

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

March 5, 2024
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: Brendan Phillips, President

INVOCATION: Zeyn B. Uzman, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:
Council President Phillips
Council Vice-President Bones
Council Member Finkbiner, Ph.D.
Council Member Frederick
Council Member Niemiec
Council Member Riccetti
Council Member Warner, Ph.D.
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. Resolution No. 840 sets forth the conduct protocol for Borough Council meetings.
- c. As a courtesy, if you are participating via Zoom, please turn your camera on while speaking.
- d. Please check out the Borough's website calendar regularly for all up and coming events located throughout the Community.

2. APPROVAL OF AGENDA:

- a. **MOTION:** To approve the agenda for the March 5, 2024 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, February 20, 2024 as presented.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

- Finance & Administration
- Public Works
- Public Safety

The Finance & Administration met on Monday, February 26, 2024 and discussed the following matters:

- Annual Pension Performance Review
- Sub-Committee Meeting(s) Open to the Public - Discussion of Additional Members for a Total to not Exceed five (5) Members & Start Date of when Sub-Committee meeting(s) will be Open to the Public
- Remote Work from Home Policy
- Potential Lease Agreement w/ PMA regarding Tennis Courts, Pavilion, and Playground was **tabled**
- Human Resource Consulting Firms to service Malvern Borough
- Appointment of Public Works Superintendent Position @ March 5, 2024 Borough Council Meeting

The Public Works Sub-Committee met on Friday, March 1, 2024 and discussed the following matters:

- Sub-Committee Meeting Schedule for the Remainder of Year 2024
- Sub-Committee Meeting(s) Open to the Public - Discussion of Additional Members for a Total to not Exceed five (5) Members & Start Date of when Sub-Committee meeting(s) will be Open to the Public
- Public Works Department – Reorganization Discussion
- Paoli Battlefield Mowing Schedule
- Pump House Roof Deterioration
- Old Lincoln Highway Repairs
- Park Beautification Projects

The Public Safety Sub-Committee is scheduled to meet on Monday, March 4, 2024 to discuss the following matters:

- Sub-Committee Meeting Schedule for the Remainder of Year 2024
- Sub-Committee Meeting(s) Open to the Public - Discussion of Additional Members for a Total to not Exceed five (5) Members & Start Date of when Sub-Committee meeting(s) will be Open to the Public
- Bridge Street Icy Sidewalks Complaint & Request
- Oversize Vehicle Discussion from turning right off of Bridge Street onto King Street
- Crosswalk Traffic Studies
- Public Works Department – Reorganization Discussion

4. SPECIAL BUSINESS

a. APPOINTMENT OF PUBLIC WORKS SUPERINTENDENT

Walt Davis accepted the full-time public works superintendent position open with the Malvern Borough Public Works Department and has worked for the Borough for 40 years as the Assistant Public Works Superintendent.

b. OLD LINCOLN HIGHWAY INFRASTRUCTURE IMPROVEMENT PROJECT

MOTION: To authorize the proposed professional services work as presented.

The Borough Engineer has recommended that in order to optimize the design and minimize the costs for construction / field changes, the professional service provider Ingram, is recommending that the Borough spend a day onsite to complete test holes of roadway conditions to get accurate data for the onsite material.

Additional patching is also proposed when this work is completed to maintain the roadway until the final project is completed. The work proposed is considered a professional service and will cost approximately \$10,000 to \$15,000 to complete.

c. 551 SUGARTOWN ROAD/ 679 MONUMENT AVENUE ESCROW RELEASE

MOTION: To authorize a partial escrow release in the amount of \$79,116.86 as presented.

The Borough Engineer has reviewed the project status and site conditions for 551 Sugartown Road/ 679 Monument Avenue and prepared a recommendation for a partial release of escrow funds totaling \$79,116.86.

The release encompasses all improvements detailed on the construction cost breakdown including but not limited to demolition, erosion control, roadway construction, storm drainage, sanitary sewer, water service, landscaping, and miscellaneous items. Construction of these improvements were inspected by EB Walsh and found to be acceptable.

d. HUMAN RESOURCE PROFESSIONAL SERVICE CONSULTANT TO SERVICE MALVERN BOROUGH

Borough Council will discuss appointing a human resource professional service consultant this evening to service Malvern Borough. Council may take formal action to appoint a consultant.

5. UNFINISHED BUSINESS

a. VALLEY VIEW ROAD AND MINER STREET – AUTHORIZE ADVERTISEMENT OF PARKING MODIFICATION ORDINANCE AMENDMENT

MOTION: To authorize advertisement of parking modification Ordinance Amendment #2024-01 for Valley View Road and Miner Street as presented.

The Mayor and Police Chief proposed no parking on both sides of Miner Street, from Old Lincoln Highway north to Valley View Road at the January 2 and January 16, 2024 Borough Council meetings. Additionally, parking restrictions may be considered for up to 50 feet from the intersection of Valley View Road and Miner Street because cars parked within that area create potential visual obstructions. Finally, consideration of restrictions to traffic flow may be considered and specifically to create one-way restrictions for Valley View Road and Miner Street such that all vehicles must enter going right when entering the circle and follow it around north on Miner Street and back south on Valley View Road as a one way only. Three street parking spaces are proposed to remain to assist with limited parking in the area.

Borough Council directed that temporary no-parking signage be posted to better understand the residents' feedback on this matter at their January 2, 2024 meeting. Borough staff has kept a log of all responses received to date, as well as distributed a diagram to the Valley View Road and Miner Street residents, sent a Constant Contact notification, and posted the Borough website.

b. AMENDMENT TO THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM

MOTION: To authorize the amended five (5) year capital improvement program as presented.

Borough Council directed staff to update the Five Year Capital Improvement Program for Malvern Borough to include the corresponding section(s) of the revised Comprehensive Plan for each line item. Additionally, the Composting Program has been added and the King Street Planting project wording has been revised for clarification purposes.

c. ZONING HEARING BOARD

There are no new applications before the Zoning Hearing Board.

6. NEW BUSINESS

7. PUBLIC FORUM

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

8. ADJOURNMENT

REGULAR MEETING

Page 1

MALVERN BOROUGH
1 East First Avenue
Malvern, PA 19355

February 20, 2024
7:30 PM

PRESIDING: President Phillips

INVOCATION: Mayor Uzman via ZOOM

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

PRESENT

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

ABSENT:

1. ANNOUNCEMENTS

Council President Phillips asked in accordance with Resolution No. 840 if any member of the audience was recording the meeting. Mr. Hugo Schmitt and Mr. Richard Breuer recorded the meeting.

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

Council President Phillips requested for the Community to check out the Borough's website calendar regularly for all up and coming events located throughout the Borough.

Council President Phillips requested for the Community to come join the Environmental Advisory Council and CRC Watersheds to help restore native habitat on Saturday, February 24, 2024 from 9AM to 11:30AM at Quann Park. All are invited to participate.

Council President Phillips announced Assistant Manager Badman obtained a \$5,000 grant which was obtained through the Borough's Insurance Liability Provider to install a handicap accessibility ramp located in front of the main entrance of Borough Hall.

Council President Phillips announced that Borough Council met in an Executive Session this evening to discuss personnel matters.

2. APPROVAL OF AGENDA

A motion was made by Council Vice President Bones, seconded by Council Member Niemiec, carried by a vote of 7-0, to approve the agenda for the Tuesday, February 20, 2024 meeting as presented.

3. PEGGY GUSZ CRIME VICTIM CENTER AWARD – CORPORAL STEPHEN WALKER

Mayor Uzman introduced Ms. Kristine Zachanelli, CEO of the Crime Victim Center to present the Peggy Gusz Crime Victim Center Award to Corporal Stephen Walker.

A Crime Victim Center Advocate nominated Corporal Walker after she worked with him and was present during an interview that Corporal Walker conducted on a victim of a sexual assault. The advocate stated Corporal Walker showed compassion, concern, patience and professionalism.

4. MINUTES & REPORTS

a. APPROVAL OF MINUTES

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 7-0, to approve the regular meeting minutes from Tuesday, February 6, 2024 as presented.

b. APPROVAL OF REPORTS

A motion was made by Council Member Frederick, seconded by Council Vice President Bones, and carried by a vote of 7-0, 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 January 2024, as submitted.

c. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

The Finance & Administration and Public Safety Sub-Committee(s) have not met since the last Borough Council meeting.

The Public Works Sub-Committee met on Tuesday, February 20, 2024 and discussed the following items:

- Parking Issue on Miner Street and Valley View Road
- 2024 Paving Program
- Malvern Post Office
- Old Lincoln Highway Project
- Jennings Lane Pipe Repair
- North Warren Avenue Project
- Randolph Woods Nature Preserve Project
- Paoli Battlefield & Malvern Prep Trail Connection
- Sanitary Sewer Ejector Stations located at Monument Avenue
- Everett's Alley
- Borough Hall ADA Handicap Walkway; and
- Sanitary Sewer Evaluation

5. SPECIAL BUSINESS

a. RESOLUTION No. 856 PROPOSING TO AUTHORIZE A GRANT APPLICATION SUBMISSION FOR INSTALLATION OF A TRAIL CONNECTION BETWEEN MALVERN PREPARATORY SCHOOL & PAOLI BATTLEFIELD

The Chester County Commissioners have established a grant program to be utilized by municipalities in Chester County. The grant funding may be used for the improvement or acquisition of municipal recreation. Malvern Borough is proposing a connecting trail between Malvern Preparatory School and the Paoli Battlefield.

The Borough Engineer presented the proposed plans this evening. The grant application is due by no later than Thursday, February 29, 2024.

Borough Council discussed ADA requirements to obtain grant funding, if an archeologist would need to be obtained, the 50% grant match, the history of the proposed project, and the overall cost of the proposed project.

Mr. Danny Fruchter commented on the foundations placements and gave a history of the former house located at the property. He further commented that the path will access the preserved area, further educating the public, and the wall that surrounds the grave site came from the house potentially.

Mrs. Jennifer Chomko commented on tax payer dollars and inquired why the trail is being proposed to be built.

Borough Council explained that the proposed trail project is a condition of a Subdivision and Land Development application approval. The trail is in the best intentions to serve the public and is consistent with the Borough's Comprehensive Plan.

Mr. Carroll Sinquett commented on clearing the proposed trail as would be done if sidewalks were installed.

Mr. John Buckley commented on street lights and proposed a bridge be built to address traveling by foot on Warren Avenue.

A motion was made by Council Member Niemiec, seconded by Council Vice President Bones, and carried by a vote of 7-0, to authorize Resolution No. 856 as presented.

b. OLD LINCOLN HIGHWAY IMPROVEMENT INFRASTRUCTURE PROJECT

The Borough Engineer reviewed the option to reconstruct the roadway with Borough Council and recommended rejection of the current bids received.

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 7-0, to reject the bids received for Old Lincoln Highway improvement infrastructure project.

c. SPRING ON KING EVENT SPONSORED BY THE MALVERN PROFESSIONAL BUSINESS ASSOCIATION (MBPA)

The MBPA is hosting the “SPRING ON KING” event on Saturday, May 4, 2024 and is requesting approval to have alcoholic drinks available for purchase in the municipal lot adjacent to Wolfe's Brass. The providers will be Dressler Estate Cider, Locust Lane Beer, and Anthony’s Restaurant. Additionally, Borough Council will be discussing how to address the Malvern Borough Police detail associated with this event.

Mr. John Buckley inquired who will be paying for the Police Detail for the event.

Borough Council clarified that the MBPA will be paying for the event.

Police Chief Marcelli reminded the MBPA to make sure to obtain their PA liquor control board licenses and forward to the Borough accordingly.

A motion was made by Council Vice President Bones, seconded by Council Member Frederick, and carried by a vote of 7-0 to authorize the MBPA, Dressler Estate Cider, Locust Lane Beer, and Anthony’s Restaurant to utilize the municipal lot for a beer/ wine garden, adjacent to Wolfe’s Brass, for the “SPRING ON KING” event scheduled for Saturday, May 4, 2024, pursuant to the Borough Solicitor’s conditions and approval by the Pennsylvania Liquor Control Board.

d. DISCUSSION OF OPENING THE SUB COMMITTEE MEETING TO THE PUBLIC

Borough Council discussed opening the Sub-Committee meetings to the public.

Borough Solicitor Yaw discussed the outline of the meetings and recommended that not more than five (5) members be on each Sub-Committee, consisting of three (3) elected officials, and two (2) staff members. He requested that each Sub-Committee set their meeting schedule for the remainder of Year 2024.

Borough Council is in agreement with this approach and plans to open the Sub-Committee meetings to the public in the near future.

Mr. John Buckley commented on the time commitment.

Mrs. Cathy Raymond commented on the composition of the meetings.

6. UNFINISHED BUSINESS

a. ZONING HEARING BOARD

Council President Phillips announced there are no new applications before the Zoning Hearing Board.

7. NEW BUSINESS

a. AMERICAN RESCUE PLAN ACT FUNDING RELEASE FOR MALVERN KING STREET REVITALIZATION, INC (MKS, INC.)

Ms. Christy Campi explained that the Main Street Revitalization Task Force presented their findings to Borough Council at the October 17, 2023 Borough Council meeting. Borough Council authorized the Borough Solicitor to assist with the creation of the non-profit organization that is currently requesting the remaining funds, MKSR, Inc. The funds will support a Main Street Manager position as outlined in the October 17, 2023 presentation to Borough Council totaling \$82,050.

