

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

June 15, 2021
7:30 P.M.

Virtual Meeting Participation Option

This evening's meeting of Malvern Borough Council allows for a virtual meeting option via Zoom. The information on how to participate virtually via telephone or video conferencing is provided below.

Borough Council Meeting Dial-In Information: 1-877-853-5247 (toll-free)

Meeting link: <https://us02web.zoom.us/j/81453657720>

When prompted, enter the following meeting ID, followed by the “#” symbol: 814 5365 7720. You will be placed in the waiting room and admitted by the host.

To unmute if using audio via telephone, please enter *6.

Malvern Borough is not liable for any computer security problems that participants may experience.

PRESIDING: Amy Finkbiner, Ph.D., President

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL:
 - Council President Finkbiner
 - Council Vice-President Grossman
 - Council Member Bones
 - Council Member Laney
 - Council Member Meisel
 - Council Member Phillips
 - Council Member Raynor
 - Mayor Burton

2. APPROVAL OF AGENDA:

MOTION: To approve the agenda for the June 15, 2021 meeting of Borough Council as presented.

3. ANNOUNCEMENTS

- a. RECORDING OF MEETING

Anyone present who is recording the meeting shall announce so at this time, in accordance with Resolution No. 787.

- b. Borough Council met in Executive Session on Tuesday, June 15, 2021, prior to this evening's meeting in order to discuss a personnel matter.
- c. The Malvern Fire Company have announced the return of the annual Fire Company Fair. The event will run from Tuesday, July 13, 2021 until Saturday, July 17, 2021 from 6:00 pm to 10:00 pm each night at the Paoli Memorial Grounds. Fireworks will occur on Friday, July 16, 2021.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the meeting held on Tuesday, June 1, 2021 as presented.

b. APPROVAL OF REPORTS:

MOTION: To approve the Treasurer's Report, the Committee Reports for Finance and Administration, Public Safety, Public Works, the Chief of Police Report, the Code Enforcement Department 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 2021, as submitted.

c. BOROUGH COUNCIL COMMITTEE REPORTS

- Finance & Administration
- Public Safety
- Public Works

5. SPECIAL BUSINESS

a. PRESENTATION – 2020 FINANCIAL REPORT AND AUDIT FOR THE BOROUGH OF MALVERN

The Borough Auditor, George Fieo, CPA, of Peterson Fieo & Co., will present the Borough's 2020 Financial Report and Audit. Borough Council may consider action at the conclusion of the presentation to approve the 2020 Financial Report and Audit for the Borough of Malvern.

b. RATIFICATION OF AUTHORIZATION TO SUBMIT MALVERN BOROUGH'S APPLICATION TO THE PA DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT FOR FUNDS AVAILABLE THROUGH THE AMERICAN RESCUE PLAN ACT OF 2021

MOTION: To ratify the approval of the Borough Manager to submit an application to the PA Department of Community & Economic Development for receipt of funds through the American Rescue Plan Act of 2021 and authorize the execution of all necessary documents associated with the application.

On June 2, 2021, Malvern Borough was notified that an application must be submitted to the PA Department of Community & Economic Development (DCED) in order to access funds available through this legislation. A five (5) day time period to submit the application was instituted and the Borough's application was submitted to DCED on June 7, 2021. The Borough is scheduled to receive \$361,632.12 through the American Rescue Plan Act of 2021. The use of these funds must be determined by December 31, 2024 and the funds must be spent by December 31, 2026. Based on the requirements of how the funds may be used, it is anticipated that potential uses will be reviewed by the Finance & Administration and Public Works Committees.

c. EXPANDED OUTDOOR DINING FORBEARANCE AGREEMENTS

- Restaurant Alba

Restaurant Alba is requesting a 60-day extension of their existing agreement for outdoor dining during the COVID-19 pandemic. All existing conditions are proposed to remain in place. The extension would expire on August 18, 2021.

6. UNFINISHED BUSINESS

7. NEW BUSINESS

a. Bicycle Pump Track

Malvern Borough has been awarded \$91,677 from Chester County's Park Preservation Partnership Program Grant for the construction of a bicycle pump track on the Randolph Woods property, including buffering and a sidewalk connection. The next step in this project is for the Borough Engineer to be authorized to begin the necessary survey and design work. The initial concept plan will be reviewed by the Public Works Committee. Feedback on the concept plan will be sought from the community, including meetings to be scheduled with neighbors and potential users.

b. Ordinance Amendments – Proposed amendments to the Malvern Borough Zoning and Subdivision & Land Development Ordinances

At their meeting on June 3, 2021, the Malvern Planning Commission recommended three (3) ordinance amendments to the Borough's Zoning and Subdivision & Land Development Ordinances. Action may be considered by Borough Council to send these proposed amendments to the Chester County Planning Commission for review and comment.

- Zoning Ordinance Amendment – Outdoor Dining

This proposed amendment would revise the Borough's outdoor dining provisions in order to allow outdoor dining on private property as a use by right, while permitting outdoor dining in the public right-of-way permissible by Conditional Use.

- Zoning Ordinance Amendment – Plant Materials List

This proposed amendment would be to revise the Borough's Plant Materials List as recommended by the Malvern Shade Tree Commission and permit this to be updated by resolution of Borough Council.

- Subdivision & Land Development Ordinance Amendment – Plant Materials Acceptable for Street Trees

This proposed amendment would revise the Subdivision & Land Development Ordinance in order to amend the provisions for street trees as recommended by the Malvern Shade Tree Commission and permit this to be updated by resolution of Borough Council.

c. Volunteer Board & Committee Appointment Considerations

- Parks & Recreation Committee

The Parks & Recreation Committee currently has three (3) vacancies. Two (2) applications have been received to fill certain vacancies: Gail Newman and Tiffanie Quinn. If appointed, they would complete terms that expire on January 1, 2025 and January 1, 2026.

d. Zoning Hearing Board

There are no new applications before the Zoning Hearing Board.

8. PUBLIC FORUM

Citizens/taxpayers are invited to bring before Borough Council any item not on the agenda.

9. ADJOURNMENT