

**RESOLUTION NO. 790**

**BOROUGH OF MALVERN  
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MALVERN,  
CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A  
COMMITTEE TO OVERSEE THE DEVELOPMENT OF A MASTER PLAN FOR THE  
RANDOLPH WOODS NATURE PRESERVE.**

**WHEREAS**, the Borough Council ("Council") of the Borough of Malvern ("Borough") is authorized pursuant to §25-11 of the Administrative Code of the Borough as codified at Chapter 25 of the Code of Ordinances of the Borough; and

**WHEREAS**, the Council established the "Randolph Woods Committee" to develop a report to make recommendations on the future of the property; and

**WHEREAS**, the Council, at their Public Meeting on December 19, 2017, received a report from the Randolph Woods Committee regarding various potential uses, improvements, and encroachments upon that certain area of land owned by the Borough and commonly known as "Randolph Woods"; and

**WHEREAS**, the Council allocated funds in the annual budget for the development of a Master Plan for Randolph Woods; and

**WHEREAS**, the Borough has received funds through the PECO Green Region Grant Program for the development of the plan; and

**WHEREAS**, the Council desires to establish an ad hoc committee to develop a Master Plan for Randolph Woods.

**NOW THEREFORE**, it is hereby **RESOLVED** by the Borough Council of the Borough of Malvern as follows:

1. **Creation & Termination.** An *ad hoc* committee known as the "Randolph Woods Nature Preserve Master Plan Committee" (the "Committee") is hereby established by the Borough Council. Except as may be extended by Borough Council via subsequent Resolution, the Committee shall continue until, and expire automatically upon, thirty (30) after the adoption of the Master Plan by Borough Council.
2. **Purpose.** The purpose of the Committee shall be:
  - a. Review proposals from qualified firms to develop the Master Plan and recommend a firm to be appointed by Borough Council.
  - b. Oversee the development of the Master Plan for the Randolph Woods Nature Preserve and deliver the plan for adoption by Borough Council.
3. **Committee Composition and Presiding Officers.**
  - a. **Continuation of Members of the Randolph Woods Committee:** The existing members of the previous Randolph Woods Committee are hereby reappointed to serve on the

Committee. Members may be appointed by the President of Borough Council to fill vacancies as needed.

- b. Each member of the Committee shall be a resident of the Borough or the designated representative, of a taxpaying business entity located within the Borough (with such designation by the taxpaying entity made in writing addressed to the Borough Council President).
  - c. **Representation of existing bodies.** The following Borough boards and commissions shall have at least one (1) representative on the Committee:
    - i. the Borough Council
    - ii. the Borough's Planning Commission
    - iii. the Borough's Parks & Recreation Commission
    - iv. the Borough's Historical Commission
    - v. the Borough's Shade Tree Commission
  - d. **Ex Officio (Non-Voting) Members.** The Borough Council President shall be authorized to appoint additional *ex officio*, non-voting, members of the Committee who shall be entitled to attend any meeting of the Committee or any subcommittee thereof and comment upon any revision of the Committee Report. The following individuals shall be *ex officio*, non-voting members of the Committee unless otherwise appointed by the Borough Council President as a voting member of the Committee:
    - i. the Mayor
    - ii. the Borough Manager (or his or her designee)
    - iii. the Chief of Police
4. **Committee Milestones & Deliverables.** Status reports on the progress of the development of the Master Plan shall be delivered to the Borough Manager on a monthly basis for inclusion in the regular report to Borough Council.
5. **Committee Meetings & Operations.**
- a. The Committee shall conduct any in-person deliberations of a quorum of the Committee at public meetings (as defined by, and pursuant to, applicable law).
  - b. The Borough Council President shall designate, from the voting Committee Members, a Chairperson of the Committee who shall preside at all meetings. The Committee itself shall, from among its number, appoint at least one of each of the following:
    - i. Vice Chairperson, who shall preside in the absence of the Chairperson; and
    - ii. Secretary, who shall be responsible for the taking of minutes at all meetings and for the drafting and revision of the Committee Report as described below.
  - c. The Borough Manager shall be authorized to advertise for the Committee's meetings as required by law.
  - d. Requests for access to, or services from, the Borough Engineer, Borough Solicitor, or any other professional or member of Borough Staff, shall be made by the presiding officer of the Committee through the Borough Manager. The Borough Manager, at his or her discretion, in consultation with Borough Council, and subject to reasonable limitations and conditions, may provide for the benefit of the Committee such resources,

professional services, accommodations, or actions as may be required by law, expedient, or advisable for the purposes and requirements described herein.

- e. The Committee shall be authorized, at the discretion of the Committee's Chairperson, to conduct business in any reasonable manner, provided that such business is conducted in accordance with applicable law.
- f. The Committee, on behalf of the Borough Council, shall be authorized to solicit and receive written or verbal comments from any municipality, property owner, or other interested party in relation to the matters which are the subject of the Committee's work.
- g. Nothing herein shall prohibit the members of the Committee from circulating proposed drafts, revisions, or comments regarding the same via electronic means, with the express intention of the Borough Council that such drafts, revisions, or comments of any voting or *ex officio* member of the Committee be treated as the pre-decisional deliberations of the Borough, such that they shall not be a public record pursuant to Section 708(b)(10)(i)(A) of the Right-To-Know Law, 65 PS § 67.708.
- h. The Committee shall be authorized to establish one or more subcommittees at the discretion of the Committee's Chairperson, provided that the membership of such subcommittee(s) shall be limited so as to avoid the presence of a quorum of voting members of the Committee as a whole at any subcommittee meeting.

RESOLVED, this 21<sup>st</sup> day of May, 2019.

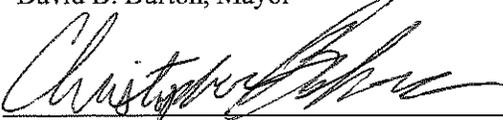
Passed by Borough Council,  
this 21 day of May, 2019.

Approved by the Mayor,  
this 21 day of May, 2019.

Enacted,  
this 21 day of May, 2019.

  
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Jamie S. Grossman, President

  
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David B. Burton, Mayor

  
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Christopher Bashore, Secretary