REGULAR MEETING
Page 1

MALVERN BOROUGH                                   June 20, 2023
1 East First Avenue     7:30 PM
Malvern, PA 19355

PRESIDING: President Finkbiner

INVOCATION: Mayor Uzman

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

PRESENT
Council President Finkbiner
Council Vice President Bones
Council Member Frederick
Council Member Phillips
Council Member Niemiec
Council Member Riccetti
Zeyn B. Uzman, Mayor

ABSENT:

1. ANNOUNCEMENTS

President Finkbiner asked in accordance with Resolution No. 840 if any member of the audience
was recording the meeting. Mr. Richard Breuer recorded the meeting.

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

President Finkbiner announced that the Malvern Post Office renewed its lease for five (5) years until
September, 2028.

President Finkbiner announced that the Borough Administration Office is closed in honor of
Independence Day on Monday, July 3, 2023, and Tuesday, July 4, 2023. The Library and Borough
Building is closed on Tuesday, July 4, 2023, in honor of Independence Day.

President Finkbiner announced that the Borough Council meeting scheduled for Wednesday, July 5,
2023, at 7:30PM is cancelled due to Independence Day.

President Finkbiner announced that the Malvern Fire Company Carnival is scheduled from Tuesday,
July 11, 2023, thru Saturday, July 15, 2023. Please refer to the Borough website for further
information.

2. APPROVAL OF AGENDA

A motion was made by Council Member Phillips, seconded by Council Vice President Bones,
carried by a vote of 6-0, to approve the agenda for the June 20, 2023, meeting as presented.
3. MINUTES & REPORTS

APPROVAL OF MINUTES

A motion was made by Council Member Phillips, seconded by Council Member Niemiec, and carried by a vote of 6-0, to approve the minutes from the Tuesday, June 6, 2023, as presented.

APPROVAL OF REPORTS

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 6-0, to approve the Treasurer’s Report, the Sub-Committee Reports for Finance and Administration, Public Safety, Public Works, the Chief of Police Report, the Code Enforcement Department Reports, the Superintendent of Public Works Report, the Assistant Manager’s Report, and the Manager’s Report for the month of May 2023, as submitted.

BOROUGH COUNCIL SUB-COMMITTEE REPORTS

The Finance & Administration Sub-Committee has not met since the last Borough Council meeting and is scheduled to meet on Wednesday, June 28, 2023.

The Public Works Sub-Committee met on June 19, 2023, and discussed the following:
- Road Paving Status Update
- Old Lincoln Highway Project
- Jennings Lane Stormwater Project
- North Warren Avenue Project
- Randolph Woods Nature Preserve
- Paoli Battlefield Malvern Prep Trail Connection
- Everett’s Alley

The Public Safety Sub-Committee has not met since the last Borough Council meeting and is scheduled to meet on Monday, July 10, 2023.

4. SPECIAL BUSINESS

ZONING PERMIT FEE - WAIVER REQUEST

President Finkbiner explained that the property owner located at 165 Church Street has requested for the Zoning Permit fee be waived to install a walkway at the property through a non-profit organization completing work at the property.

A motion was made by Council Vice President Bones, seconded by Council Member Niemiec, and carried by a vote of 6-0, to approve the zoning permit fee be waived for 165 Church Street totaling seventy-five dollars, $75.00, requiring that the permit be filed for all work completed by the non-profit entity completing the work.

PRELIMINARY/ FINAL LAND DEVELOPMENT APPROVAL FOR SYNTHETIC TURF FIELDS LOCATED AT MALVERN PREPARATORY SCHOOL – RESOLUTION NO. 846

Council President Finkbiner introduced Mr. Justin Massie, on behalf of Malvern Preparatory School to present and explain the improvements proposed. The improvements consist of converting two
grass athletic fields to synthetic turf, new bleachers and dugouts, a new parking facility, new walkways, and two underground stormwater basins. The plan proposed is pursuant to the Malvern Borough Subdivision & Land Development Ordinance of 2006 for the development of certain property in the Borough of Malvern, Chester County, Pennsylvania, in the I1- Institutional District.

The Plan has been reviewed by the Borough Engineer and the Planning Commission. The Planning Commission recommended that the Plan be approved as a preliminary/final plan conditioned upon compliance with the comments contained in the Borough Engineer’s review letter dated May 25, 2023, including the revised, requested waivers referenced in the Applicant’s April 14, 2023, letter at their June 1, 2023 meeting unanimously.

A motion was made by Council Member Phillips, seconded by Council Vice President Bones and carried by a vote of 6-0, to approve Resolution No. 846 as presented this evening.

