingency Funds for use in the force main replacement.

By the recommendation of Council Member Oswald, Council President Bramwell instructed Borough Manager Kelley to review the Pennsylvania Department of Community and Economic Development's Accounting Rules concerning the use of Debt Services residing in the Capital Reserve Fund.

Council Member Oswald recommended Borough Council consider identifying future Capital Expenditures by reviewing chapters of the Borough's Comprehensive Plan.

Council Member Van Sciver stated the capital expenditure for "Municipal Building Renovations" is intended for replacing an aging and inefficient boiler. Council President Bramwell stated that a portion of the \$150,000.00 should be set aside for an entire building assessment to identify other outdated and inefficient systems.

Council Member Van Sciver stated Council should consider multi-municipal grant applications with East Whiteland and Willistown Townships for projects like the Patriot's Path in 2015. In addition, engineering costs should be set aside for Randolph Woods, an Official Map and any other pending projects.

Frank Ortner, 144 Griffith Avenue, questioned when the draft 2015 Budget will be publicly advertised and if a copy of the draft budget could be made available. Council President Bramwell stated it will be advertised in the coming week(s) as well as posted on the Borough's website, with the exception of specific personnel costs/wages factoring in possible salary raises.

8. ADJOURNMENT:

All business having been discussed, a motion was made by Council Vice-President Raymond, seconded by Council Member Lexer, and unanimously carried by a vote of 5-0 to adjourn the meeting at 9:08 p.m.

Respectfully submitted,

Neil G. Lovekin  
Assistant Secretary