The mission of MKSR, Inc. is to lead the revitalization of Malvern's Main Street into a vibrant, thriving hub of community life. Through strategic collaboration with local businesses, residents, and the borough, we are dedicated to revitalizing the core of our town. By preserving our historical heritage and fostering a welcoming atmosphere, we aim to create a dynamic destination for commerce, culture, and connection that will inspire both residents and visitors to embrace the essence of Malvern.

Council Member Frederick explained that the funds being released are the remaining funds for the revitalization effort that were designated by the ARPA Task Force.

A motion was made by Council Member Finkbiner, seconded by Council Member Riccetti, and carried by a vote of 7-0 to authorize the release of \$82,050 of the American Rescue Plan Act funding to MKSR, Inc. as presented.

8. PUBLIC FORUM

Mrs. Jennifer Chomko commented on the trash contract and the professional development consultant the Borough Manager has regular appointments with.

Council President Phillips called Mrs. Jennifer Chomko out of order. She was escorted out of the meeting by Police Chief Marcelli.

Mrs. Cathy Raymond inquired as to the monthly cost of the professional development consultant.

Borough Manager Loomis explained there is a \$500 monthly fee.

Ms. Ann Bestany requested and commented that there be more constant contact notifications regarding when there are issues with the trash.

Mr. John Buckley commented on the Borough's trash service provider and how bulk trash is managed.

Mr. Danny Fruchter commended Borough Council for providing professional development opportunities to the Borough employees. He asked Police Chief Marcelli if the Police Department receives regular training opportunities.

Police Chief Marcelli confirmed that the Police Department received regular training opportunities.

9. ADJOURNMENT

All business having been discussed, a motion was made by Council Vice President Bones, seconded by Council Member Niemiec, and carried by a vote of 6-0, to adjourn the meeting at 9:00 PM.

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary

DRAFT



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

February 23, 2024

Ms. Tiffany Loomis, Borough Manager
Malvern Borough
1 E. First Avenue, Suite 3
Malvern, PA 19355

Re: 551 Sugartown Road Subdivision Lot 2
679 Monument Avenue – UPI 2-6-30.1
Escrow Release #1
EBWA Project #2780-142

Dear Ms. Loomis:

In accordance with the request of Renehan Building Group (acting on behalf of the lot owners – Troy and Kristin Fix), I have reviewed the request for a partial release of escrow funds for the above referenced project. The requested release has been modified based upon the work completed. Construction of the improvements detailed on the attached construction cost breakdown were inspected by my office and found to be acceptable.

I recommend that the escrow funds, in the amount of Seventy-Nine Thousand, One Hundred and Sixteen dollars and 86/100 cents (\$79,116.86) be released.

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.

cc: Corinne Badman, Assistant Borough Manager
Renehan Building Group, LLC.

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



EDWARD B. WALSH & ASSOCIATES, INC.

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

551 SUGARTOWN RD SUBDIVISION - LOT 2

MALVERN BOROUGH

ESCROW RELEASE

Payment Certificate No. 1 - February 23, 2024

Total Amount of Escrow Funds	\$123,275.40
Total Amount of Construction Previously Completed	\$0.00
Amount of Construction Completed Per This Certificate No. 1	\$79,116.86
Total Amount of Construction Completed as of February 23, 2023	\$79,116.86
Less Funds Previously Released	\$0.00
Funds That May Be Released Per This Certificate No. 1	\$79,116.86
Balance Of Funds Remaining In Escrow Account	\$44,158.54

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

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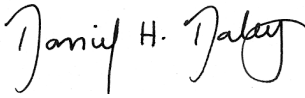
Established 1985

CONSTRUCTION COST BREAKDOWN

551 SUGARTOWN ROAD SUBDIVISION LOT 2 - RENEHAN BUILDING GROUP, INC.
MALVERN BOROUGH, CHESTER COUNTY
EBWA PROJECT #2780-142

RELEASE REQUEST: # 1
 DATE: 2/23/2024

ITEM	UNIT	QUANTITY	UNIT PRICE	ESCROW AMOUNT	PREV. REL.	THIS RELEASE	TOTAL RELEASE	TOTAL REMAINING
<u>DEMOLITION / CLEARING</u>								
Tree Removal	LS	1	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	\$0.00
Septic Removal	LS	1	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	\$0.00
<u>EROSION CONTROL</u>								
Construction Entrance	EA	1	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00
Concrete Washout	EA	1	\$500.00	\$500.00	\$0.00	\$500.00	\$500.00	\$0.00
12" Silt Sock	L.F.	35	\$8.00	\$280.00	\$0.00	\$280.00	\$280.00	\$0.00
18" Silt Sock	L.F.	150	\$12.00	\$1,800.00	\$0.00	\$1,800.00	\$1,800.00	\$0.00
24" Silt Sock	L.F.	100	\$15.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00
Super Silt Fence	L.F.	150	\$10.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00
Orange Construction Fencing	L.F.	250	\$3.00	\$750.00	\$0.00	\$750.00	\$750.00	\$0.00
Temporary Seeding/Mulching	S.F.	10,000	\$0.10	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00	\$0.00
<u>ROADWAY CONSTRUCTION</u>								
Driveway Aprons	EA	1	\$2,500.00	\$2,500.00	\$0.00	\$1,875.00	\$1,875.00	\$625.00
Embankment Grading	LS	1	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00
<u>STORM DRAINAGE</u>								
BMP-02	EA	1	\$12,000.00	\$12,000.00	\$0.00	\$12,000.00	\$12,000.00	\$0.00
Roof Drains	L.F.	100	\$12.00	\$1,200.00	\$0.00	\$1,200.00	\$1,200.00	\$0.00
Clean Ex. Pipe Beneath Sugartown Road	LS	1	\$500.00	\$500.00	\$0.00	\$500.00	\$500.00	\$0.00
<u>SANITARY SEWER</u>								
Tie-In to Ex. Sewer Manhole	LS	1	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00
48" Manhole w/ rework of ex. Lines	EA	1	\$2,750.00	\$2,750.00	\$0.00	\$2,750.00	\$2,750.00	\$0.00
8" Main Extension	L.F.	13	\$75.00	\$975.00	\$0.00	\$975.00	\$975.00	\$0.00
Low Pressure Force Mains	EA	1	\$22,000.00	\$22,000.00	\$0.00	\$22,000.00	\$22,000.00	\$0.00
Grinder Pump	LS	1	\$8,500.00	\$8,500.00	\$0.00	\$8,500.00	\$8,500.00	\$0.00
Traffic Control	LS	1	\$1,200.00	\$1,200.00	\$0.00	\$1,200.00	\$1,200.00	\$0.00
Testing	LS	1	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Sawcut Ex. Paving on Monument	L.F.	40	\$3.50	\$140.00	\$0.00	\$140.00	\$140.00	\$0.00
Remove Ex. Paving on Monument	LS	1	\$1,250.00	\$1,250.00	\$0.00	\$1,250.00	\$1,250.00	\$0.00
Mill and Overlay Full Width on Monument	S.Y.	55	\$54.00	\$2,970.00	\$0.00	\$2,970.00	\$2,970.00	\$0.00
Re-Stripe Paving	LS	1	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00

ITEM	UNIT	QUANTITY	UNIT PRICE	ESCROW AMOUNT	PREV. REL.	THIS RELEASE	TOTAL RELEASE	TOTAL REMAINING
<u>WATER SERVICE</u>								
Sawcut Ex. Paving on Monument	L.F.	50	\$3.50	\$175.00	\$0.00	\$175.00	\$175.00	\$0.00
Mill and Overlay Full Width on Monument	S.Y.	20	\$54.00	\$1,080.00	\$0.00	\$0.00	\$0.00	\$1,080.00
Re-Stripe Paving	LS	1	\$500.00	\$500.00	\$0.00	\$500.00	\$500.00	\$0.00
<u>LANDSCAPING</u>								
Trees	EA	13	\$500.00	\$6,500.00	\$0.00	\$0.00	\$0.00	\$6,500.00
Embankment Stabilization	LS	1	\$750.00	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00
<u>MISCELLANEOUS</u>								
Concrete Monuments / Pins	EA	5	\$300.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00
As-Built Plans	LS	1	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00
Construction Layout	LS	1	\$1,000.00	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00	\$0.00
SWM O&M Fee	LS	0	\$1,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sidewalk / Curb Fee-In-Leu	LS	1	\$18,876.00	\$18,876.00	\$0.00	\$0.00	\$0.00	\$18,876.00
SUBTOTAL				\$107,196.00	\$0.00	\$75,365.00	\$75,365.00	\$31,831.00
INSPECTIONS / ADMINISTRATION				\$5,359.80	\$0.00	\$3,751.86	\$3,751.86	\$1,607.94
10% CONTINGENCY				\$10,719.60	\$0.00	\$0.00	\$0.00	\$10,719.60
TOTAL ESCROW AMOUNT				\$123,275.40	\$0.00	\$79,116.86	\$79,116.86	\$44,158.54
BOROUGH ENGINEER								
DEVELOPER	_____							
BOROUGH OFFICIAL	_____							
							PERCENTAGE COMPLETE:	64.18%

ORDINANCE NO. 2024-01
BOROUGH OF MALVERN,
CHESTER COUNTY, PENNSYLVANIA

**AN ORDINANCE AMENDING CHAPTER 200 OF THE CODE OF ORDINANCES OF
THE BOROUGH OF MALVERN, PENNSYLVANIA, ENTITLED "VEHICLES AND
TRAFFIC" AT ARTICLE III, PARKING REGULATIONS, TO PROHIBIT PARKING
AT ALL TIMES ON PARTS OF MINER STREET AND VALLEY VIEW ROAD AND
AT ARTICLE II, TRAFFIC REGULATIONS, TO ESTABLISH PORTIONS OF MINER
STREET AND VALLEY VIEW ROAD AS ONE-WAY STREETS**

WHEREAS, the Borough of Malvern (“Borough”) is a municipality in the Commonwealth of Pennsylvania organized and governed according to its Home Rule Charter; and

WHEREAS, Article I, Section 103, of the Borough’s Home Rule Charter grants the Borough any power or function not denied it by the Constitution of the Commonwealth of Pennsylvania, by the Pennsylvania General Assembly, or by its own Home Rule Charter; and

WHEREAS, the Pennsylvania General Assembly has granted unto boroughs certain powers as enumerated under the Borough Code, 8 Pa. C. S. A. Section 101, et seq.; and

WHEREAS, the Borough Code authorizes Borough Council to regulate, among other things, the following: (1) streets [Section 1202 (12)]; (2) parking [Section 1202(31)(iii)]; (3) the general regulation of nuisances and protections for health, safety, and general welfare of the public [Sections 1202 (4) and 1202(5)]; and (4) such other authority generally granted under the Borough Code, 8 Pa.C.S.A. Section 101, et seq.; and

WHEREAS, the Borough has been granted broad powers under its Home Rule Charter at Article I, Section 103.B, and under the Borough Code at Section 1202, 8 Pa. C.S.A. Section 1202, generally, to act for the benefit of the public welfare; and

WHEREAS, in order to provide for a comprehensive and consistent means of regulation of traffic, parking, and use of streets within the Borough, Borough Council has provided for a comprehensive and consistent means of regulation of traffic, parking, and use of the streets which has been enacted by ordinances under Chapter 200, Vehicles and Traffic, of the Code of Ordinances of the Borough of Malvern, Pennsylvania (the “Malvern Borough Code”); and

WHEREAS, Borough Council has determined that regulations of traffic, parking, and street usage are matters that require frequent revision to address changes in traffic patterns, parking patterns, street usage, development, and other natural reoccurring circumstances; and

WHEREAS, Borough Council, in order to protect the health, safety, and welfare of the citizens of the Borough and of the public generally, desires to amend the Malvern Borough Code at Chapter 200, Vehicles and Traffic, Article III, Parking Regulations, by amending section 200-

23, *Parking prohibited at all times in certain locations*, and to specifically prohibit parking at all times on parts of Miner Street and Valley View Road; and

WHEREAS, Borough Council further has determined that, to enhance, benefit, and protect the health, safety, and welfare of the public, certain streets within the Borough shall be one-way only; and

WHEREAS, Borough Council, in order to protect the health, safety, and welfare of the citizens of the Borough and of the public generally, has determined that Section 200-12, *One-way streets established*, of the Malvern Borough Code, should be amended to provide that a portion of Miner Street and Valley View Road shall be one-way; and

WHEREAS, Article III, Section 301.A(8) of the Borough’s Home Rule Charter requires that amendments to ordinances to promote, benefit, and protect the health, safety, and welfare of the citizens shall be by ordinance; and

WHEREAS, Borough Council has determined that the adoption of this Ordinance is necessary to further promote, benefit, and protect the public’s health, safety, and welfare.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY THE BOROUGH AS FOLLOWS:

Section 1. Chapter 200, Vehicles and Traffic, Article III, Parking Regulations, Section 200-23, *Parking prohibited at all times in certain locations*, of the Malvern Borough Code is hereby amended to add the following streets and locations:

Section 200-23. Parking prohibited at all times in certain locations.

A. North-south streets.

Name of Street	Side	Location
Miner Street	East	From the intersection of Old Lincoln Highway to a point 332 feet north
Miner Street	East	From a point 115 feet south of the intersection with Valley View Road north to a point 50 feet north from the intersection with Valley View Road
Miner Street	West	From the intersection of Old Lincoln Highway to the intersection with Valley View Road

Name of Street	Side	Location
Valley View Road	West	From a point 50 feet north of the intersection with Miner Street to the Intersection with Miner Street

Section 2. Chapter 200, Vehicles and Traffic, Article II, Traffic Regulations, Section 200-12, *One-way streets established*, of the Malvern Borough Code is hereby amended to add the following streets:

Name of Street	Direction of Travel	Location
Valley View Road	South	entirety
Miner Street	North	From the intersection with Valley View Road northward

Section 3. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared the intent of Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

Section 4. Repealer. All ordinances or parts of ordinances conflicting with any provision(s) of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective upon enactment as provided by law and Article III, Section 304, of the Borough’s Home Rule Charter.

ORDAINED by Borough Council

this ____ day of _____, 2024

Brendan Phillips, President

APPROVED by the Mayor

this ____ day of _____, 2024

Zeyn B. Uzman, Mayor

ENACTED,

this ____ day of _____, 2024

Tiffany M. Loomis,
Secretary/ Borough Manager

**Capital Improvement Program
2024 - 2028**

Sewer						Total	2022 Comprehensive Plan: Strategy & Goal Correlating Section(s)	Notes
	2024	2025	2026	2027	2028			
VFSA Construction Fund	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000	Goal 7.1	Projects to be determined annually
Upgrades to Pump/ Ejector Stations - Maintenance Work	\$ 20,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 120,000	Goal 7.1	Per Borough Engineer Recommendation
Inflow & Infiltration Evaluation & Repair	\$ 150,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 250,000	Goal 7.1	Per Borough Engineer Recommendation
Ejector Station 1 Upgrade - Monument Avenue	\$ 410,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 610,000	Goal 7.1	Analysis from Hydraterra
Repair Sewer Mains - Maintenance Work	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 100,000	Goal 7.1	
Total - Sewer	\$ 650,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 1,330,000		
Buildings and Vehicles	2024	2025	2026	2027	2028	Total	Notes	
Debt Service Principal (2002 Series & 2013 Series)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Debt Service Interest (2002 Series & 2013 Series)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Municipal Building Renovations (Maintenance & Repairs)	\$ 110,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 510,000	Goal 7.1	
Municipal Building Security Camera System	-	\$ -	\$ -	\$ -	\$ -	\$ -		
Energy Efficiency & Air Quality Improvements	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000	Goal 8.1	EAC to recommend priorities and course of action
Public Works Capital Expenditures	\$ 60,000	\$ 30,000	\$ 60,000	\$ 30,000	\$ 60,000	\$ 240,000		Equipment & Vehicles
Police Capital Expenditures	\$ 72,500	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 392,500		Annual Vehicle Purchase
Total - Buildings and Vehicles	\$ 252,500	\$ 220,000	\$ 250,000	\$ 220,000	\$ 250,000	\$ 1,192,500		
Roads and Bridges	2024	2025	2026	2027	2028	Total	Notes	
Maintenance & Repairs - Streets	\$ 315,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,515,000	Goal 8.1	
Bridge Repairs - Bridge Street Bridge	\$ 130,500	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 230,500	Goal 8.1	Quote Received
Old Lincoln Highway	\$ 646,350	\$ -	\$ -	\$ -	\$ -	\$ 646,350	Goal 8.1	County ARPA Grant awarded for \$725,100 on December 15, 2022 by Chester County Commissioners
Total - Roads and Bridges	\$ 445,500	\$ 325,000	\$ 325,000	\$ 325,000	\$ 325,000	\$ 1,745,500		
Parks and Trails	2024	2025	2026	2027	2028	Total	Notes	
Randolph Woods Development - Phase I	\$ 250,000	\$ 825,000	\$ -	\$ -	\$ -	\$ 1,075,000	Goal 5.1	\$250,000 received from DCNR In November 2021 \$158,249 received from DCED in 2022
Randolph Woods Development - Phase IA	\$ -	\$ 100,000	\$ 250,000	\$ 250,000	\$ -	\$ 600,000	Goal 5.1	DCNR RWNP Phase IA - \$324,800
Randolph Woods Development - Phase II	\$ 10,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 70,000	Goal 5.1	
Patriot's Path	\$ -	\$ -	\$ -	\$ 340,000	\$ 100,000	\$ 440,000	Goal 3.2, 5.4, and 6.3	Joint project between Malvern Borough, E. Whiteland Twp., & Tredyffrin Twp.
Park Improvements	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000	Goal 4.2 and 6.1	
Trail Construction connecting Malvern Prep and Paoli Battlefield	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000	Goal 5.4 and 6.2	Construction of trail to connect to the required pedestrian access for Malvern Prep per SALDO recorded plans
Open Space Acquisition	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ 300,000	Goal 2.4 and 5.5	
Recycling Trash Program for Park System & Composting Program	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 150,000	Goal 6.1	EAC to prioritize and recommend course of action
Total - Parks and Trails	\$ 515,000	\$ 995,000	\$ 420,000	\$ 660,000	\$ 270,000	\$ 2,860,000		

**Capital Improvement Program
2024 - 2028**

Stormwater	2024	2025	2026	2027	2028	Total	2022 Comprehensive Plan: Strategy & Goal Correlating Section(s)	Notes
North Warren Avenue Streambank Stabilization	\$ 744,150	\$ -	\$ -	\$ -	\$ -	\$ 744,150	Goal 5.3	County ARPA Grant awarded for \$725,100 on December 15, 2022 by Chester County Commissioners
Drainage Improvements (Non-MS4)	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 375,000	Goal 5.2 and 5.3	Action plan to be developed through Public Works Subcommittee
Stormwater Infrastructure Improvements (MS4)	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000	Goal 5.1, 5.2, and 5.3	Stormwater Master Plan to be Developed
Total - Stormwater	\$ 919,150	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 1,619,150		
Traffic and Pedestrians	2024	2025	2026	2027	2028	Total		Notes
Sidewalk Improvements	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 750,000	Goal 8.4	MPC advising on matter currently and to render recommendation in first quarter of Year 2024. Research Grant Opportunities.
Wayfinding Signs	\$ 25,000	\$ 25,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 80,000	Goal 4.2	MPC advising on matter currently and to render recommendation in first quarter of Year 2024. Research Grant Opportunities.
King Street Planing Project - Treescapes	\$ 25,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 105,000	Goal 5.2	
Streetscape Improvements - Sidewalks, etc.	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000	Goal 5.4	
Traffic Analysis Engineering Studies	\$ 30,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 190,000	Goal 8.1	
Traffic Safety Improvements	\$ 100,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 300,000	Goal 8.2	Specific projects to be recommended by the Public Safety Committee. Based on review of the traffic study.
Total - Traffic and Pedestrians	\$ 340,000	\$ 295,000	\$ 280,000	\$ 280,000	\$ 280,000	\$ 1,475,000		
Administration	2024	2025	2026	2027	2028	Total		Notes
Zoning Ordinance & SALDO Update in accordance with Approved Comprehensive Plan	\$ 100,000	\$ 50,000	\$ -	\$ -	\$ -	\$ 150,000	Goal 2.1 and 5.1	
Zoning Ordinance & Official Map Amendments	\$ 20,000	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000	\$ 48,000	Goal 5.3	
General Code - Reformat of Code of Ordinances	\$ 17,050	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 33,050	Goal 2.3	
Document Imaging	\$ 30,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 90,000	Goal 7.1	
Main Revitalization Street Task Force Creation of Main Street Manager and Non-Profit Entity Professional Services	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000	Goal 3.1, 3.2 and 4.3	
General Expense	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 25,000		
Total - Administration	\$ 272,050	\$ 81,000	\$ 31,000	\$ 31,000	\$ 31,000	\$ 446,050		
Subsection Totals	2024	2025	2026	2027	2028	Total		Notes
Total - Sewer	\$ 650,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 1,330,000		
Total - Buildings and Vehicles	\$ 252,500	\$ 220,000	\$ 250,000	\$ 220,000	\$ 250,000	\$ 1,192,500		
Total - Roads and Bridges	\$ 445,500	\$ 325,000	\$ 325,000	\$ 325,000	\$ 325,000	\$ 1,745,500		
Total - Parks and Trails	\$ 515,000	\$ 995,000	\$ 420,000	\$ 660,000	\$ 270,000	\$ 2,860,000		
Total - Stormwater	\$ 919,150	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 1,619,150		
Total - Traffic and Pedestrians	\$ 340,000	\$ 295,000	\$ 280,000	\$ 280,000	\$ 280,000	\$ 1,475,000		
Total - Administration	\$ 272,050	\$ 81,000	\$ 31,000	\$ 31,000	\$ 31,000	\$ 446,050		
Total CIP Budget 2023-2027	\$ 3,394,200	\$ 2,261,000	\$ 1,651,000	\$ 1,861,000	\$ 1,501,000	\$ 10,668,200		

2022 Comprehensive Plan: Strategy Goal Correlating Section(s) will be filled in as applicable in reference to the corresponding project.

**Capital Improvement Program
2024 - 2028**