MALVERN PUBLIC LIBRARY BOARD APPOINTMENT

Council President Finkbiner explained that Dr. Helise Bichefsky has been a member of the Friends of the Malvern Public Library since the group began several years ago. She attends meetings regularly and has made several important suggestions that improved the effectiveness of the Friends. She regularly works the book sale. Her participation has helped coordinate the programs of the MPL with those of Malvern Borough Parks and Recreation Committee. The Board and Staff of the library are very appreciative of her contribution and have recommended her appointment to the Malvern Public Library Board of Trustees.

A motion was made by Council Member Riccetti, seconded by Council Member Phillips and carried by a vote of 6-0, to appoint Dr. Helise Bichefsky, DO to the Malvern Public Library Board of Trustees.

5. UNFINISHED BUSINESS

41ST BIRD TOWN PENNSYLVANIA DESIGNATION

Council President Finkbiner introduced Ms. Heidi Shiver of Bird Town Pennsylvania will be presenting this evening to commemorate Malvern Borough’s acceptance into the program including the locations of the signage located throughout Malvern Borough. The presentation will be placed on the Borough website the following day.

The Environmental Advisory Council recommended unanimously the signage be placed at the main entrances located in Malvern Borough at both ends of Warren Avenue and King Street.

Borough Council discussed the locations of the signage of which will be installed this week. The presentation given this evening will be posted on Malvern Borough’s website the following day.

Mr. John Buckley requested that more than four (4) signs be installed. Borough Council is in favor for more signage to be installed over time.

Borough Council directed the Environmental Advisory Council to identify additional locations for signage installation.
209 OLD LINCOLN HIGHWAY STATUS UPDATE REGARDING SALE OF PROPERTY

Council President Finkbiner explained that Borough Council Directed the Borough Manager at their May 16, 2023, meeting, to provide a comprehensive status update including supporting documentation to analyze when is best to sell the property located at 209 Old Lincoln Highway. The Borough Manager will present this information to Borough Council, and they will discuss how best to move forward.

Borough Manager Loomis explained that the Phase 2 study was located, the fair market value of the property in question is strong, however will not always remain such due to fluctuating markets, and the appraiser found strong comparable sales to substantiate the recent appraisal sent to Borough Council’s attention.

Borough Manager Loomis further explained that Chester County is interested in working with Malvern Borough to create affordable housing, potentially off Old Lincoln Highway, and has interest in purchasing the property.

Mayor Uzman spoke to the structural integrity of the wall located at 209 Old Lincoln Highway.

Mr. Danny Fruchter inquired about affordable housing and confirmed that this objective is part of the Comprehensive Plan for the Borough that was recently revised.

Mr. John Buckley commented on the Borough’s options, as well as potential parking issues.

Ms. Cathy Raymond commented on how many units would be potentially installed by Chester County.

Borough Council directed the Borough Manager to find out more about Chester County’s potential plans and report back. The Borough Council discussed the information at hand and will consider selling the property in the Fall of this year, as well as having the Malvern Borough Planning Commission discuss this matter in September on one of their agendas.

BOROUGH COUNCIL VACANCY NOMINATIONS

Council President Finkbiner had the Borough Solicitor explain Borough Council will take nominations this evening. A replacement will be selected at the July 18, 2023, meeting. The person appointed to fill the vacancy will be entitled to hold the office until a successor is elected at the November 7, 2023, municipal general election.

Borough Council received nominations for Mr. Hugo Schmitt, Dr. Zoe Warner, Ph.D., Ms. Tiffanie Quinn, Mrs. Cathy Raymond, Esq., Mr. Adam Grimes, and Mr. John Buckley.

All nominations and/or applicants interviewed with Borough Council with the exception of Adam Grimes because he was not in attendance.

All nominees/applicants were asked if they would run in the Fall in the special election, as well as what issues/positive attributes in their opinion are present in Malvern Borough by Borough Council.

Dr. Dave Knies, Ph.D. commented that the process went far better this time around than the last time this matter was in question.
Borough Council directed Borough Manager Loomis to reach out to Mr. Adam Grimes and confirm if he has accepted the nomination.

Mr. John Buckley nominated himself and is running on the ballot in the Fall. He spoke to various issues within Malvern Borough.

A motion was made by Council Vice President Bones, seconded by Council Member Phillips and carried by a vote of 6-0, to formally close the nomination and interview process.

**ZONING HEARING BOARD**

Council President Finkbiner explained that there are no new applications before the Zoning Hearing Board.

A break was authorized and agreed upon by Borough Council at 9:45PM for ten (10) minutes. The Borough Council meeting reconvened at 9:55PM.

6. **NEW BUSINESS**

**KING STREET CROSSWALK STUDIES**

Council President Finkbiner explained that McMahon and Associated quoted $6,200 to perform two (2) crosswalk studies located at King Street and Bridge Street, as well as King Street and Channing Avenue. The Public Safety Sub-Committee suggested at their Monday, June 5, 2023 meeting that Borough Council approve the studies and be completed for the Health, Safety, and Welfare of the Malvern Borough Community.

Police Chief Marcelli spoke to providing numbers to the Borough’s Traffic Engineer in previous studies and moving forward.

Dr. Zoe Warner, Ph.D. commented on green solutions.

Mr. John Buckley commented on vehicle drivers consistently running stop signs and requiring a stop light at Bridge and King Street.

Ms. Tiffanie Quinn commented on safety at the intersections, as well as sight distance.

Mr. Hugo Schmitt commented on safety and sight distant issues as well.

A motion was made by Council Vice President Bones, seconded by Council Member Niemiec and carried by a vote of 6-0, to authorize the King Street Crosswalk studies as presented.

**MALVERN PLANNING COMMISSION 2022 ANNUAL REPORT & ACTION PLAN RECOMMENDATION TO BOROUGH COUNCIL**

Dr. Zoe Warner, PH.D., presented the Planning Commission 2022 Annual Report and an Action Plan Recommendation to Borough Council this evening for consideration. The report will be posted on the Borough website in the near future.
Borough Manager Loomis confirmed that all remaining Year 2022 reports will be presented in August to Borough Council due to the reports not yet being prepared/ submitted.

**CHESTER RIDLEY CRUM WATERSHEDS ASSOCIATION DONATION REQUEST**

Council President Finkbiner explained that the Environmental Advisory Council recommended unanimously at their May 25, 2023, meeting for Borough Council to donate $500 to the Chester Ridley Crum Watersheds Association per their request and to include this Civic Organization in the Year 2024 Budget as a standing annual donation thereafter.

Borough Council discussed such, as well as the Malvern Borough logo to be included on their t-shirts that are circulated annually.

A motion was made by Council Vice President Bones, seconded by Council Member Phillips and carried by a vote of 6-0, to authorize a $500 to the Chester Ridley Crum Watersheds Association and to include this Civic Organization in the Year 2024 Budget as a standing annual donation thereafter.

**RUBINO PARK – PARKING SIGNAGE INSTALLATION DISCUSSION**

Council Member Phillips explained the Public Safety Sub-Committee discussed a complaint and suggestion received from a local resident at their June 5, 2023, meeting regarding installing parking signage on Broad Street, near Rubino Park, limiting two (2) parking spots to parking for two (2) hours at a time. An Ordinance Amendment is required to implement such, and Borough Council discussed how best to move forward.

A motion was made by Council Vice President Bones, seconded by Council Member Frederick and carried by a vote of 6-0, to authorize the Solicitor to prepare this ordinance accordingly.

**PARK & RECREATION COMMITTEE ALTERNATE MEMBER DISCUSSION**

Council President Finkbiner explained that the Parks & Recreation Commission recommended unanimously at their June 7, 2023, meeting to create an alternate member for appointment to the Parks and Recreation Committee. An ordinance amending the Administrative Code pursuant to Section 25-29(J) is required.

A motion was made by Council Vice President Bones, seconded by Council Member Phillips and carried by a vote of 6-0, to authorize the Solicitor to prepare this ordinance accordingly.

7. **PUBLIC FORUM**

Mr. Hugo Schmitt addressed that there are conflicts with various events scheduled on the Borough calendar. Staff will look into this matter and coordinate moving forward.

Borough Council discussed creating a priority list of all projects and potentially an action plan moving forward. Additionally, they discussed having meetings with all volunteer groups to properly inform one other of Malvern Borough on-goings.

Dr. Dave Knies, Ph.D. is in support of this concept and action plan.
Ms. Barbara Rutz read a statement regarding saving Randolph Woods Nature Preserve regarding the PAC that was in favor of having a bike park.

Ms. Tiffanie Quinn is in agreement with the statement that was read.

Borough Assistant Manager Badman gave an update on the Stormwater Management grant that has been recently discussed regarding the Malvern Borough’s Stormwater Master Plan.

Borough Council agreed to properly prepare for this grant and submit next year for the second round of grant funding.

8. **ADJOURNMENT**

All business having been discussed, a motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 6-0, to adjourn the meeting at 10:53PM.

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary