

REGULAR MEETING

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MALVERN BOROUGH

1 East First Avenue

Malvern, PA 19355

February 6, 2024

7:30 PM

PRESIDING: President Phillips

INVOCATION: Mayor Uzman

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

PRESENT

Council President Phillips

Council Vice President Bones

Council Member Finkbiner, Ph.D. via ZOOM

Council Member Frederick

Council Member Niemiec via ZOOM

Council Member Riccetti

Council Member Warner, Ph.D.

Zeyn B. Uzman, Mayor

ABSENT:

1. ANNOUNCEMENTS

Council President Phillips asked in accordance with Resolution No. 840 if any member of the audience was recording the meeting. Mr. Hugo Schmitt and Mr. Richard Breuer recorded the meeting.

Council President Phillips requested as a courtesy, if you are participating via ZOOM, please turn on your camera while speaking.

Council President Phillips announced that the Malvern Business Professional Association King Street Wine & Chocolate Stroll is scheduled for Saturday, February 10, 2024 from 2PM to 4PM. Please access their website for further information.

Council President Phillips announced that the History Center is open to the public at Borough Hall on the second floor on Saturday, February 17, 2024 from 2PM to 4PM.

Council President Phillips announced that the Borough Office is closed on Monday, February 19, 2024 in recognition of President's Day.

Council President Phillips requested the Community to check out the Borough's website calendar regularly for all up and coming events located throughout the Community.

Council President Phillips announces his resignation from the Parks & Recreation Committee after many years of dedicated service. Please consider applying to the Vacancy with a term ending January 1, 2025.

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Council President Phillips announced and congratulated Assistant Manager Badman was awarded the prestigious Phyllis Lieberman Woman's Trailblazer Scholarship in the amount of \$1,500 to defray the costs of participation in any professional association that promotes women's leadership in local government for educational advancement.

Council Member Finkbiner announced that Great Valley School District is redistricting and invited the Community to attend the meetings.

2. APPROVAL OF AGENDA

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, carried by a vote of 7-0, to approve the agenda for the February 6, 2024, meeting as amended, moving the Oath of Office for Officer Erik Dresden to item #3.

3. OATH OF OFFICE – OFFICER ERIK DRESDEN

Erik Dresden accepted the full-time police officer position open with the Malvern Police Department and was sworn in by Mayor Uzman.

Police Chief Marcelli gave an introduction and outlined Officer Dresden's accomplishments as a seasoned Police Officer.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 6-0, Council Member Warner abstained due to being absent, to approve the minutes from the Tuesday, January 16, 2024, as amended.

Council Member Frederick mentioned that she attended the January 16, 2024 via ZOOM and Mayor Uzman mentioned that Officer Erik Dresden's pay rate annually is \$75,000.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

The Finance & Administration met on Monday, January 22, 2024 and discussed the following matters as presented by Council Member Finkbiner:

- Re-Organize: Recognize New Member (Council President Phillips) & Appoint Chair
- Sub-Committee Meeting(s) being Opened to the Public
- Next Request RTKL Website Software
- Work from Home Policy
- Composting Program

The Public Works Sub-Committee met on Monday, January 22, 2024 and discussed the following matters as presented by Council Vice-President Bones;

- 2024 Paving Program
- Malvern Post Office
- Old Lincoln Highway Infrastructure Capital Improvement Project

- Jennings Lane Pipe Repair
- North Warren Avenue Project
- Trail Connection for Malvern Prep & Paoli Battlefield
- Sanitary Sewer Ejector Station
- Everett's Alley
- King Street Planting Project

The Public Safety Sub-Committee met on Monday, January 29, 2024 and discussed the following matters as presented by Council President Phillips:

- 202 E. King Street
- Miner Street & Valley View Road Proposed Ordinance Amendment
- Old Lincoln Highway Infrastructure Improvement Project
- Crosswalk Traffic Studies
- Broad Street Parking Issue adjacent to Rubino Park

4. SPECIAL BUSINESS

a. INFLOW AND INFILTRATION EVALUATION OF SEWER SYSTEM

The Borough, as part of the Year 2024, approved budget totaling \$150,000 per line item #20.429.073, is performing the flushing and televising of all the sewer lines located in Malvern Borough. USG has provided a quote totaling \$157,720 and is an approved Costars contractor with set rates based upon the state contract. The proposal is an estimate based upon what they believe will be the time necessary to complete the work.

The Borough Engineer recommended to set a “do not exceed amount” in this evening’s consideration to move forward with this project. He explained that by flushing and videoing the entire system a comprehensive map of the system will be provided as part of USG’s service.

A motion was made by Council Vice President Bones, seconded by Council Member Warner, and carried by a vote of 7-0, to approve the USG proposal for cleaning and televising of the Borough’s sanitary sewer system for an estimate to not exceed \$157,720 in services provided.

b. ST. PATRICK ROMAN CATHOLIC CHURCH ESCROW RELEASE

The Borough Engineer reviewed the project status and site conditions for the St. Patrick Parish recommending a partial release of escrow funds totaling \$34,163.50.

The release encompasses all improvements detailed on the construction cost breakdown including but not limited to stormwater improvements, landscaping, preparation of as-built plans, and setting of lot pins / monuments. Construction of these improvements were inspected by EB Walsh and found to be acceptable.

Mr. John Buckley inquired as to the location of the sidewalks that were inspected.

Borough Engineer Daley, P.E. clarified the sidewalks inspected at located between Woodland and Channing Avenue(s).

A motion was made by Council Member Riccetti, seconded by Council Vice President Bones, and

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carried by a vote of 7-0, to authorize an escrow release in the amount of \$34,163.50 as presented.

c. AUTHORIZATION TO APPOINT A BOROUGH COUNCIL MEMBER TO CO-SIGN FOR BANK TRANSACTIONS

Borough Council discussed appointing Council President Phillips to co-sign for bank transactions. Council Vice President Bones is able to sign on behalf of the Borough also.

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 7-0, to authorize Council President Phillips to co-sign for bank transactions on behalf of the Borough removing Council Member Finkbiner as a co-signer.

d. CITIZEN COMMITTEE APPOINTMENT CONSIDERATION

Council Vice-President Bones explained that Linda Burton is an asset to the Shade Tree Commission and has decided to stay on as a member versus being the Chair.

A motion was made by Council Member Frederick, seconded by Council Vice President Bones, and carried by a vote of 7-0, to reappoint Linda Burton to the Shade Tree Commission for a five (5) year term to expire on January 1, 2029.

5. UNFINISHED BUSINESS

a. ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCES TASK FORCE APPOINTMENTS

Borough Council discussed five (5) appointments to the Zoning and Subdivision & Land Development Ordinances Task Force.

Council President Phillips explained that there were a wealth of applicants that applied for the Task Force position(s).

Council Member Frederick expressed that it is important to have a Historical Commission member on the Task Force.

A motion was made by Council Vice President Bones, seconded by Council Member Warner, and carried by a vote of 7-0, to appoint Dr. Zoe Warner, Ph.D., Dr. Dave Knies, Ph.D., Mr. Eric Rea, Mr. Dan Kunze, and Mr. Phil Harrison to the Task Force.

b. VALLEY VIEW ROAD AND MINER STREET – AUTHORIZE ADVERTISEMENT OF PARKING MODIFICATION ORDINANCE ADMENDMENT

The Mayor and Police Chief proposed no parking on both sides of Miner Street, from Old Lincoln Highway north to Valley View Road at the January 2 and January 16, 2024 Borough Council meetings. Additionally, parking restrictions may be considered for up to 50 feet from the intersection of Valley View Road and Miner Street because cars parked within that area create potential visual obstructions. Finally, consideration of restrictions to traffic flow may be considered and specifically to create one-way restrictions for Valley View Road and Miner Street such that all vehicles must enter going right when entering the circle and follow it around north on Miner Street and back south on Valley View Road as a one way only.

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The Public Safety Sub-Committee is in support of the potential ordinance amendment proposed.

Borough Council directed that temporary no-parking signage be posted to better understand the residents' feedback on this matter at their January 2, 2024 meeting. Borough staff has kept a log of all responses received to date, as well as distributed a diagram to the Valley View Road and Miner Street residents, sent a Constant Contact notification, and posted on the Borough website.

Council Vice President Bones thanked Council Member Finkbiner for her diagram that was provided to the Community.

Mr. Mike Morrone requested that parking be allowed on the West side.

Mr. John Buckley suggested that all on-street parking be re-located to assist EMS vehicles to access this area safely.

Borough Council would like to provide parking where possible.

Borough Solicitor Yaw advised the proposed ordinance be tabled and that the Borough Engineer mark where parking spots can safely be placed.

Borough Council is in agreement with this approach and will address this matter at a future Borough Council meeting.

c. ZONING HEARING BOARD

There are no new Zoning Hearing Board applications before the Zoning Hearing Board.

6. NEW BUSINESS

7. PUBLIC FORUM

Mr. John Buckley commented on Ira Dutter's retirement.

Mrs. Jennifer Chomko commented on Borough Council transparency and submitted a Right-to-Know request for processing.

Borough Manager Loomis gave several updates that will be located on the Borough website the following day.

8. ADJOURNMENT

All business having been discussed, a motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 7-0, to adjourn the meeting at 8:31 PM.

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary