

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

March 7, 2023
7:30 PM

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/84197019623>

When prompted, enter the following meeting ID, followed by the “#” symbol: 841 9701 9623. 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: Zeyn B. Uzman, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:
Council President Finkbiner
Council Vice-President Bones
Council Member Frederick
Council Member Laney
Council Member Niemiec
Council Member Phillips
Council Member Riccetti
Mayor Uzman

1. APPROVAL OF AGENDA:

MOTION: To approve the agenda for the March 7, 2023 meeting of Borough Council as presented.

2. ANNOUNCEMENTS

- a. Anyone present who is recording the meeting is asked to announce so at this time, in accordance with Resolution No. 840.
- b. As a courtesy, if you are participating via Zoom, please turn your camera on while speaking.
- c. Borough Council met in executive session on March 7, 2023 prior to this evening's meeting, with the Borough Solicitor, to discuss pending litigation and legal matters of the Borough.

- d. The Parks & Recreation Committee is hosting the Cabin Fever Event located at Borough Hall on the Second Floor on Saturday, March 11, 2023 from 12PM to 3PM.
- e. Borough fencing was installed last week located off of Channing Avenue to secure the Malvern Borough Police Department's driveway and provide the Malvern Public Library safety for the seating area created for children's programming.

3. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the regular meeting held on Tuesday, February 21, 2023 as presented.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

- Finance & Administration
- Public Safety
- Public Works

The Finance & Administration, Public Works, and Public Safety Sub-Committees have not met since the last Borough Council meeting.

4. SPECIAL BUSINESS

a. ROCKWELL & ASSOCIATES PRESENTATION FOR PARCEL 2-4-361

Rockwell & Associates will be giving a presentation on their summary report and tree inventory located on the Borough website for review regarding Parcel 2-4-361, also known as the First Avenue Bike Trail Park. There currently is a referendum filed with the Chester County Board of Elections regarding this parcel to compel the Borough to offer a conservation easement to the Willistown Conservation Trust, Inc. for a parcel of land that is owned by the Borough, which is 0.847 acres located off of Ruthalnd Avenue and is adjacent to the Malvern Fire Department property.

b. BID AWARD FOR FIRST AVENUE & MINER STREET

MOTION: To authorize Long's Asphalt. of Quarryville, PA to complete the First Avenue and Miner Street paving project in the amount of \$61,988.

Long's Asphalt of Quarryville, PA was the low bid received and have submitted all required documentation. The Borough Engineer has reviewed all bids submitted and is recommending the project be awarded to Long's Asphalt in the amount of \$61,988. The estimated material costs for this project will be approximately \$51,597 for a total project cost of \$113,585. \$133,839 was budgeted for this project in the capital reserve fund.

5. UNFINISHED BUSINESS

a. 209 OLD LINCOLN HIGHWAY – AUTHORIZE ADVERTISEMENT FOR BID

MOTION: To approve the advertisement to solicit sealed bids from interested parties for the purchase of 209 Old Lincoln Highway in accordance with 8 Pa.C.S. 1201.1, the Borough's Home Rule Charter, and a bid package, as approved by the Borough Solicitor

Malvern Borough is considering selling 209 Old Lincoln Highway, located across from Herzak Park, totaling 0.38 acres. An appraisal has been obtained and Borough Council will discuss this evening authorizing the property to be advertised and placed for bid.

b. ZONING HEARING BOARD

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

6. NEW BUSINESS

a. ENVIRONMENTAL COUNCIL MEMBER APPOINTMENT & CREATION OF AN ALTERNATE POSITION

MOTION: To appoint Mrs. Cecelia Oswald to the Environmental Advisory Council (EAC) as a member with a term ending 1/1/2026 as presented.

The Environmental Advisory Council (EAC) recommended unanimously at their February 23, 2023 the following actions be considered by Borough Council:

- *A motion to recommend Cecelia Oswald to the Council for the vacant seat on the EAC. This motion was made by Helise Bichefsky-Reilly, seconded by Tiffany Brouillet, and carried by a vote of 5-0.*
- *A motion to recommend to Council for the EAC to have an alternate member. This motion was made by Joanne Zhou, seconded by Christine Hafer, and carried by a vote of 5-0.*
- *A motion to recommend Eric Beauregard to the Council for the alternate position, if approved by Borough Council. This motion was made by Joanne Zhou, seconded by Christine Hafer, and carried by a vote of 5-0.*

Borough Council will consider amending Ordinance 2019-10, the Ordinance that created the Environmental Advisory Council in Year 2019, to include an alternate position and may authorize a motion to advertise accordingly.

7. PUBLIC FORUM

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

8. ADJOURNMENT

REGULAR MEETING

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MALVERN BOROUGH
1 East First Avenue
Malvern, PA 19355

February 21, 2023
7:30 PM

PRESIDING: Amy Finkbiner, Ph.D., President

INVOCATION: Zeyn B. Uzman, Mayor

1. ROLL CALL

PRESENT

Council President Finkbiner
Council Vice-President Bones
Council Member Laney
Council Member Niemiec
Council Member Phillips
Council Member Riccetti
Zeyn B. Uzman, Mayor

ABSENT:

2. ANNOUNCEMENTS

Council President Finkbiner asked in accordance with Resolution No. 840 if any member of the audience was recording the meeting. Several people 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 the Parks & Recreation Committee is hosting a Scavenger Hunt in the Randolph Woods Nature Preserve.

Council President Finkbiner announced that the arborist report has been completed for the First Avenue Bike Trail Park and is located on the Borough's website. There will be a presentation given on this matter at the March 7, 2023 Borough Council meeting.

3. APPROVAL OF AGENDA

A motion was made by Council Member Laney, seconded by Council Member Niemiec, carried by a vote of 7-0, to approve the agenda for the February 21, 2023 meeting as presented.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

A motion was made by Council Member Laney, seconded by Council Vice President Bones, and carried by a vote of 7-0, to approve the minutes from the Tuesday, February 7, 2023 regular meeting of Borough Council as presented.

b. APPROVAL OF REPORTS

A motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, 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 January 2023, as submitted.

c. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

The Finance & Administration and Public Safety Sub-Committees have not met since the last Borough Council meeting. The Public Works Sub-Committee met on Wednesday, February 15, 2023 and completed a site visit regarding the Malvern Preparatory trail extension and discussed the First Avenue Bike Trail Park.

Ms. Cathy Raymond inquired about the First Avenue Bike Trail Park discussion.

5. SPECIAL BUSINESS

a. QUANN PARK CHESTER COUNTY SIX (6) MONTH GRANT EXTENSION

President Finkbinder explained that grass is required to be planted and grow in various areas of the project prior to the close out of the Quann Park renovation. The current deadline to have all punch list items completed is April 14, 2023. Grass growth by this time is not feasible therefore; a six (6) month extension is needed.

A motion was made by Council Member Phillips, seconded by Council Member Laney, and carried by a vote of 7-0, to authorize Malvern Borough and Chester County to extend the Municipal Grant Program granted by Chester County Grant six (6) months through October 14, 2023 to account for remaining punch list items to be completed in Spring 2023.

b. CONDITIONAL USE HEARING DECISION & ORDER FOR 434 HIGHLAND AVENUE

President Finkbinder explained that a unanimous approval was granted by Borough Council at their January 17, 2023 meeting for conditional use application #CU-2023-01 pursuant to Section 220-602(A)(5) of the Malvern Borough Zoning Ordinance ("Maximum building coverage") to construct a residential dwelling with building coverage of 25% at the property located at 434 Highland Avenue contingent upon the Borough Engineer's review dated January 12, 2023 and Malvern Borough Planning Commission's recommendations, with the understanding that two (2) street trees will be planted if tragedy befalls the existing street tree. The decision and order presented for approval this evening is a requirement and formality of the law to be produced upon an approval being received.

Mr. John Buckley commented on the building process in Malvern Borough.

A motion was made by Council Member Phillips, seconded by Council Member Laney, and carried by a vote of 7-0, to approve the conditional use hearing decision & order for 434 Highland Avenue as presented.

6. UNFINISHED BUSINESS
a. ZONING HEARING BOARD

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

b. REQUEST FOR PROPOSAL (RFP) PROCESS FOR ZONING AND SALDO REVISIONS ASSOCIATED WITH THE 2022 COMPREHENSIVE PLAN REVISION

President Finkbiner explained that Borough Council discussed this matter at their April 19, 2022 meeting reflecting that the Planning Commission met at their April 7, 2022 meeting recommending unanimously to Borough Council, through a formalized letter to their attention, to initiate the RFP process for the Zoning and SALDO revisions that are referenced in the Capital Reserve Fund Budget associated with the Comprehensive Plan Revision.

Borough Council then authorized the Borough Administration to initiate the RFP process for Zoning and SALDO revisions associated with the Comprehensive Plan revision at their May 3, 2022 meeting. The Borough Solicitor advised it was best to move forward with the RFP process when the 2022 revised comprehensive plan was adopted.

Borough Council had the Borough Solicitor explain the process of obtaining bids.

Mr. John Buckley commented on the RFP process, holding joint meetings, and the code revision process.

Borough Council agreed that Borough staff will send our requests for proposal and forward received proposals to both Borough Council and the Planning Commission for review.

7. NEW BUSINESS

a. BIRD TOWN PENNSYLVANIA PRESENTATION BY THE ENVIRONMENTAL ADVISORY COUNCIL, DR. ZOE WARNER, PH.D – RESOLUTION NO. 842

At the October 2022 meeting of the Environmental Advisory Council, members agreed to pursue the designation of Pennsylvania Bird Town. Becoming a PA Bird Town requires a municipal resolution passed to show overall support for the program formation of a three (3) person committee, and application submission. The Environmental Advisory Council is requesting the support of Borough Council by passing Resolution No. 842, which is in support of the 2022 Comprehensive Plan.

Dr. Zoe Warner, Ph.D. gave a presentation on Bird Town Pennsylvania and introduced Heidi Shiver, President of Bird Town Pennsylvania. Ms. Shiver confirmed a total of 38 municipalities are currently taking part in the program.

Borough Council and the Mayor are in support of this project. Discussion and questions ensued among Borough Council and the Mayor.

Ms. Sid Baglini, Ms. Cheryl Thompson, and Mr. Michael Norton are in support of this project.

Mr. John Buckley inquired how much the project would cost. Dr. Warner explained there is zero cost to Malvern Borough to move forward with this project.

REGULAR MEETING

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Dr. Helise Bichefsky commented on collaboration with the Malvern Library.

A motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, to approve Resolution No. 842 as presented.

b. STORMWATER MASTER PLAN PRESENTATION

Council President Finkbinder explained the Malvern Planning Commission and Environmental Advisory Council are recommending a Stormwater Master Plan for Malvern Borough.

Dr. Zoe, Warner, Ph.D., Vice Chair of the Planning Commission and Chair of the Environmental Advisory Council, gave a presentation on this matter.

Borough Council and the Mayor agreed to make a long-term commitment to stormwater management in the Borough. Discussion and questions ensued among Borough Council and the Mayor.

Mr. Michael Norton commented on stormwater issues located at the Malvern Retreat House.

Ms. Sid Baglini commented on flooding and the overall damage water can cause.

Mr. John Buckley commented on stormwater and curbing.

Dr. Helise Bichefsky complimented Dr. Warner on her commitment to this project and the Community.

The Borough Council directed staff to research this matter with Media Borough, due to having developed a Stormwater Master Plan, and look into grant funding and a timeline with a report back to Borough Council by the end of April.

8. PUBLIC FORUM

Mr. John Buckley commented on the Borough roads, curbing, violations located within the Borough and his property.

Ms. Cynthia Urkel thanked the Police Department and Borough Council for all that they do.

Dr. Helise Bichefsky commented that the Randolph Woods Nature Preserve Scavenger Hunt will be extended until March 10, 2023.

9. 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 9:19PM.

Respectfully submitted,
Tiffany M. Loomis Borough
Manager/Secretary



ROCKWELLTM
ASSOCIATES

www.Rockwellurbanforestry.com

MALVERN BOROUGH

Delivery – Via Email Only

Date: January 30, 2023

To: MS. TIFFANY M. LOOMIS

MALVERN BOROUGH MANAGER & ZONING OFFICER

From: JOHN HOSBACH

Reference: PROPOSED BIKE TRACK

File: 74721

Dear Ms. Loomis,

As requested, we were commissioned to review the subject parcel that is being proposed for a suitable and safe area for families to utilize as a bike track. For many years, the residents of the Malvern Borough have requested a safe and usable area for kids to ride bikes. As with any community, recreation and outside activities are imperative to the well-being of the residents.

Summary

The proposed improvements and track are located on a degraded 1-acre +/- parcel of land that borders a restricted road (Fire company access road). The emergency access road joins East King Road and Ruthland Avenue. The road is the main pathway for Malvern Fire Company to reach the borough while answering emergency calls and assistance. The proposed improvements abuts the Randolph Woods Nature Preserve which includes 38.2 acres of woodlands, trail, wildlife habitat and numerous types of forest types.



The proposed area adjoins numerous dwellings. The intent of the designers is to increase the buffers that will aid in screening, noise abatement and provide a solid delineation of the properties.

In reviewing the proposed area, we have observed the following issues with the existing vegetation.

- I. The subject trees are in decline and are degraded.
- II. No rare or endangered plants were found.
- III. The area provides no food, very limited cover and no structure for wildlife benefit.
- IV. The understory is a highly prolific stand of invasive plants.
- V. There are numerous defects that now pose a risk to anyone traveling the fire lane, the adjacent properties or anyone within the vicinity of this parcel.

Inventory

We conducted an on-site inspection and evaluation for trees greater than two-inches in diameter within the one-acre parcel on January 18th, 2023. The evaluation is a level 2, basic risk assessment. The assessment is limited to what can be observed from the ground. The assessment consists of 360-degree inspection at above ground conditions for each tree of specified size, within the one-acre area.

Observations

Tools and equipment used in the inspection: diameter tape, digital camera, I-pad with GPS mapping capability.

Priorities were established for this survey, as follows: [See attached Spreadsheet Matrix for results.](#)

- 1) Tree Species.
- 2) Size (> two inches).
- 3) Condition (good, fair, poor).
- 4) Defect description.
- 5) Longevity.
- 6) Failure potential.
- 7) Site condition.

Trees rated as fair condition have minimal visible defects. These trees did possess the following:

- 1) Smaller dead branches < two-inch diameter.
- 2) Excess fill soil against the lower stem.

Most trees rated as poor condition have critical defects, such as;

- A) Dead trees.
- B) Declining trees.
- C) Trees with missing top sections (due to breakage).
- D) Trees that possess bifurcated main stems.
- E) Trees with severe lean.
- F) Trees with structural issues.

We surveyed 131 trees. Many of the mature trees are defective and in poor condition. Most are overgrown with invasive, competing vines, particularly Bittersweet and Fox Grape.

- 14% of trees are rated as fair.
- 86% are rated as poor.
- No trees were rated as good condition.

Norway Maple '*Acer platanoides*' is considered an invasive plant by the Department of Environmental protection.

Risk levels associated with various tree conditions are as follows: low, moderate, and high.

Soil condition within the plot is a mix of parent soil, existing fill and aggregate.

An understory of invasive shrubs, such as Yew, Bittersweet, Amur Honeysuckle and Wineberry appear to be shading out more favorable regeneration. There is very little regeneration other than invasive vegetation. This is evidenced by a lack of young, beneficial forest species growing at ground level.

Four predominant species constitute 61% of trees growing on the site:

- 1) Boxelder '*Acer negundo*'
- 2) Blue Spruce '*Picea pungens*'
- 3) Norway Maple '*Acer platanoides*'
- 4) Black Walnut '*Juglans nigra*'

Trees are rated for their failure potential:

- 17% - low failure potential.
- 22% - moderate failure potential.
- 61% - high failure potential

Here is a breakdown of longevity for the site:

- 19% are greater than 20 years.
- 11% are less than 20 years.
- 15% are greater than 5 years.
- 51% are less than 5 years.
- 16% are dead trees with no prospect for survival.

Supporting photos showing examples of various tree conditions are as follows:



Photo 1, Mature Tulip Poplar rated in fair condition.



Photo 2, Young Eastern Redbud rated in fair condition.



Photo 3, Boxelder with top missing, rated high risk.



Photo 4, Dead, declining and decayed Blue Spruce, rated high risk.



Photo 5, Declining Eastern White Pine.



Photo 6, Wild Cherry uprooted and re-rooted.



Photo 7, Declining Eastern White Pine.



Photo 8, Mature Ash infested with Emerald Ash Borers, rated high risk.



Photo 9, Large, declining Boxelder, rated high risk.



Photo 10, Wild Cherry split and close to ground.



Photo 11, Leaning Wild Cherry over-hanging street.



Photo 12, deformed Wild Cherry with sweep caused by invasive vines.



Photo 13, Base of mature Elm, Tree was rated fair with low risk.



Photo 14, Decayed base of severely declining 32-inch diameter Paulownia.



Photo 15, Very large cavity in main stem of mature Tulip Poplar, rated as high risk.



Photo 16, Mature Tulip Poplar with cavity, also showing severe lean.



Photo 17, Mature Tulip poplar with large cavity located in upper stem, rated high risk.



Photo 18, Mature Black Locust with bifurcated stem arrangement, rated high risk.



Photo 19, Mulberry with bifurcated stem, rated high risk.

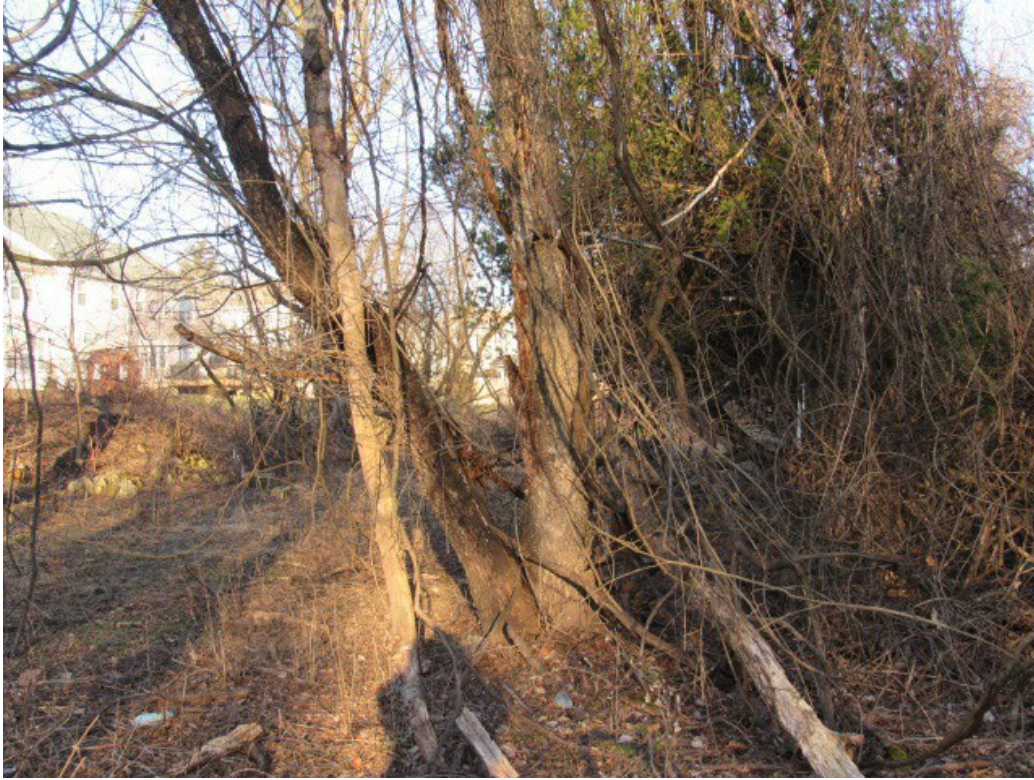


Photo 20, Wild Cherry with bifurcated stem, rated high risk.

**Inventory
Summary**

Species Detail:		Species %:	Total Trees:	
Boxelder	22	17%	All Species 131	
Blue Spruce	20	15%		
Norway Maple	20	15%	Condition of Trees:	
Black Walnut	18	14%	Fair	18 14%
Wild Cherry	11	8%	Poor	113 86%
Mulberry	10	8%		
Paulownia	7	5%	Failure Potential:	
Tulip Poplar	6	5%	Low	22 17%
Black Locust	4	3%	Moderate	29 22%
White Pine	4	3%	High	80 61%
Ash	2	2%		
Crabapple	2	2%	Longevity:	
Eastern Redbud	2	2%	0	21 16%
Sycamore	2	2%	< 5 years	51 39%
Elm	1	1%	> 5 years	20 15%
			< 20 years	14 11%
			> 20 years	25 19%

Memo drafted by Mr. Alex Roberts - Certified Arborist PD-1616A

The memo dated June 29, 2021, by Mr. Roberts, is a clear example of working with a biased objective while not reporting a basis for his findings. Mr. Roberts claims that the trees are providing benefits including storm water management, pollution control and so forth. He also claims that “the trees also create tremendous shade to keep the ground cool. The leaves that fall create a mulch which makes the forest floor a filter which then absorbs storm water very well”. However, at no time does he discuss the risk, health and longevity of this area. In addition, there is no mention of testing, inventory or providing backup of his statements. He clearly utilizes basic text which is common via the web. In fact, the area is degrading (as seen in our review and provided via the excel spreadsheet) which would limit the number of benefits provided vs. a healthy woodland structure. While on site, we observed standing water, dead trees, invasive plants, risk, trash, debris, dog waste and lawn waste from adjacent properties. None of this was noted in the Roberts report.

The Roberts report does not provide a solution other than denoting that trees should be replaced. In fact, there is a mitigation action plan and it is ongoing. A report providing insight on what exist should have accompanied Mr. Roberts memo. In my review, the memo paints a picture of a healthy structure. This is not factual.

Memo of Ms. Patricia M Nastase Vice-President, Valley Forge Audubon Society

As I respect the work and devotion of the Valley Forge Audubon Society, I have apprehension over the memo (no date provided) that is clearly defining the large woodland stand (Randolph Woods Nature Preserve 38.2 acre) vs. the actual subject parcel. Ms. Nastase describes the habit. I concur that the Randolph Woods Nature Preserve is healthy structure for bird habit as well as mammals. However, she indicates that she observed along Ruthland Avenue, the subject parcel, that this area inhabits low brushy areas with small trees, vines, grasses, and wildflowers provide cover and food sources for birds in this area. When we performed our review, there was nothing but a degrading overhead canopy and a prolific invasive and non-native ground intrusion. Found on the site were the following invasive understory.

1. Japanese wineberry - 'Rubus phoenicolasius'.
2. Morrow honeysuckle - 'Lonicera morrowi'.
3. Poison Ivy - 'Toxicodendron radicans'
4. Devil's walking stick - 'Aralia spinosa'
5. Multiflora rose - 'Rosa multiflora'.
6. Japanese knotweed / Asian knotweed - 'Fallopia japonica'.
7. Wild Grape vine - 'Vitis spp'.
8. American bittersweet - 'Celastrus scandens'

The following photographs denote the invasive plants found on the ground plan / understory.









At no time did we find wildflower remnants (spent stems, flowers, seed heads or any other wildlife benefit). Just invasive and intrusive plants.

In fact, in review of the Essentials of a Healthy Habitat, authored by the Valley Forge Audubon Society, it states;

All living creatures require food, water, cover, and places to raise their young. **A diversity of plants native to our local area supports most wildlife and enhances biodiversity. Layers of native vegetation**, including canopy trees, understory trees, shrubs, vines, perennials, native grasses, and ferns provide for the needs of the many creatures living in the ecosystem. Plant shrubs and perennials close together for maximum benefit. This was not present at this parcel.

From the review of this site, none of the above exist and the reporting by Ms. Nastase is conflicting to the what is noted on the educational website of her employer.

Design / planting - Mitigation

I understand that the neighboring properties are concerned about the proposed bike track. However, the resources and fundamentals of the opposition should not be used in a manner to create this vision that a healthy, native, prime habitat and sensitive area exist. Instead, working with the borough to create recreation while enhancing their own properties for future screening should be the focus.

I am proposing, along with previously discussed design measures, that a screening buffer utilizing both native and non-native (unfortunately there is not a sufficient species list of evergreens that are native that provide dense screening and noise abatement while adding diversity) be constructed to aid in noise abatement and screening objectives.

A buffer should be created at two levels.

- 1- Level 1 - Screening trees - Add in triangular formation - 5 white spruce, 5 red cedar, 7 Norway spruce,
- 2- Level 2 – Shrub layer- 9 chokeberry, 9 red osier dogwood, 11 arrowwood viburnum and 11 silky dogwood.

I will assist the designers in transcribing this plant palate to the design. In addition, the subject remaining area that will be used for the bike track should have specified trees within the track route. I have attached a plant fact sheet that will assist in the selection for suitable trees for the site. Amending the existing grade will be required to prepare for a sustainable screening objective.

Conclusion

The subject proposed site and its vegetation is degrading, failing and is currently risk related. The site is not prime wildlife habit. Wildlife habit begins with management and the introduction of sound species. This site has not been managed in 20 years. In fact, the overhead degrading canopy with an invasive understory is reason, solely, for renovation. From my review and research, the residents, the Audubon society, local arborist and no one for that fact, were interested in protecting and enhancing wildlife value or storm water management until this project was proposed. Now is the time to create balance with both recreation and ecological benefits. This is a safe area (very little traffic), easily viewed from street view and will be able to be designed to meet all the environmental benefits that we strive to accomplish.

This is not a healthy forest, and it should not be pitched as an environmentally sound system.

CERTIFICATION OF PERFORMANCE

I, John Rockwell Hosbach, Jr., certify that:

- I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.
- The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts.
- My analysis, opinions and conclusions were developed, and this report has been prepared according to commonly accepted arboricultural practices.
- No one provided significant professional assistance to me, except as indicated within the report.
- My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the American Society of Consulting Arborists and the International Society of Arboriculture. I have been involved in the field of Arboriculture in a full-time capacity for a period of more than 25 years.



John Rockwell Hosbach Jr., RCA, Urban Forester | Principal

Malvern Borough

Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
1	Blue Spruce	13	Poor	Dead	0	High	Large
2	Wild Cherry	2	Fair		< 20	Low	Large
3	Blue Spruce	10	Poor	Decline	< 5	High	Large
4	Mulberry	3	Poor	Lean	> 5	High	Medium
5	Blue Spruce	14	Poor	Decline	> 5	High	Large
6	Boxelder	14	Poor	Uprooted / Tip layered	< 5	High	Medium
7	White Pine	9	Poor	Decline	< 5	High	Large
8	White Pine	7	Poor	Decline / Bifurcated	< 5	High	Large
9	Norway Maple	9	Poor	Lean	< 5	High	Large
10	Boxelder	15	Poor	Top missing	< 5	High	Medium
11	White Pine	11	Poor	Decline	> 5	High	Large
12	White Pine	13	Fair		< 20	Moderate	Large
13	Mulberry	18	Poor	Top missing / Bifurcated	< 5	High	Medium
14	Mulberry	4	Poor	Competing overstory vegetation	> 5	Moderate	Medium
15	Norway Maple	3	Poor	Structure	> 5	Low	Large
16	Norway Maple	5	Poor	Lean	> 5	Moderate	Large
17	Norway Maple	8	Poor	Structure	> 5	Moderate	Large

Malvern Borough							
Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
18	Norway Maple	17	Poor	Bifurcated top	> 20	Moderate	Large
19	Black Walnut	10	Poor	Bifurcated top / Crook	> 20	Moderate	Large
20	Boxelder	14	Poor	Dead	0	High	Medium
21	Norway Maple	6	Poor	Decline	< 5	High	Large
22	Blue Spruce	13	Poor	Dead / Uprooted	0	High	Large
23	Blue Spruce	15	Poor	Dead / Uprooted	0	High	Large
24	Mulberry	6	Poor	Structure / Lean	< 5	High	Medium
25	Mulberry	9	Poor	Bifurcated base	< 5	High	Medium
26	Blue Spruce	12	Poor	Dead / Uprooted	0	High	Large
27	Norway Maple	7	Poor	Crook	< 5	High	Large
28	Norway Maple	3	Poor	Crook	< 5	High	Large
29	Blue Spruce	9	Poor	Dead	0	High	Large
30	Blue Spruce	13	Poor	Dead	0	High	Large
31	Blue Spruce	8	Poor	Dead	0	High	Large
32	Boxelder	11	Poor	Top missing	< 5	High	Medium
33	Boxelder	5	Poor	Lean	< 5	High	Medium

34	Boxelder	5	Poor	Decline	< 5	High	Medium
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Malvern Borough							
Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
35	Black Walnut	9	Poor	Bifurcated top	< 5	High	Large
36	Boxelder	8	Poor	Uprooted	< 5	High	Medium
37	Mulberry	10	Poor	Bifurcated base	< 5	High	Medium
38	Mulberry	3	Poor	Lean	< 5	High	Medium
39	Mulberry	7	Poor	Top missing	< 5	High	Medium
40	Norway Maple	3	Poor	Lean	< 20	Moderate	Large
41	Boxelder	6	Poor	Lean	< 20	Moderate	Medium
42	Black Walnut	8	Poor	Lean	< 20	Moderate	Large
43	Boxelder	11	Poor	Top missing	< 5	High	Medium
44	Norway Maple	10	Poor	Crook	> 20	Moderate	Large
45	Black Walnut	9	Poor	Lean / Crook	< 20	Moderate	Large
46	Boxelder	27	Poor	Decline	< 5	High	Medium
47	Norway Maple	8	Poor	Basal decay	< 5	High	Large
48	Black Walnut	15	Fair		> 20	Low	Large
49	Black Walnut	14	Fair		> 20	Low	Large

50	Boxelder	8	Poor	Lean	< 5	High	Medium
51	Tulip Poplar	12	Poor	Bifurcated	< 20	High	Large

Malvern Borough							
Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
52	Norway Maple	6	Poor	Lean	> 5	High	Large
53	Wild Cherry	10	Poor	Lean / Top missing	> 5	High	Large
54	Boxelder	3	Poor	Uprooted	< 5	High	Medium
55	Norway Maple	4	Poor	Lean	< 5	High	Large
56	Wild Cherry	9	Poor	Dead	0	High	Large
57	Norway Maple	9	Poor	Top missing	< 5	High	Large
58	Wild Cherry	6	Poor	Uprooted	< 5	High	Large
59	Norway Maple	10	Poor	Lean	< 5	High	Large
60	Wild Cherry	9	Poor	Lean	< 5	High	Large
61	Wild Cherry	10	Poor	Bifurcated	< 5	High	Large
62	Mulberry	5	Poor	Lean	< 5	High	Medium
63	Wild Cherry	10	Poor	Lean	< 5	High	Large
64	Wild Cherry	15	Poor	Dead	0	High	Large
65	Eastern Redbud	2	Fair		> 20	Low	Small

66	Black Walnut	14	Fair		> 20	Low	Large
67	Boxelder	3	Poor	Decline	< 5	High	Medium
68	Eastern Redbud	3	Fair		> 20	Low	Small

Malvern Borough							
Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
69	Black Locust	7	Poor	Bifurcated	< 20	Moderate	Large
70	Black Walnut	3	Poor	Top missing	< 5	High	Large
71	Black Locust	5	Fair		> 20	Low	Large
72	Mulberry	19	Poor	Bifurcated base	< 20	High	Medium
73	Black Walnut	5	Poor	Lean	< 5	High	Large
74	Black Locust	4	Poor	Lean	< 5	High	Large
75	Boxelder	4	Poor	Lean	> 5	Moderate	Medium
76	Boxelder	4	Poor	Lean	> 5	Moderate	Medium
77	Boxelder	3	Poor	Structure	> 5	High	Medium
78	Boxelder	3	Poor	Structure	> 5	High	Medium
79	Boxelder	2	Poor	Dead	0	High	Medium
80	Black Locust	26	Poor	Bifurcated base	> 5	High	Large
81	Black Walnut	5	Poor	Sweep	> 20	Moderate	Large

82	Black Walnut	10	Poor	Lean	> 20	Moderate	Large
83	Black Walnut	9	Poor	Lean	> 20	Moderate	Large
84	Boxelder	9	Poor	Structure	< 20	Moderate	Medium
85	Black Walnut	13	Poor	Lean	< 20	Moderate	Large

Malvern Borough							
Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
86	Black Walnut	18	Poor	Decay upper stem	> 5	Moderate	Large
87	Black Walnut	12	Fair		> 20	Low	Large
88	Black Walnut	4	Poor	Top missing	< 5	High	Large
89	Boxelder	7	Poor	Lean	< 5	High	Medium
90	Tulip Poplar	14	Poor	Sweep	< 20	Moderate	Large
91	Black Walnut	5	Poor	Top missing	< 5	Moderate	Large
92	Norway Maple	5	Poor	Top missing	< 5	Moderate	Large
93	Black Walnut	11	Fair		> 20	Low	Large
94	Sycamore	2	Fair		> 20	Low	Large
95	Sycamore	6	Fair		> 20	Low	Large
96	Paulownia	2	Poor	Invasive	> 20	Low	Large
97	Paulownia	2	Poor	Invasive	> 20	Low	Large

98	Blue Spruce	10	Poor	Decline	< 5	Moderate	Large
99	Norway Maple	5	Fair		> 5	Low	Large
100	Ash	17	Poor	Emerald Ash Borer	< 5	Moderate	Large
101	Tulip Poplar	17	Poor	Structure	> 5	Moderate	Large
102	Elm	23	Fair		< 20	Moderate	Large

Malvern Borough							
Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
103	Ash	7	Poor	Top missing	< 5	High	Large
104	Crabapple	7	Poor	Dead	0	High	Small
105	Boxelder	3	Poor	Structure	> 5	Moderate	Medium
106	Blue Spruce	8	Poor	Dead	0	High	Large
107	Blue Spruce	6	Poor	Dead	0	High	Large
108	Paulownia	32	Poor	Dead	0	High	Large
109	Tulip Poplar	19	Poor	Basal decay	< 5	High	Large
110	Norway Maple	5	Fair		> 20	Low	Large
111	Crabapple	7	Poor	Decline	< 5	High	Small
112	Paulownia	4	Poor	Invasive	> 20	Low	Large
113	Paulownia	4	Poor	Invasive	> 20	Low	Large

114	Paulownia	3	Poor	Invasive	> 20	Low	Large
115	Norway Maple	19	Fair		> 20	Low	Large
116	Blue Spruce	12	Poor	Dead	0	High	Large
117	Paulownia	33	Poor	Invasive	< 5	High	Large
118	Tulip Poplar	31	Fair		> 20	Low	Large
119	Blue Spruce	8	Poor	Dead	0	High	Large

Malvern Borough							
Tag #	Species	DBH	Condition	Defect	Longevity	Failure Potential	Mature Tree Size
120	Blue Spruce	8	Poor	Dead	0	High	Large
121	Blue Spruce	6	Poor	Dead	0	High	Large
122	Boxelder	10	Poor	Uprooted	< 5	High	Medium
123	Blue Spruce	6	Poor	Dead	0	High	Large
124	Blue Spruce	7	Poor	Dead	0	High	Large
125	Blue Spruce	10	Poor	Decline	< 5	High	Large
126	Blue Spruce	6	Poor	Decline	< 5	High	Large
127	Wild Cherry	14	Poor	Bifurcated top	< 20	Moderate	Large
128	Tulip Poplar	19	Fair		> 20	Low	Large
129	Norway Maple	21	Poor	Bifurcated upper stem	> 5	High	Large

130	Wild Cherry	6	Poor	Lean	< 5	High	Large
131	Wild Cherry	8	Poor	Bifurcated top	> 5	High	Large

SUMMARY							
Species Detail:	Species %:		Total Trees:		Mature Size:		
Boxelder	22	17%	All Species	131	Small	4	
Blue Spruce	20	15%			Medium	32	
Norway Maple	20	15%	Condition of Trees:		Large	95	
Black Walnut	18	14%	Fair	18	14%		
Wild Cherry	11	8%	Poor	113	86%		
Mulberry	10	8%					
Paulownia	7	5%	Failure Potential:				
Tulip Poplar	6	5%	Low	22	17%		
Black Locust	4	3%	Moderate	29	22%		
White Pine	4	3%	High	80	61%		
Ash	2	2%					
Crabapple	2	2%	Longevity:				

Eastern Redbud	2	2%	0	21	16%
Sycamore	2	2%	< 5 years	51	39%
Elm	1	1%	> 5 years	20	15%
			< 20 years	14	11%
			> 20 years	25	19%
Definitions:					
dbh - diameter of tree at breast height, measured at 4.5 ft above ground. Up to and including 4", measured at 6" above ground.					
longevity - length of duration of individual life, life expectancy, durability.					
risk - the likelihood of a conflict or tree failure occurring and affecting a target, and the severity of the associated consequences - personal injury, property damage, or disruption of activities.					
size (mature species) - small 15' or less; medium 20' - 40'; large exceeds 40'					



EDWARD B. WALSH & ASSOCIATES, INC.
Complete Civil Engineering Design / Consultation Services
Whiteland Business Park
855 Springdale Drive, Suite 202
Exton, PA 19341

March 3, 2023

Ms. Tiffany Loomis, Borough Manager
Malvern Borough
1 E. 1st Avenue - Suite 3
Malvern, Pennsylvania 19355

Re: Bid Recommendations - 2023 Malvern Borough
Paving Project – First Avenue & Miner Street
EBWA Project #2780-56

Dear Ms. Loomis:

As requested by your office, I have reviewed the bid package and results for the First Avenue & Miner Street paving project. The bids were received electronically utilizing PennBID on March 3, 2023 at 10:00am and the results are noted on the attached worksheet.

The low bidder, Long's Asphalt Inc. of Quarryville, PA, has submitted the necessary documents including the Bid Form, Statement of Bidder's Qualifications, Bid Bond and Non-collusion Affidavit. I have reviewed the submitted bid documentation and found it to be adequate. Long's Asphalt Inc. recently completed the 2021 Paving Project on Karen Drive & Malvern Avenue, and the quality of work was found to be good.

I recommend the project be awarded to Long's Asphalt, Inc. in the amount of Sixty-One Thousand, Nine Hundred and Eighty-Eight dollars and 00/100 cents (\$61,988.00).

Please note, the estimated material costs for this project will be approximately \$51,597.00 for a total project cost of \$113,585.00. If you should have any questions or require any additional information, please feel free to contact me.

Very truly yours,
EDWARD B. WALSH & ASSOCIATES, INC.
Malvern Borough Engineers

Kyle L. Wylie, E.I.T.

REGISTERED PROFESSIONAL ENGINEERS & LAND SURVEYORS
Pennsylvania, New Jersey, Delaware & Maryland
610-903-0060 FAX 610-903-0080
www.ebwalshinc.com
Established 1985

**2023 MALVERN BOROUGH PAVING PROGRAM -
FIRST AVENUE & MINER STREET BID RESULTS**

BID OPENING: March 3, 2023
10:00 AM

Description	Unit	Quantity	Long's Asphalt, Inc.	Sacks and Sons	Innovative Construction Services	Jena Asphalt solutions inc
FIRST AVENUE						
1 MILLING - 2" DEPTH	SY	3,670	\$12,478.00	\$12,478.00	\$15,047.00	\$6,998.69
2 SUPERPAVE 25 MM WMA BASE REPAIR	SY	780	\$14,976.00	\$11,310.00	\$6,708.00	\$11,763.96
3 DELIVER AND PLACE SUPERPAVE 9.5 MM WMA WEARING COURSE	SY	3,670	\$14,863.50	\$11,377.00	\$11,744.00	\$28,432.96
4 SWEEP AND TACK COAT	SY	3,670	\$1,651.50	\$2,569.00	\$2,642.40	\$4,669.71
5 JOINT SEAL	LS	1	\$600.00	\$1,300.00	\$715.00	\$600.00
6 MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	\$550.00	\$2,800.00	\$1,500.00	\$1,800.00
7 SPEED HUMP	EA	2	\$2,800.00	\$600.00	\$5,000.00	\$5,352.00
8 ASPHALT CURB	LF	245	\$539.00	\$759.50	\$2,450.00	\$1,225.00
MINER STREET						
9 MILLING - 2" DEPTH	SY	1,022	\$3,474.80	\$4,363.94	\$4,190.20	\$3,499.94
10 SUPERPAVE 25 MM WMA BASE REPAIR	SY	195	\$3,744.00	\$3,607.50	\$1,677.00	\$2,940.99
11 DELIVER AND PLACE SUPERPAVE 9.5 MM WMA WEARING COURSE	SY	1,022	\$4,139.10	\$5,488.14	\$3,270.40	\$8,638.97
12 SWEEP AND TACK COAT	SY	1,022	\$459.90	\$715.40	\$735.84	\$2,021.92
13 JOINT SEAL	LS	1	\$200.00	\$325.00	\$190.00	\$500.00
14 MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	\$300.00	\$2,880.00	\$1,500.00	\$1,300.86
15 ASPHALT CURB	LF	551	\$1,212.20	\$1,708.10	\$5,510.00	\$2,755.00
			\$61,988.00	\$62,281.58	\$62,879.84	\$82,500.00

**2023 MALVERN BOROUGH PAVING PROGRAM -
FIRST AVENUE & MINER STREET BID RESULTS**

BID OPENING: March 3, 2023
10:00 AM

Description	Unit	Quantity	John A. DiRocco General Contractors Inc.	Charlestown Paving & Exc., Inc.	DiRocco Bros., Inc.
FIRST AVENUE					
1 MILLING - 2" DEPTH	SY	3,670	\$11,744.00	\$18,350.00	\$12,478.00
2 SUPERPAVE 25 MM WMA BASE REPAIR	SY	780	\$12,090.00	\$18,720.00	\$15,210.00
3 DELIVER AND PLACE SUPERPAVE 9.5 MM WMA WEARING COURSE	SY	3,670	\$22,020.00	\$9,835.60	\$14,276.30
4 SWEEP AND TACK COAT	SY	3,670	\$2,128.60	\$3,670.00	\$4,404.00
5 JOINT SEAL	LS	1	\$500.00	\$2,300.00	\$2,000.00
6 MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	\$2,500.00	\$8,800.00	\$2,500.00
7 SPEED HUMP	EA	2	\$3,600.00	\$6,600.00	\$14,400.00
8 ASPHALT CURB	LF	245	\$3,675.00	\$2,450.00	\$8,330.00
MINER STREET					
9 MILLING - 2" DEPTH	SY	1,022	\$3,270.40	\$5,110.00	\$4,895.38
10 SUPERPAVE 25 MM WMA BASE REPAIR	SY	195	\$3,022.50	\$4,680.00	\$6,318.00
11 DELIVER AND PLACE SUPERPAVE 9.5 MM WMA WEARING COURSE	SY	1,022	\$6,132.00	\$2,738.96	\$6,336.40
12 SWEEP AND TACK COAT	SY	1,022	\$592.76	\$1,022.00	\$1,635.20
13 JOINT SEAL	LS	1	\$500.00	\$1,200.00	\$1,400.00
14 MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	\$2,500.00	\$1,400.00	\$2,000.00
15 ASPHALT CURB	LF	551	\$8,265.00	\$5,510.00	\$18,734.00
			\$82,540.26	\$92,386.56	\$114,917.28