

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

November 8, 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 Niemiec
Council Member Phillips
Council Member Riccetti
Council Member Warner
Mayor Uzman

1. 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. The Malvern Borough Police Department is hosting the Blue Beards Charity Event this year. Please check out the Borough website for further information.
- d. The Borough Office is closed on Friday, November 10, 2023 in honor of Veteran's Day.
- e. The History Center is open to the public on Saturday, November 11, 2023 from 2PM to 4PM.

2. APPROVAL OF AGENDA:

- a. **MOTION:** To approve the agenda for the November 8, 2023 meeting of Borough Council as presented.

3. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the regular meeting held on Tuesday, October 3, 2023 as amended.

MOTION: To approve the minutes of the regular meeting held on Tuesday, October 17, 2023 as presented.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

- Finance & Administration
- Public Safety
- Public Works

The Finance & Administration Sub-Committee met on Monday, October 30, 2023 to discuss the Borough's pension, Derck & Edson grant proposal for the Main Street Revitalization Initiative, Zoning & SALDO Overhaul proposals received, IT Service proposals received, 2024 proposed budget, and five (5) year capital plan.

The Public Safety Sub-Committee met on Monday, October 30, 2023 to discuss making Broad Street one-way, crosswalk placement at Broad and Bridge Streets, East Whiteland Township's weight limit restriction for the Warren Avenue bridge, AMTRAK Warren Avenue signal light(s), five (5) Year Capital Plan, crosswalk traffic study reports that are forthcoming, and the next meeting is scheduled for Monday, December 4, 2023.

The Public Works Sub-Committee is scheduled to meet Tuesday, November 14, 2023.

4. SPECIAL BUSINESS

a. MALVERN HISTORICAL COMMISSION – 10th ANNUAL HISTORIC PRESERVATION STEWARDSHIP AWARDS

The Malvern Historical Commission will recognize various properties in the Borough that have made a positive contribution to the fabric of the community and are maintained in good repair by the owners. Awards will be presented to those who could not able to attend the presentation on Tuesday, September 19, 2023 and Tuesday, October 17, 2023.

b. OLD LINCOLN HIGHWAY CAPITAL IMPROVEMENT INFRASTRUCTURE PROJECT STATUS UPDATE

The Borough Engineer will provide a status update regarding the upsizing of the piping needed to complete this infrastructure project. Borough Council will discuss how best to move forward and authorize further direction.

c. PAOLI MEMORIAL GROUNDS – PICKLE BALL COURT PROPOSAL

Frank Ortner, on behalf of the Paoli Memorial Grounds, is requesting assistance from Malvern Borough to apply for grant funding to install Pickle Ball courts on the Paoli Memorial grounds that will be available for residents of the Borough without any charge. Borough Council may authorize and direct the Borough Administration to assist accordingly.

d. MALVERN FIRE COMPANY GRANT FUNDING REQUEST – RESOLUTION NO. 850

MOTION: To approve Resolution No. 850 as presented.

Malvern Fire Company is eligible for grant funding through the Local Share Account Statewide program to obtain a tanker that will enable the Fire Company to assist with fires where a fire hydrant is not accessible.

Senator Committa's office has encouraged the Borough to apply for this funding on behalf of Malvern Fire Company. Mr. Jim Rapp, Fire Chief for the Malvern Fire Company, will be presenting the details and financial outline regarding this grant funding opportunity this evening.

e. CHRISTMAS ON KING HOSTED BY THE MALVERN BUSINESS PROFESSIONAL ASSOCIATION – AUTHORIZATION TO SERVE ALCOHOL

MOTION: To authorize Locust Lane, Dressler Estate, and Anthony's to utilize the municipal lot for serving alcohol, adjacent to Wolfe Brass, for the "CHRISTMAS ON KING" event scheduled for Saturday, November 25, 2023 from 12PM TO 6PM, pursuant to the Borough Solicitor's conditions and approval by the Pennsylvania Liquor Control Board.

The Malvern Business and Professional Association is hosting the "CHRISTMAS ON KING" event on Saturday, November 25, 2023 from 12PM TO 6PM, and is requesting approval to have alcoholic drinks available for purchase in the municipal lot adjacent to Wolfe Brass. The providers will be Locust Lane, Dressler Estate, and Anthony's.

f. CRAFT & MERCANTILE EVENT FOR YEAR 2024

Christy Campli of Growing Roots Partners is requesting Malvern Borough's support and participation for the Craft & Mercantile event in Year 2024 through funding and in-kind contributions from Malvern Borough staff. Borough Council will discuss this matter and may authorize further direction this evening.

5. UNFINISHED BUSINESS

a. CIVIC ORGANIZATION REQUESTS FOR YEAR 2024

All civic organizations that receive funding from the Borough have been invited to attend the 10/3, 10/17, and 11/8 Borough Council meeting to present and discuss their funding request with Borough Council.

The Malvern Fire Company will be giving a presentation this evening regarding their request for Year 2024.

b. MAIN STREET REVITALIZATION TASK FORCE GRANT FUNDING REQUEST – RESOLUTION 851

MOTION: To approve Resolution No. 851 as presented.

The Main Street Revitalization Task Force held their last meeting on Thursday, October 26, 2023 moving to approve the creation of a non-profit entity comprised currently of a four (4) member Board that will assist in appointing a Main Street Manager.

The Main Street Revitalization Task Force recommended hiring Derck & Edson to apply for grant funding through the LSA grant opportunity with the services not to exceed Five Thousand Dollars (\$5,000), which is proposed to come out of the funds previously authorized for the Main Street Revitalization effort.

c. MALVERN LIBRARY – AUTHORIZE PAINTING & FLOORING CONTRACTS AND INSTALLATION OF CABINETRY

MOTION: To authorize the painting and flooring contracts and installation of cabinetry for the Malvern Library as presented.

The Malvern Borough Library is moving forward with their renovation plans, starting with the painting, flooring, and the installation of built in cabinets. The renovation will be completed in three (3) phases.

Borough Council at their October 3, 2023 meeting approved Commercial Flooring Professionals, with a quote totaling \$37,670.47 to complete the flooring renovation accordingly utilizing the American Rescue Plan Act funding allocated for their use. COSTARS Vendors are exempt from the public bidding process by virtue of being in the Pennsylvania Department of General Services Cooperative Purchasing Program. The quote is finalized and is ready for approval by Borough Council.

The Borough's lease with Malvern Library outlines that the Borough is responsible for painting. The Borough requested three (3) quotes and obtained two (2) bids. Painter1 was the lowest bid received totaling \$11,200 for all materials and labor. The quote is finalized and is ready for approval for by Borough Council.

The Public Works Superintendent and Borough Manager met with Board Member Russ Robinson and Director of the Library, Maggie Stanton to understand where built in cabinets are proposed. A brief presentation will be given this evening showing the location of the built in cabinets. The Public Works Superintendent and Borough Manager recommend approval as required by the lease.

d. YEAR 2024 BUDGET PRESENTATION

The Borough Manager will present the Year 2024 budget for discussion.

e. FIVE YEAR CAPITAL PLAN & ZONING AND SALDO ORDINANCE OVERHAUL - PLANNING COMMISSION DIRECTION

The five (5) year capital plan is in the process of being revised for Years 2024 through 2028. Borough Council will discuss directing the Malvern Borough Planning Commission to designate the sections of the 2022 Comprehensive Plan for each project and a deadline for the information to be received.

The Borough received four (4) proposals for the Zoning and SALDO Overhaul project proposed to start in Year 2024. Borough Council will discuss directing the Planning Commission to review the proposals and make recommendation(s) accordingly with a deadline for the recommendation(s) to be made.

f. ZONING HEARING BOARD

There are no new applications before the Zoning Hearing Board.

6. NEW BUSINESS

a. 11 GRIFFITH AVENUE ESCROW RELEASE

MOTION: To authorize the escrow release for 11 Griffith Avenue, in the amount of Eight Thousand, and Seventy-Three dollars and Fifty-Six cents (\$8,073.56), as presented.

Renehan Building Group has requested a final release of the escrow funds for 11 Griffith Avenue. All work has been completed. Funding was being held since the required street trees were planted but were not of sufficient caliper. The Borough Engineer has re-inspected the street trees and found them to be acceptable, and has recommend approval of the final escrow release in the amount of Eight Thousand, and Seventy-Three dollars and Fifty-Six cents (\$8,073.56).

7. PUBLIC FORUM

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

8. ADJOURNMENT

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MALVERN BOROUGH
1 East First Avenue
Malvern, PA 19355

October 3, 2023
7:30 PM

PRESIDING: President Finkbiner

INVOCATION: Mayor Uzman

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

PRESENT

Council President Finkbiner
Council Vice President Bones via ZOOM
Council Member Frederick
Council Member Phillips
Council Member Niemiec
Council Member Warner
Zeyn B. Uzman, Mayor

ABSENT:

Council Member Riccetti

1. ANNOUNCEMENTS

Council President Finkbiner asked in accordance with Resolution No. 840 if any member of the audience was recording 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 Tuesday, October 3, 2023, to discuss the collective bargaining agreement.

Council President Finkbiner announced Porchfest is scheduled for Saturday, October 7, 2023 from 12PM to 6PM. The rain date for Porchfest is Sunday, October 8, 2023 from 12PM to 6PM.

Council President Finkbiner announced Oktoberfest is scheduled for Saturday, October 7, 2023 from 6PM to 9PM located at the Malvern Memorial Cabin.

Council President Finkbiner announced bulk trash pick-up is scheduled for Saturday, October 7, 2023 to begin at 6AM. Please place your items out the evening prior. Instructions have been posted on the Borough Website.

Council President Finkbiner announced the History Center is open to the public on Saturday, October 14, 2023 from 2PM to 4PM.

Dr. Helise Bichefsky, DO announced the on-going Scavenger Hunt hosted by Parks & Recreation is until Monday, October 9, 2023.

2. APPROVAL OF AGENDA

A motion was made by Council Member Phillips, seconded by Council Member Niemiec, carried by a vote of 6-0, to approve the agenda for the October 3, 2023, meeting as amended.

3. MINUTES & REPORTS

a. APPROVAL OF MINUTES

A motion was made by Council Member Phillips, seconded by Council Member Frederick, and carried by a vote of 6-0, to approve the minutes from the Tuesday, September 19, 2023, as presented.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

Council President Finkbinder announced the Finance & Administration Sub-Committee met on Thursday, September 21, 2023 to discuss the Comcast lease renewal, five (5) year capital plan for years 2024 through 2028, year 2024 budget, and the paving of the post office area that recently had stormwater repair work completed. The next meeting is scheduled for Tuesday, October 10, 2023 @ 1:30PM.

The Public Safety Sub-Committee met on Monday, September 25, 2023 to discuss the management plan for Borough Hall regarding restroom security, tree safety regarding the Randolph Woods Nature Preserve Annex Parcel, and five (5) year capital plan for years 2024 through 2028. The next meeting is scheduled for Monday, October 30, 2023 @ 10AM.

Borough Manager Loomis announced that the Public Works Sub-Committee met on Tuesday, September 26, 2023 to discuss the five (5) year capital plan for years 2024 through 2028. The next meeting is scheduled for Tuesday, October 17, 2023 @ 9AM.

4. SPECIAL BUSINESS

a. PRESENTATION – 2022 FINANCIAL REPORT AND AUDIT FOR THE BOROUGH OF MALVERN

The Borough Auditor, Anthony Gilani, CPA, presented the Borough's 2022 Financial Report and Audit.

The Borough Council inquired if the Borough's accounting department is performing at an optimal level. Mr. Gilani confirmed the Borough's accounting department is top level.

Mr. Danny Fruchter inquired if the Audit will be posted to the Borough website.

Council President Finkbinder confirmed the Audit will be posted on the Borough website.

Council President Finkbinder gave an overview of top level reports and graphs located in the 2022 Audit and inquired about a few line items throughout the document.

The Mayor commented that INR-Pension is not producing well and suggested the Borough meet

with them. The Borough Manager confirmed there is a meeting scheduled for late Fall of this year.

Mr. Danny Fruchter requested that capital budget items be separated from the General Operating budget, specifically grant revenues.

A motion was made by Council Member Phillips, seconded by Council Member Frederick, and carried by a vote of 6-0, to approve the 2022 Audit, as presented.

Borough Council will consider this request.

Borough Council thanked Mr. Gilani for all his expertise and efforts in completing the 2022 Audit.

b. OLD LINCOLN HIGHWAY CAPITAL IMPROVEMENT PROJECT

The Borough Engineer, Dan Daley, PE gave an update on the Old Lincoln Highway capital improvement infrastructure project to repair the roadway. He explained that he will be working with the Public Works Department on this project and the bid will be awarded in Winter of this year. Grant funding of \$725,100 has been obtained from Chester County to assist with this project.

Borough Council inquired about the current water flow versus future needs, forwarding this information to East Whiteland Township, using 209 Old Lincoln Highway as a staging area, and if Public Works needs to fill in the sinking area of the road to maintain this section of the road until the project can be completed.

The Mayor addressed not filling in the ditch and detouring the truck traffic.

Mr. John Buckley commented on the type of piping to be installed.

The Borough Engineer explained that the bid will be considered for authorization for advertisement by Borough Council at their Tuesday, November 8, 2023 meeting. The goal is to award the contract in December 2023.

c. BUDGET STRUCTURE DISCUSSION

Borough Council discussed the current structure of the budget and potential changes to be made in Year 2024's budget for transparency and ease of reading the document.

Borough Council directed to move sizeable grants from the General Operating Revenue account into Capital revenues, as well as creating an Open Space Acquisition line item in the Capital Reserve Fund.

d. CIVIC ORGANIZATION REQUESTS FOR YEAR 2024

Surrey Services, Ms. Jill Whitcomb, presented their services that support the Senior Community to Borough Council and requested a \$2,500 civic donation from Borough Council.

Borough Council directed that their website be placed on the Borough's website.

Ms. Jill Whitcomb offered to provide an article in the next Borough Broadcaster newsletter article.

Mr. Frank Ortner presented on behalf of the Paoli Memorial Association requesting a \$12,000 civic donation from Borough Council. This money will be utilized to maintain the grounds and playground equipment, etc.

Mr. Frank Ortner presented on behalf of the Malvern Park & Civic Association requesting a \$30,000 civic donation to replace the surfaces for the tennis and pickle ball courts.

Mr. Bill Huffman explained the membership basis for the courts. There is a \$50 membership fee.

Borough Council discussed expanding the user base, opening the courts to the public, partnering with the Malvern Bough Parks & Recreation Committee, implementing green infrastructure, partnering with Malvern Borough Environmental Advisory Council, the current fencing that exists, grant opportunities, and increasing membership fees.

The Mayor offered to donate \$10,000 personally and suggested the Borough donate \$20,000 finding a way to make the courts be accessible to the public.

Mr. John Buckley is not in favor of using tax dollars to repair the courts.

Mr. Danny Fruchter commented on the Borough's parks.

Borough Council additionally addressed maintaining parts of the grounds as wild meadows.

Borough Council thanked everyone for their requests and will consider accordingly.

5. UNFINISHED BUSINESS

a. MALVERN LIBRARY FLOORING – AMERICAN RESCUE ACT FUNDS

Malvern Borough Library Board Member, Russ Robinson, explained that the Malvern Borough Library is moving forward with their renovation plans, starting with the flooring. Three quotes have been obtained and they have requested to move forward with the COSTARS vendor, Commercial Flooring Professionals, totaling \$37,670.47 to complete the flooring renovation accordingly utilizing the American Rescue Plan Act funding allocated for their use. COSTARS Vendors are exempt from the public bidding process by virtue of being in the Pennsylvania Department of General Services Cooperative Purchasing Program.

Mr. Robinson had questions about the library lease and overall approval process moving forward with their renovations.

Borough Solicitor McLean explained the process and Council President Finkbiner directed a meeting take place to review and understand the questions.

Borough Council is in support of the renovation and the request to release the American Rescue Planning Funds.

A motion was made by Council Member Phillips, seconded by Council Member Frederick, and

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carried by a vote of 6-0, to authorize release of American Rescue Plan Act funds, totaling \$37,670.47, to assist with the Malvern Borough Library's renovation project, specifically related to flooring for COSTARS vendor Commercial Flooring Professionals, Inc., as presented.

b. ORDINANCE NO. 2023-03: AMENDEMNT TO CHAPTER 139 (PARKS AND RECREATION)

Council President Finkbiner opened a public hearing to consider Ordinance No. 2023-03 This ordinance amends Chapter 139 of the Code of Ordinances of the Borough of Malvern, Pennsylvania, entitled "Parks and Recreation" to prohibit certain activities and actions in certain Borough parks. Ordinance No: 2023-03 prohibits bicycle riding in Randolph Woods Nature Preserve and the Paoli Battlefield. The proposed ordinance was advertised for public review in the September 25, 2023 edition of the Daily Local News.

Council President Finkbiner closed the hearing.

A motion was made by Council Member Frederick, seconded by Council Member Phillips, and carried by a vote of 6-0, to adopt Ordinance No. 2023-03 prohibiting certain activities and actions in certain Borough parks, as presented.

c. ORDINANCE NO. 2023-06: AMENDEMNT TO THE BOROUGH ADMINISTRATIVE CODE

Council President Finkbiner opened a public hearing to consider Ordinance No. 2023-06. This ordinance proposes to amend Chapter 25, Section 25-29, of the code of ordinances of the Borough of Malvern, being the Administrative Code, providing for associate members for the Malvern Borough Environmental Advisory Council. The proposed ordinance was advertised for public review in the September 26, 2023 edition of the Daily Local News.

Council President Finkbiner closed the hearing.

A motion was made by Council Member Frederick, seconded by Council Member Phillips, and carried by a vote of 6-0, to adopt Ordinance No. 2023-06 providing for associate members for the Malvern Borough Environmental Advisory Council, as presented.

d. ZONING HEARING BOARD

There are no new applications before the Zoning Hearing Board.

6. NEW BUSINESS

7. PUBLIC FORUM

Mr. John Buckley commented on work being conducted potentially without a permit on First Avenue.

Council Member Niemiec commented on Randolph Woods Nature Preserve.

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8. ADJOURNMENT

All business having been discussed, a motion was made by Council Member Phillips, seconded by Council Member Niemiec, and carried by a vote of 6-0, to adjourn the meeting at 10:16 PM.

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary

DRAFT

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MALVERN BOROUGH
1 East First Avenue
Malvern, PA 19355

October 17, 2023
7:30 PM

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 Warner
Zeyn B. Uzman, Mayor

ABSENT:

Council Member Riccetti

1. ANNOUNCEMENTS

Council President Finkbiner asked in accordance with Resolution No. 840 if any member of the audience was recording the meeting. Mr. Breuer 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, October 11, 2023, to discuss the collective bargaining agreement.

Council President Finkbiner announced that the Paoli Battlefield is hosting a Paranormal Tour on Saturday, October 21, 2023 from 7PM to 11PM.

Council President Finkbiner announced that the Parks & Recreation Committee and Library are hosting an outdoor Movie Night at Burke Park on Friday, October 20, 2023 @ 7PM featuring CoCo.

Council President Finkbiner announced that the MBPA is hosting a Beer Crawl on King Street Thursday, October 19, 2023 from 5PM to 8PM.

Council President Finkbiner announced that the Parks & Recreation Committee are hosting Monster Mash at Burke Park on Sunday, October 29, 2023 from 2PM to 5PM including a DJ, costume parade in the park, crafts, candy, and entertainment for the Community to enjoy.

Council President Finkbiner announced that the next Borough Council meeting is scheduled for Wednesday, November 8, 2023 due to Election Day on Tuesday, November 7, 2023.

2. APPROVAL OF AGENDA

A motion was made by Council Member Phillips, seconded by Council Member Niemiec, carried by a vote of 6-0, to approve the agenda for the October 17, 2023 meeting as presented.

3. MINUTES & REPORTS

a. APPROVAL OF MINUTES

A motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 6-0, to approve the minutes from the Tuesday, October 3, 2023 as presented.

b. APPROVAL OF REPORTS

A motion was made by Council Member Phillips, seconded by Council Vice President Bones, and carried by a vote of 6-0, to approve the Treasurer's Report, the Sub-Committee Reports for Finance and Administration, Public Safety, and 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 September 2023, as submitted.

c. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

The Finance & Administration Sub-Committee met on Tuesday, October 10, 2023 to discuss the Malvern Borough 2024 budget regarding the Borough's initial presentation. .

The Public Works Sub-Committee met on Tuesday, October 17, 2023 and discussed the 2024 Road Paving Program, the Public Works budget request for F350 Truck replacement Sewer Jet Trailer for flushing mains, Old Lincoln Highway Infrastructure Project, Malvern Retreat meeting with Borough Engineer and Borough Manager to discuss tree plantings/ stormwater/ an onsite Columbarium (cremated remains in urn storage building)/ & Randolph Woods project, Randolph Woods Nature Preserve regarding the access road, and the Paoli Battlefield meeting Battlefield Meeting to discuss trail connect with Malvern Prep.

The Public Safety Sub-Committee is scheduled to meet Monday, October 30, 2023.

4. SPECIAL BUSINESS

a. SERVICE AWARD TO FORMER COUNCILMEMBER MARTY LANEY

Borough Council presented a plaque to former Council Member Marty Laney to honor her years of service to the Borough. A round of applause was offered for her outstanding volunteerism.

b. MALVERN HISTORICAL COMMISSION – 10th ANNUAL HISTORIC PRESERVATION STEWARDSHIP AWARDS

Mr. Hugo Schmitt presented on behalf of the Malvern Historic Commission recognizing 11 E. King Street for its positive contribution to the fabric of the community. Mr. Carr thanked the Borough for receiving such an honor.

Mr. Hugo Schmitt notified Borough Council and the public two (2) more awards will be presented

at the November 8, 2023 Borough Council meeting.

c. CITIZEN COMMITTEE APPOINTMENT CONSIDERATION FOR PARKS & RECREATION

A motion was made by Council Member Phillips, seconded by Council Member Frederick, and carried by a vote of 6-0, to appoint Jessica Anderson to the Malvern Parks & Recreation Committee for a remaining term to expire on January 1, 2024:

5. UNFINISHED BUSINESS

a. CIVIC ORGANIZATION REQUESTS FOR YEAR 2024

Larry Buchholz, on behalf of the Upper Main Line Memorial Association, thanked Borough Council for their years of support requesting a \$4,000 civic donation from Borough Council for Year 2024. The money will be utilized to host the Malvern Memorial Day Parade.

Tina Corrado, on behalf of the Malvern Business Professional Association, thanked Borough Council for their years of support requesting a \$10,000 civic donation from Borough Council for Year 2024. The money will be utilized for host a Spring themed event and Christmas on King Street.

Bruce Knapp, on behalf of the Paoli Battlefield Preservation Fund, thank Borough Council for their years of support requesting a \$7,500 civic donation from Borough Council for Year 2024. The money will be utilized to maintain the Paoli Battlefield grounds.

The Chester Valley Little League is requesting a \$2,500 civic donation from Borough Council for Year 2024. The money will be utilized to support the baseball field and league activities.

The Malvern Fire Company will be presenting at the November 8, 2023 Borough Council meeting regarding their Year 2024 Civic Donation Request.

Council President Finkbinder explained there would be a proposal forthcoming regarding the Malvern Park and Civic Association and the Paoli Memorial Association tennis/ pickle ball court discussion. The Mayor is working on this project with Mr. Frank Ortner and Jim Fooskas.

b. MAIN STREET REVITALIZATION TASK FORCE PRESENTATION

Chairman Eric Rea, on behalf of the Main Street Revitalization Task Force, presented the opening remarks of their recommendations.

Christy Campli, Meghan Miller, and Tina Corrado are members of the Main Street Revitalization Task Force and presented as well.

Council Member Lynne Frederick is also a member and offered information throughout the presentation regarding the Task Force's recommendations.

Their recommendations from an overview standpoint consists of creating a non-profit organization operated by a Board that would appoint a Main Street Manager to assist the business community. A \$25,000 civic donation has been requested annually, for the next three (3) years, from the Borough to assist in the creation and operation of the non-profit entity. Additionally, there is \$87,050 of

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American Rescue Plan Funding that has been designated to this initiative.

Borough Council inquired who would oversee the Main Street Manager position proposed, that is to support the business community.

Chairman Rea explained that initially a four (4) member board will hire a Main Street Manager and as many as eight (8) will sit on the Board.

Borough Council inquired what is the failure rate regarding Main Street Manager programs.

Mr. Mark Evans, from Derck & Edson, has been offering his assistance to the Task Force, in conjunction with PA Downtown, gave examples of successful Main Street Management Programs.

Borough Council thanked the Main Street Revitalization Task Force for all the hard work, passion, and commitment to this project.

The Task Force reviewed the next steps to be taking which includes authoring the Main Street Manager program, establishing the non-profit, and then coordinating with the Planning and Historical Commissions for input.

The Borough Solicitor explained the technical steps of this process.

Borough Council inquired how many businesses think this is a good idea and the Task Force responded that all businesses are in support.

A survey was conducted and 28 businesses formally responded.

Mr. Danny Fruchter commented that Main Street and the residents are benefiting from this program. He inquired if the Malvern Business and Professional Association will be funding the program.

The Task Force explained that the Malvern Business and Professional Association would be a support role and not funding the program.

Council Member Frederick and Mayor Uzman explained that fundraising would be a component of the funding program for the non-profit entity.

Mrs. Jennifer Chomko commented on zoning, communication, and bureaucratic issues regarding the program proposed.

Council Member Frederick explained how challenging it is to open a small business.

Borough Council and the Community discussed communication, reviewing the ordinance for the business community, location of the non-profit entity, property values responding positively to this process if approved, vacancy rates, commercial square footage pricing, monthly reports to Borough Council and the Community, and Borough's Council overall role in this process.

Dr. Helise Bichefsky, DO, inquired if the Main Street Manager would collaborate with the Borough.

The Task Force explained that this would be part of the job responsibilities of the Main Street Manager.

Mayor Uzman urged for this program to be up and running by Quarter 1 of Year 2024 for a successful outcome to occur.

Council President Finkbiner urged the Task Force and Borough Staff to coordinate and look in the LSA grant that is due November 30, 2023 to support this process and program.

Mrs. Cathy Raymond, Esq. inquired and commented on the Main Street Manager's role and job responsibilities.

The Task Force responded that there is a draft job description as part of the appendix of the presentation.

A motion was made by Council Member Niemiec, seconded by Council Vice President Bones, and carried by a vote of 6-0, to establish a non-profit entity as proposed this evening for the purpose of economic revitalization as outlined by the Main Street Revitalization Task Force.

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 Borough Solicitor to assist with the creation and establishment of the non-profit organization.

The presentation will be posted on the Borough website the following day.

Council President Finkbiner directed a five (5) minutes recess.

c. ZONING HEARING BOARD

There are no new applications before the Zoning Hearing Board.

6. NEW BUSINESS

a. YEAR 2024 INITIAL BUDGET PRESENTATION

The Borough Manager gave the Year 2024 initial budget presentation. The presentation will be posted on the Borough website the following day.

A line-by-line budget presentation will be presented at the Tuesday, November 8, 2023 Borough Council meeting.

7. PUBLIC FORUM

Mr. John Buckley commented on bagging requirements for trash.

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 9:54 PM.

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary

DRAFT

RESOLUTION NO. 850

**BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA, AUTHORIZING THE BOROUGH TO
REQUEST, ON BEHALF OF THE MALVERN FIRE COMPANY, A STATEWIDE
LOCAL SHARE ACCOUNT GRANT FROM THE COMMONWEALTH FINANCING
AUTHORITY FOR THE PURCHASE OF A NEW TANKER TRUCK.**

WHEREAS, the Pennsylvania Race Horse Development and Gaming Act (Act 2004-71), as amended (the “Act”), provides for distribution of gaming revenues to support projects in the public interest within the Commonwealth of Pennsylvania under the Statewide Local Share Account grant program (the “LSA Program”); and

WHEREAS, the eligible uses for grants under the LSA Program include the purchase of vehicles, machinery, and/or equipment; and

WHEREAS, non-profit entities, such as volunteer fire companies, may be the beneficiaries of grants awarded under the LSA Program through an eligible applicant(s), such as a municipality located within the Commonwealth of Pennsylvania; and

WHEREAS, the Malvern Fire Company (“MFC”), a Pennsylvania non-profit entity, desires for the Borough of Malvern, Chester County, Pennsylvania (“Borough of Malvern” or “Borough”), to apply, on behalf of the MFC, for a grant under the LSA Program, in the amount of \$489,000.00, to be used for the purchase of a new tanker truck to be owned by the MFC; and

WHEREAS, the Borough of Malvern desires to assist with and facilitate the submission of the grant application on behalf of MFC for funds to be used for the purchase of a new tanker truck.

NOW, THEREFORE, Borough Council hereby resolves that the Borough of Malvern shall make application, on behalf of the MFC, for a grant, and file the required grant application, under the LSA Program, in the amount of \$489,000, from the Commonwealth Financing Authority to be used for the purchase of a new tanker truck.

BE IT FURTHER RESOLVED that the Borough of Malvern designates Tiffany M. Loomis, Borough Manager of the Borough of Malvern, and Corinne Badman, Assistant Borough Manager of the Borough of Malvern, and authorizes them to execute all documents, applications, and/or agreements with the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

BE IT FURTHER RESOLVED that Borough Council hereby authorizes the Borough Manager to execute a cooperation agreement with the MFC, in form satisfactory to the Borough Solicitor and as may be necessary under requirements of the LSA Program.

RESOLVED this **8th** day of **November, 2023**, by Borough Council of the Borough of Malvern, Chester County, Pennsylvania:

This **8th** day of **November, 2023**.

Amy Finkbiner, PhD, President

Approved by the Mayor,

This **8th** day of **November, 2023**.

Zeyn B. Uzman, Mayor

Enacted,

This **8th** day of **November, 2023**.

Tiffany M. Loomis, Secretary

I, Tiffany M. Loomis, the duly appointed Secretary of the Borough of Malvern, Chester County, Pennsylvania, hereby certify that the forgoing is true and correct of a resolution duly adopted by a majority vote of the Borough Council of the Borough of Malvern, Chester County, Pennsylvania, at a meeting held on November 8th, 2023, and said resolution has been recorded in the Minutes of the Borough of Malvern and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Borough of Malvern, Chester County, Pennsylvania, this **8th** day of **November, 2023**.

Tiffany M. Loomis, Secretary

[Seal of Borough of Malvern, PA]

RESOLUTION NO. 851

**BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA, AUTHORIZING THE BOROUGH TO
REQUEST, ON BEHALF OF MALVERN KING STREET REVITALIZATION, INC., A
STATEWIDE LOCAL SHARE ACCOUNT GRANT FROM THE COMMONWEALTH
FINANCING AUTHORITY FOR PROFESSIONAL SERVICES TO GUIDE THE
REVITALIZATION OF THE BUSINESS DISTRICT.**

WHEREAS, the Pennsylvania Race Horse Development and Gaming Act (Act 2004-71), as amended (the “Act”), provides for distribution of gaming revenues to support projects in the public interest within the Commonwealth of Pennsylvania under the Statewide Local Share Account grant program (the “LSA Program”); and

WHEREAS, the eligible uses for grants under the LSA Program include planning, consulting, and design costs related to planning projects; and

WHEREAS, non-profit entities, such as economic development organizations, may be the beneficiaries of grants awarded under the LSA Program through an eligible applicant(s), such as a municipality located within the Commonwealth of Pennsylvania; and

WHEREAS, Malvern King Street Revitalization Inc. (“MKSR”), a Pennsylvania non-profit entity, desires for the Borough of Malvern, Chester County, Pennsylvania (“Borough of Malvern” or “Borough”), to apply, on behalf of the MKSR, for a grant under the LSA Program, in the amount of \$50,000.00, to be used for professional services to guide the revitalization of the Borough’s business district by MKSR; and

WHEREAS, the Borough of Malvern desires to assist with and facilitate the submission of the grant application on behalf of MKSR for funds to be used for these professional planning and design services.

NOW, THEREFORE, Borough Council hereby resolves that the Borough of Malvern shall make application, on behalf of the MKSR, for a grant, and file the required grant application, under the LSA Program, in the amount of \$50,000, from the Commonwealth Financing Authority to be used for these professional planning and design services.

BE IT FURTHER RESOLVED that the Borough of Malvern designates Tiffany M. Loomis, Borough Manager of the Borough of Malvern, and Corinne Badman, Assistant Borough Manager of the Borough of Malvern, and authorizes them to execute all documents, applications, and/or agreements with the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

BE IT FURTHER RESOLVED that Borough Council hereby authorizes the Borough Manager to execute a cooperation agreement with the MKSR, in form satisfactory to the Borough Solicitor and as may be necessary under requirements of the LSA Program.

RESOLVED this 8th day of November, 2023, by Borough Council of the Borough of Malvern, Chester County, Pennsylvania:

This 8th day of **November, 2023**.

Amy Finkbiner, PhD, President

Approved by the Mayor,

This 8th day of **November, 2023**.

Zeyn B. Uzman, Mayor

Enacted,

This 8th day of **November, 2023**.

Tiffany M. Loomis, Secretary

I, Tiffany M. Loomis, the duly appointed Secretary of the Borough of Malvern, Chester County, Pennsylvania, hereby certify that the forgoing is true and correct of a resolution duly adopted by a majority vote of the Borough Council of the Borough of Malvern, Chester County, Pennsylvania, at a meeting held on November 8th, 2023, and said resolution has been recorded in the Minutes of the Borough of Malvern and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Borough of Malvern, Chester County, Pennsylvania, this 8th day of **November, 2023**.

Tiffany M. Loomis, Secretary

[Seal of Borough of Malvern, PA]



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

October 23, 2023

Ms. Tiffany Loomis, Borough Manager
Malvern Borough
1 E. First Ave., Suite 3
Malvern, Pennsylvania 19355

Re: 11 Griffith Avenue Subdivision
Renehan Building Group
Escrow Release #4
EBWA Project #2780-126

Dear Ms. Loomis:

Renehan Building Group has requested a final release of the escrow funds for the above referenced project. All work has been completed but money was being held since the required street trees were planted but were not of sufficient caliper.

EBWA has re-inspected the street trees and found them to be acceptable, therefore I recommend approval of the final escrow release in the amount of Eight Thousand, and Seventy-Three dollars and Fifty-Six cents (\$8,073.56).

If you should have any questions or require any additional information, please do not hesitate to contact me.

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

Daniel H. Daley, P.E.



EDWARD B. WALSH & ASSOCIATES, INC.

*Complete Civil Engineering Design / Consultation Services
Whiteland Business Park
855 Springdale Drive, Suite 202
Exton, PA 19341*

11 GRIFFITH AVENUE SUBDIVISION
MALVERN BOROUGH
ESCROW RELEASE

Payment Certificate No. 4 - October 23, 2023

Total Amount of Escrow Funds	\$68,518.32
Total Amount of Construction Previously Completed	\$60,444.76
Amount of Construction Completed Per This Certificate No. 4	\$8,073.56
Total Amount of Construction Completed as of October 23, 2023	\$68,518.32
Less Funds Previously Released	\$60,444.76
Funds That May Be Released Per This Certificate No. 4	\$8,073.56
Balance Of Funds Remaining In Escrow Account	\$0.00

It is hereby certified to the Malvern Borough Council that the above described work has been completed and the amount of funds indicated above may be released from the Escrow Funds for the above referenced Subdivision.

If you should have any questions or need additional information, please contact me.

Very truly yours,

Edward B. Walsh & Associates, Inc.

Malvern Borough Engineers

Daniel H. Daley, P.E.

Tiffany Loomis, Borough Manager

CONSTRUCTION COST BREAKDOWN
11 GRIFFITH AVENUE
MALVERN BOROUGH, CHESTER COUNTY
EBWA PROJECT #2780-126

RELEASE REQUEST: # 4
DATE: 10/23/2023

ITEM	UNIT	QUANTITY	UNIT PRICE	ESCROW AMOUNT	PREV. REL.	THIS RELEASE	TOTAL RELEASE	TOTAL REMAINING
<u>DEMOLITION / CLEARING</u>								
Asphalt Drive Removal	SY	125	\$3.00	\$375.00	\$375.00	\$0.00	\$375.00	\$0.00
Tree Removal	LS	8	\$750.00	\$6,000.00	\$6,000.00	\$0.00	\$6,000.00	\$0.00
Curb Removal	LF	70	\$10.50	\$735.00	\$735.00	\$0.00	\$735.00	\$0.00
<u>EROSION CONTROL</u>								
Construction Entrance	EA	2	\$750.00	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00	\$0.00
12" Silt Sock	LF	294	\$3.00	\$882.00	\$882.00	\$0.00	\$882.00	\$0.00
8" Silt Sock	LF	179	\$2.50	\$447.50	\$447.50	\$0.00	\$447.50	\$0.00
Protection Fence	LF	241	\$1.50	\$361.50	\$361.50	\$0.00	\$361.50	\$0.00
Stabilize Stockpile	LS	2	\$500.00	\$1,000.00	\$1,000.00	\$0.00	\$1,000.00	\$0.00
Seed / Mulch R.O.W.	SF	1306	\$0.15	\$195.90	\$195.90	\$0.00	\$195.90	\$0.00
Erosion Control Matting - NAG SC 250	SF	801	\$1.90	\$1,521.90	\$1,521.90	\$0.00	\$1,521.90	\$0.00
<u>ROADWAY CONSTRUCTION</u>								
Concrete Curb	LF	70	\$13.00	\$910.00	\$910.00	\$0.00	\$910.00	\$0.00
Seal Curb Joint	LF	70	\$1.00	\$70.00	\$70.00	\$0.00	\$70.00	\$0.00
Concrete Sidewalks	SF	992	\$5.00	\$4,960.00	\$4,960.00	\$0.00	\$4,960.00	\$0.00
Driveway Aprons	SF	194	\$6.00	\$1,164.00	\$1,164.00	\$0.00	\$1,164.00	\$0.00
<u>STORM DRAINAGE</u>								
On-Lot Seepage Bed - Lot 1	EA	1	\$3,800.00	\$3,800.00	\$3,800.00	\$0.00	\$3,800.00	\$0.00
On-Lot Seepage Bed - Lot 2	EA	1	\$6,000.00	\$6,000.00	\$6,000.00	\$0.00	\$6,000.00	\$0.00
6" PVC Roof Drains / Outlet Pipes	LF	534	\$12.00	\$6,408.00	\$6,408.00	\$0.00	\$6,408.00	\$0.00
<u>SANITARY SEWER</u>								
Sewer Laterals	LF	66	\$25.00	\$1,650.00	\$1,650.00	\$0.00	\$1,650.00	\$0.00
Clean-outs	EA	2	\$150.00	\$300.00	\$300.00	\$0.00	\$300.00	\$0.00
8" x 6" Wye	EA	1	\$110.40	\$110.40	\$110.40	\$0.00	\$110.40	\$0.00
Tie-In to Existing Sewer Main	EA	1	\$3,000.00	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00	\$0.00
Testing	LS	2	\$1,000.00	\$2,000.00	\$2,000.00	\$0.00	\$2,000.00	\$0.00
Traffic Control	LS	2	\$1,000.00	\$2,000.00	\$2,000.00	\$0.00	\$2,000.00	\$0.00

