REGULAR MEETING
Page 1

MALVERN BOROUGH
1 East First Avenue
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
Council Member Warner
Zeyn B. Uzman, Mayor

ABSENT:

1. ANNOUNCEMENTS

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

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

Council President Finkbiner announced that Borough Council met with its legal counsel in Executive Session on Wednesday, July 26, 2023 to discuss personnel and legal matters related to the Borough.

Council President Finkbiner requested that the Community check the Borough’s website calendar regularly for all up and coming events located throughout the Community.

2. APPROVAL OF AGENDA

A motion was made by Council Member Phillips, seconded by Vice President Bones, carried by a vote of 7-0, to approve the agenda for the August 1, 2023 meeting as presented.

3. MINUTES & REPORTS
   
a. APPROVAL OF MINUTES

A motion was made by Council Member Niemiec, seconded by Council Member Phillips, and carried by a vote of 6-0, to approve the minutes from the Tuesday, July 18, 2023 as presented. Council Member Warner abstained due to this being her first meeting on Council.
b. **BOROUGH COUNCIL SUB-COMMITTEE REPORTS**

Council President Finkbiner announced the Finance & Administration, Public Works, and Public Safety Sub-Committees have not met since the last Borough Council Meeting.

4. **SPECIAL BUSINESS**

a. **OATH OF OFFICE FOR NEWLY APPOINTED COUNCIL MEMBER DR. ZOE WARNER, PH.D.**

The Honorable District Court Justice Mackenzie Smith administered the Oath of Office for the newly appointed Council Member, Dr. Zoe Warner, Ph.D.

b. **RE-ORGANIZATION OF BOROUGH SUB-COMMITTEES**

Council President Finkbiner announced the Sub-Committees are assigned in January every other year, but since there was a new appointment this evening, they would re-organize at this time.

Council President Finkbiner advised the Sub-Committees are as follows:

- **Finance & Administration**
  - Council President Amy Finkbiner
  - Council Vice President Joe Bones
  - Council Member Zoe Warner

- **Public Safety**
  - Council Member Brendan Phillips
  - Council Member Lynne Fredericks
  - Council Member Angela Riccetti

- **Public Works**
  - Council Vice President Joe Bones
  - Council Member Angela Riccetti
  - Council Member Mark Niemiec

5. **UNFINISHED BUSINESS**

a. **MAYORS MONARCH PLEDGE PROCLAMATION**

Mayor Uzman presented a proclamation authorizing that the month of May each year shall be designated as “Nurture Gardens for Monarch Butterflies Month” in order to encourage and motivate Malvern Borough residents, local businesses, schools and public and civic officials to cultivate, nurture and protect food sources such as native milkweed and nectar plants and natural habitat, so that resources for healthy and sustainable pollinator gardens throughout the borough are accessible to promote native plant conservation and restoration for the monarch butterfly’s continued yearly growth and epic migration.

Council President Finkbiner complimented the Mayor on his leadership regarding this initiative.
Council President Finkbiner called a five (5) minute break at 7:52 PM

b. CURBSIDE PICKUP & RECYCLABLES RESOLUTION NO. 847

Council President Finkbiner explained Resolution No. 847 sets and determines the day of the week for curbside pickup and municipal solid waste (refuse) and recyclables. The Borough has enacted an Ordinance for the collection and disposal of solid waste, codified at Chapter 173, Section 173-4 authorizing the Borough Council to establish, by resolution, the days of the week when certain types of solid waste shall be collected throughout the Borough; and

The Borough recently entered into a new agreement for collection and disposal of solid waste, including municipal solid waste (refuse) and recyclables, which provides for collection of municipal solid waste (refuse) and recyclables once per week. Friday will now be the collection day for both solid waste (refuse) and recyclables.

Council Member Phillips asked if we can ask A.J. Blosenski for one additional bulk waste day sooner rather than waiting until the Fall since they did not collect some bulk items prior to the expiration of the old contract.

President Finkbiner advised Borough staff would look into the matter and see if a cost is associated with it.

A motion was made by Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, to approve Resolution No. 847 as presented.

c. ORDINANCE NO. 2023-1: AMENDMENT TO CHAPTER 200 (VEHICLES AND TRAFFIC)

PUBLIC HEARING:

Council President Finkbiner announced that Borough Council will now open a public hearing to consider Ordinance No. 2023–01. This ordinance amends Chapter 200 of the Code of Ordinances of the Borough of Malvern, Pennsylvania, entitled "Vehicles and Traffic" at Article III, Parking Regulations, to limit parking at certain times on a part of East Broad Street. The proposed ordinance was advertised for public review in the July 25, 2023 edition of the Daily Local News.

ADOPTION: ORDINANCE NO. 2023-01: AMENDMENT TO CHAPTER 200, (VEHICLES AND TRAFFIC)

Mr. John Buckley commented on the residents using these parking spots.

A motion was made by Council Member Phillips, seconded by Council Member Niemiec, and carried by a vote of 7-0, to adopt Ordinance No. 2023-01 to limit parking at certain times on a part of East Broad Street, as presented.
d. **ORDINANCE NO. 2023-02: AMENDMENT TO CHAPTER 25, SECTION 25-29 (CODE OF ORDINANCES OF MALVERN BOROUGH)**

**PUBLIC HEARING:**

Council President Finkbiner announced that Borough Council would now open a public hearing to consider Ordinance No. 2023–02. This ordinance amends Chapter 25, Section 25-29, of the Code of Ordinances of the Borough of Malvern, Pennsylvania, being the Administrative Code, providing for an alternate member for the Parks and Recreation Committee. The proposed ordinance was advertised for public review in the July 25, 2023 edition of the Daily Local News.

**ADOPTION: ORDINANCE NO. 2023–02: AMENDMENT TO CHAPTER 25, SECTION 25-29 (CODE OF ORDINANCES OF MALVERN BOROUGH)**

A motion was made by Council Member Phillips, seconded by Council Member Riccetti, and carried by a vote of 7-0, to adopt Ordinance No. 2023-02 to Chapter 25, Section 25-29, of the Code of Ordinances of the Borough of Malvern, Pennsylvania, being the Administrative Code, providing for an alternate member for the Parks and Recreation Committee, as presented.

e. **BIRD TOWN PENNSYLVANIA COMMITTEE**

Council President Finkbiner explained in the Spring of 2023, Malvern Borough made application for and was accepted as a “Bird Town Pennsylvania” community. The Borough’s Environmental Advisory Council was named as the initial responsible committee for this initiative. Borough Council has received a request to consider, and will consider this evening, establishing a formal standing “Bird Town Committee.” Council may consider a motion authorizing the solicitor to prepare an ordinance, as required under the Borough’s Administrative Code, to establish this new standing committee.

Council Member Zoe Warner explained how other municipalities have structured their Committees in reference to the Bird Town Committee.

Borough Solicitor Yaw explained the way our Home Rule Charter is written we should follow the Administrative Code of all the other stand-alone committees.

Ms. Tiffanie Quinn commented on having several committees have a member be a part of the Bird Town Committee to form a sub-committee.

Mr. David Knies commented on possibly making Bird Town a standalone committee as was done for Randolph Woods.

Dr. Helise Bichefsky commented on the goal, objectives, and action items needed the Bird Town Committee to complete.

A motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, to have the Borough Solicitor prepare an ordinance for a new stand-alone Bird Town Pennsylvania Committee, including a four (4) year staggered start term, and five (5) members.
f. **ANNUAL REPORTS FOR MALVERN BOROUGH COMMITTEES AND COMMISSIONS**

President Finkbiner announced the Parks & Recreation Committee, Malvern Historical Commission, Environmental Advisory Council, and Shade Tree Commission will present their Annual Year 2022 reports this evening. All reports will be placed on the Borough website.

Dr. Helise Bichefsky gave the Parks and Recreation presentation of their 2022 Annual Report.

Council Vice President Bones commented that Parks and Recreation is one of the most important committees in the Borough and that they bring the community together.

Council Member Phillips commented that Parks and Recreation also have helped to improve our environment by taking initiatives during events to reduce trash.

Mr. Hugo Schmitt gave the Historical Commissions presentation of their 2022 Annual Report.

Council Member Frederick congratulated Hugo on all his hard work on the History Center and what as asset it is to the Borough.

Council Vice President Bones thanked the Historical Commission for the important role they play in maintaining the Borough’s history.

Council President Finkbiner reminded the residents to be sure and check out the Historical Center during their open hours, which is regularly updated on the website.

Dr. Helise Bichefsky gave the Environmental Advisory Council presentation of their 2022 Annual Report.

Mayor Uzman commented on obtaining banners for the committees for the Memorial Day Parade next year since most committees attend and walk in the parade.

Council President Finkbiner directed Assistant Manager Badman to look into the banners and obtain pricing.

Council Vice President Bones gave the Shade Tree Commissions presentation of their 2022 Annual Report.

Council President Finkbiner thanked the Shade Tree Commission for all they do for Malvern Borough.

Council Member Phillips also thanked the Shade Tree Commission referencing their tree giveaway program.

Council Vice President Bones thanked the Public Works Department for all they do in helping the Shade Tree Commission.

Mr. Danny Fruchter inquired about tree loss versus how many new trees have been planted.

Mr. John Buckley commented on the budget for each committee.
Ms. Cynthia Ercole thanked all the committees for what they do in Malvern, especially the Parks and Recreation Committee referencing their events. She commented on her membership of the Parks and Recreation Committee.

Council President Finkbiner thanked all our volunteers for their hard work and commitment to the Borough.

g. **ZONING HEARING BOARD**

There are no new applications before the Zoning Hearing Board.

6. **NEW BUSINESS**

There was no new business discussed.

7. **PUBLIC FORUM**

Mr. John Buckley commented on sidewalks and the way he was treated at the last Malvern Planning Commission meeting by another member of the community.

Ms. Tiffanie Quinn commented on an incident that occurred after the last Council Meeting.

Dr. Helise Bichefsky encouraged everyone to come out to the Parks and Recreation events.

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 7-0, to adjourn the meeting at 8:57 PM.

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary