

## AGENDA

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH

April 2, 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. Bulk Trash Pick-up Day is scheduled for Saturday, April 20, 2024. Please place your items out curbside the night before pickup (4/19) to be picked up at 6AM the following morning.
- e. The History Center is open to the public on Saturday, April 20, 2024 from 2PM to 4PM located at Borough/ McGuigan Hall on the Second Floor.
- f. 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 April 2, 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, March 19, 2024 as presented.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

- Finance & Administration
- Public Works
- Public Safety

The Finance & Administration, Public Works, and Public Safety Sub-Committee(s) have not met since the last Borough Council meeting scheduled on Tuesday, March 19, 2024.

4. SPECIAL BUSINESS

a. AUTHORIZE ADVERTISEMENT OF ORDINANCE NO. 2024-03 AMENDING THE CODE OF ORDINANCES TO REPEAL CERTAIN CHAPTERS OF THE CODE THAT ARE NO LONGER NECESSARY

**MOTION:** To authorize advertisement of Ordinance No. 2024-03 as presented.

*Borough Council has, since the incorporation of the Borough, enacted various ordinances for the benefit of the health, safety, and general welfare amending the Code of Ordinances of the Borough to repeal certain chapters of the code that are no longer necessary.*

b. AUTHORIZE USG TO PERFORM ADDITIONAL WORK TO COMPLETE MAPPING SURVEY OF THE BOROUGH SEWER SYSTEM

**MOTION:** To authorize USG to perform additional work, to not exceed \$25,000, as presented.

*The Borough is currently in the process of mapping the Borough's sewer system. There has been excessive grease build up in the sewer lines that has resulted in slower progress. Additional man hours are required to complete the mapping of the entire sewer system with an estimate of \$20,000 to \$25,000 to complete this project.*

*Borough Council approved the USG proposal for cleaning and televising of the Borough's sanitary sewer system for an estimate to not exceed \$157,720 in services provided at their February 6, 2024 meeting. There is currently a balance of \$6.422 Million that encompasses both sewer funds per the Director of Finance's February 2024 Financial Report. Borough Council will discuss this matter in further detail and potentially authorize the additional work proposed to complete the mapping survey.*

c. AUTHORIZE THE BID DOCUMENTS TO PAVE ROBERTS LANE

**MOTION:** To authorize the bid documents to pave Roberts Lane as presented.

*EBWA is seeking authorization from Malvern Borough to issue the bid documents for the Roberts Lane paving program as soon possible. The Borough Engineer recommends that the road be paved during the summer months when school is not in session due to impacts with the school buses and paving equipment.*

*The Borough's Year 2024 Road program has been budgeted for \$350,000 per line item #30.439.070 in the Capital Reserve Fund. The total estimated construction cost by the Borough Engineer to Pave Roberts Lane is \$93,166.59 including construction and material costs with a projected project to be awarded at the May 21, 2024 Borough Council meeting. The estimated start of construction is Monday, June 17, 2024.*

d. RESOLUTION NO. 860 – DISPOSITION OF RECORDS POLICY AND PROCEDURE

**MOTION:** To authorize Resolution No. 860 as presented.

*Malvern Borough is setting forth its intent to follow the schedules and procedures for disposition as set forth in the Municipal Records Manual approved as of December 16, 2008 as amended.*

e. RESOLUTION NO. 861 – DISPOSITION OF PUBLIC RECORDS

**MOTION:** To authorize Resolution No. 861 as presented.

*Malvern Borough is proposing the disposition of Administrative and Police Department electronic devices.*

5. UNFINISHED BUSINESS

a. ORDINANCE NO. 2024-02 FOR VALLEY VIEW ROAD AND MINER STREET AMENDED PARKING REGULATIONS – PUBLIC HEARING

**PUBLIC HEARING:** Council President Phillips announces that Borough Council will now open a public hearing to consider Ordinance No. 2024-02. This ordinance proposes no parking on both sides of Miner Street, from Old Lincoln Highway north to Valley View Road. Parking restrictions are proposed 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 are proposed 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 (3) street parking spaces are proposed to remain to assist with limited parking in the area.

**ADOPTION:** Ordinance No. 2024-02.

**MOTION:** To authorize Ordinance No. 2024-02.

b. ZONING HEARING BOARD

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

6. NEW BUSINESS

a. ANNUAL REPORTS FOR MALVERN BOROUGH COMMITTEES AND COMMISSIONS

*The Parks & Recreation Committee, Malvern Historical Commission, Environmental Advisory Council, Planning Commission, and Shade Tree Commission will present their Annual Year 2023 reports this evening. All reports will be placed on the Borough website.*

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

March 19, 2024  
7:30 PM

PRESIDING: President Phillips

INVOCATION: Mayor Uzman

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  
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 recorded the meeting.

Council President Phillips announced that Resolution No. 840 sets forth the conduct protocol for Borough Council meetings.

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 Egg Hunt hosted by Parks & Recreation on Saturday, March 23, 2024 at 11AM located at the Paoli Battlefield.

Council President Phillips announced that the Great Valley School District is not making any changes to the redistricting lines concerning Malvern Borough regarding elementary school attendance.

Council President Phillips announced that the Borough Office is closed on Friday, March 29, 2024 for the Holiday Weekend.

Council President Phillips announced that Borough Council met with its Legal Counsel in Executive Session on Tuesday, March 19, 2024 to discuss litigation matters.

2. APPROVAL OF AGENDA

A motion was made by Council Member Niemiec, seconded by Council Vice President Bones, carried by a vote of 7-0, to approve the agenda for the Tuesday, March 19, 2024 meeting as presented.

3. 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, March 5, 2024 as presented.

b. APPROVAL OF REPORTS

A motion was made by Council Member Warner, 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 February 2024, as submitted.

c. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

The Public Safety Sub-Committee met on Monday, March 4, 2024 and discussed the following matters:

- Sub-Committee Meeting Schedule for the Remainder of Year 2024
- Sub-Committee Members for a total to not exceed five (5) per Borough Solicitor's recommendation at the 2/20/2024 Meeting
- Bridge Street Icy Sidewalks Complaint
- Oversize Vehicle Discussion from turning right off of Bridge Street onto King Street
- Crosswalk Traffic Studies
- Public Works Department – Reorganization Discussion

Mr. John Buckley commented on Bridge Street matter and uneven sidewalks located at the Bridge and King Street vacant lot.

The Finance & Administration Sub-Committee met on Friday, March 8, 2024 and discussed the following matters:

- Potential Lease Agreement w/ PMA regarding Tennis Courts, Pavilion, and Playground
- Xpanse HR – Contract and Budget Discussion
- Advertisement of Public Works Labor Position & Permit and Administrative Assistant Position for Years 2024
- Vision Partnership Program (VPP) Grant Application Submission for Zoning & SALDO Task Force for Authorization by Borough Council at the March 19, 2024 Meeting
- Composting Program
- Year 2025 Budget
- Finalize Year 2024 Meeting Schedule for Sub-Committee Meetings

The Public Works Sub-Committee met on Tuesday, March 19, 2024 and discussed the following matters:

- 2024 Paving Program
- Old Lincoln Highway Infrastructure Capital Improvement Project
- North Warren Avenue Project
- Sanitary Sewer Ejector Station
- Everett's Alley
- King Street Planting Project
- Notable Tree Project
- Borough Building Handicap Ramp/ Walkway
- Vehicle Sales scheduled for Public Works and Police Department
- Oversize vehicle turn radius request for various intersections in Malvern Borough (Bridge & King/ Warren & King/ and Sugar town and King)
- Advertisement of Public Works and Administration job openings this week in the Daily Local

4. SPECIAL BUSINESS

- a. MALVERN BOROUGH EMERGENCY OPERATIONS PLAN – RESOLUTION NO. 857

Assistant Manager Badman explained that the Pennsylvania Emergency Management Services Code mandates that municipalities prepare, maintain, and keep current an emergency management operations plan. This plan is required to be reviewed and updated every two (2) years.

A motion was made by Council Member Frederick, seconded by Council Member Niemiec, and carried by a vote of 7-0, to authorize Resolution No. 857 as presented.

- b. UPDATING FINANCIALS FOR THE STATEWIDE LOCAL SHARE ACCOUNT (LSA) FOR MALVERN FIRE COMPANY – RESOLUTION NO. 858

Borough Manager Loomis explained that Borough Council approved authorization of the LSA grant application submission on behalf of the Malvern Fire Company at their November 8, 2023 meeting totaling \$489,000. The cost estimate for the water tanker that the Malvern Fire Company is requesting funding totals \$495,000. Malvern Fire Company shall fund the portion that is not received from grant subsidies. The PA Economic Department of Community & Economic Development reached out to Malvern Borough to request an updated resolution to move forward with the grant application submission. The resolution is required to match the cost estimate to move forward with the grant application submission process.

Mr. John Buckley commented on Malvern Fire Company having functions for the Community.

A motion was made by Council Member Finkbiner, seconded by Council Member Niemiec, and carried by a vote of 7-0, to authorize Resolution No. 858 as presented.

The Malvern Fire Company thanked Malvern Borough for all their continued support.

c. APPLICATION FOR THE VISION PARTNERSHIP PROGRAM GRANT FOR THE ZONING PORTION OF THE ZONING & SALDO ORDINANCE OVERHAUL PROJECT – RESOLUTION NO. 859

Mr. Tom Comitta of TCA, Inc. explained that the Chester County Planning Commission requires a 40% match relative to the Vision Partnership Grant. An estimated cost of \$83,000 has been provided by TCA, Inc. for Phase II of the Zoning & SALDO Amendment process. A total of \$120,000 has been budgeted in Capital Expenditures to complete this amendment project. The Borough's matching funding shall not exceed \$35,000 for this grant application submission.

Mrs. Jennifer Chomko commented on Mr. Comitta's relation to Senator Carolyn Comitta and the grant approval process.

Mr. Tom Comitta explained that the grant application and submission process has nothing to do with his relation to Senator Carolyn Comitta. Her office does not approve the grant submission.

Council Member Warner asked the public to be respectful of everyone.

Borough Council commended Mr. Comitta on his experience and contribution to the project he is working on behalf of the Borough.

Mr. John Buckley commented on the grant process and how grants are awarded.

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. 859 as presented.

d. COMPOSTING PROGRAM

Council Member Warner and Assistant Manager Badman provided data and results on the trial composting program.

Borough Council discussed how best to move forward on this matter.

Assistant Manager Badman explained that by continuing the program grant funding will be available through the Chester County Economic Development and Planning Department.

Borough Council is in favor of opening the program to the public, with drop-off occurring at the Farmer's market, for Borough funding to not exceed \$5,000 spent in Year 2024.

Council Member Warner thanked Tiffany Brouillet, Environmental Council Member, for her contribution and instrumental part in the program's creation and success.

Borough Council further discussed a registration process and how drop-off would be organized. There will be further details to follow from the Environmental Advisory Council on how best to move forward.

A motion was made by Council Member Frederick, seconded by Council Member Riccetti, and carried by a vote of 7-0, to authorize the composting program be opened to the public, with drop-off occurring at the Farmer's market, for Borough funding to not exceed \$5,000 spent in Year 2024.

5. UNFINISHED BUSINESS

a. ZONING HEARING BOARD

Council President Phillips announced there are no new applications before the Zoning Hearing Board and the Zoning Hearing Board application for 679 Monument Avenue has been withdrawn that was recently received.

b. ORDINANCE NO. 2024-01 FOR REALLOCATION OF FUNDS LOCATED IN THE YEAR 2024 GENERAL BUDGET

Council President Phillips announced that Borough Council will now open a public hearing to consider Ordinance No. 2024-01. This ordinance reallocates \$30,000 from Legal Services, Line Item #01-404-000 located in the General Fund Budget, to a line item titled HR Professional Services.

President Council Phillips further explained that The Finance and Administration Sub-Committee met on Friday, March 8, 2024 and recommended that \$30,000 be reallocated from legal services located in the general fund to a line item titled HR Professional Services as outlined in the Home Rule Charter per Section 903(D).

Mrs. Jennifer Chomko commented on the Borough's painting contracts and inquired if this contract will have any affiliation with members of Borough Council.

Council President Phillips answered no.

Mr. Joseph Lorusso thanked management for all their hard work and asked for the contract. He further commented on the labor investigation that occurred.

Council Member Finkbiner directed Mr. Lorusso to submit a Right-to-Know request for this information.

Council President Phillips explained that due to the large number of Right-to-Know requests received contributes as a main factor of large legal bills incurred previously and currently.

Council President Phillips closed the hearing.

A motion was made by Council Vice President Bones, seconded by Council Member Niemiec, and carried by a vote of 7-0, to reallocate \$30,000 from Legal Services, Line Item #01-404-000 located in the General Fund Budget, to a line item titled HR Professional Services as presented.

c. APPOINTMENT OF HUMAN RESOURCE PROFESSIONAL SERVICES FIRM

Council President Phillips explained that this matter was discussed at the Tuesday, March 5, 2024 Borough Council meeting and the Borough Solicitor has since reviewed and forwarded the contract in discussion this evening.

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 7-0, to authorize Xpanse HR to service Malvern Borough as outlined in the contract as presented.



6. NEW BUSINESS

a. SEWER BILL LATE FEE WAIVER REQUEST

Borough Manager Loomis explained that a waiver request was received from Ms. Susan Cook regarding her sewer bill payment due to there being an issue with receiving the mail timely. She was assessed a late fee

A motion was made by Council Vice President Bones, seconded by Council Member Niemiec, and carried by a vote of 7-0, to approve the waiver as requested and presented.

b. RAFAELLA DRIVE EASEMENT WAIVER REQUEST

Borough Manager Loomis explained that a waiver request has been received from Mr. Michael Neilio regarding building an in-ground pool and retaining wall 5' feet into a 15' feet easement owned by Malvern Borough.

The Borough Solicitor explained that after further research the easement was vacated over 100 years ago. Proper documentation will be provided to the Borough for the property. The resident may proceed with their permit application accordingly.

Mr. Michael Neilio thanked the Borough for their prompt response to this matter.

c. SIGNAGE REQUEST FOR ZONING & SALDO ORDINANCE TASK FORCE PUBLIC FORUM MEETING

Assistant Manager Badman explained that the Zoning and SALDO Task Force have requested yard signs be placed in Borough Parks and one (1) banner style sign outside Borough Hall to help boost attendance to the Public Forum meeting scheduled for Thursday, April 25<sup>th</sup>, 2024 at 7PM.

The approximate cost will be \$350.00.

The Mayor suggested the banner signage and will work with the Borough on this project.

Mr. John Buckley commented on the additional signage.

A motion was made by Council Vice President Bones, seconded by Council Member Frederick, and carried by a vote of 7-0, to approve the proposed signage as discussed.

7. PUBLIC FORUM

Mr. Joseph Mayotte commented on the proposed walking trail between Malvern Prep and the Paoli Battlefield.

Mrs. Jennifer Chomko commented on the proposed walking trail between Malvern Prep and the Paoli Battlefield and Borough Council's role.

The Mayor suggested to have an "A", "B", and "C" plan for the proposed trail to discuss how best to move forward with this project.

Borough Council discussed having the Planning Commission review the proposed trail. Mr. John Buckley commented on Warren Avenue's safety pertaining to pedestrians, a tree located on E. First Avenue, and the clock procedures this evening.

The Mayor commented that the clock procedures will be tweaked.

Dr. Dave Knies, Ph.D. commented on the proposed walking trail between Malvern Prep and the Paoli Battlefield. He gave a history of the current resolution and suggested that this item be removed as a condition of the resolution. He further commented that he is in favor of a trail and that installing a sidewalk in this area is not affordable.

Ms. Paula Ruggeri commented on dogs being unleashed in Rubino Park and requested that his matter be addressed.

Police Chief Marcelli instructed Ms. Ruggeri to call the Police as soon as this kind of activity is occurring.

Borough Council directed staff to install better signage and address this matter through the Police and Public Works Departments.

Mr. Joseph Lorusso commented on the Borough's finances regarding the Capital Reserve Fund and Five Year Capital Plan for the Borough.

Council Member Finkbiner and Borough Manager Loomis explained the purpose of the Five Year Capital Plan for the Borough.

#### 8. ADJOURNMENT

All business having been discussed, a motion was made by Council Vice President Bones, seconded by Council Member Warner, and carried by a vote of 7-0, to adjourn the meeting at 8:53 PM.

Respectfully submitted,  
Tiffany M. Loomis  
Borough Manager/Secretary

**ORDINANCE NO. 2024-03**  
**BOROUGH OF MALVERN**  
**CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF MALVERN, TO REPEAL CERTAIN CHAPTERS OF THE CODE OF ORDINANCES THAT ARE NO LONGER NECESSARY, ARE INCONSISTENT WITH OTHER ORDINANCES OR PENNSYLVANIA CODES, AND/OR ARE OBSOLETE.**

**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**, the Borough Council has, since the incorporation of the Borough, enacted various ordinances for the benefit of the public health, safety and general welfare; and

**WHEREAS**, due to the passage of time, the enactment of new ordinances and/or the enactment of state legislation, certain chapters of the Code of Ordinances no longer serve the public health, safety and general welfare because they have become unnecessary, inconsistent with newer ordinances or state codes and or obsolete and their inclusion in the Code of Ordinances creates ambiguity or confusion and/or a burden on those affected by or charged with the enforcement of such chapters.

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

**Section 1.** Chapter 71, Arcades, is hereby REPEALED in its entirety.

**Section 2.** Chapter 89, Building Construction

Article II

Section 89-9 Adoption of building standards

Section 89-10 Amendments and insertions

Section 89-11 Repealer

Section 89-12 Construal of provisions

are hereby REPEALED in their entirety.

**Section 3.** Chapter 89, Building Construction, Article V, Mechanical Standards, is hereby REPEALED in its entirety.

**Section 4.** Chapter 93, Disorderly Conduct, is hereby REPEALED in its entirety.

**Section 5.** Chapter 97, Erosion and Sedimentation Control, is hereby REPEALED in its entirety.

**Section 6.** Chapter 146, Plumbers, is hereby REPEALED in its entirety.

**Section 7.** 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

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Brendan Phillips  
Council President

APPROVED by the Mayor  
this \_\_\_\_ day of \_\_\_\_\_, 2024

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Zeyn B. Uzman  
Mayor

ENACTED  
this \_\_\_\_ day of \_\_\_\_\_, 2024

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Tiffany M. Loomis  
Borough Manager, Secretary



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

Date: 10/6/2023

**2024 MALVERN BOROUGH PAVING PROGRAM - ESTIMATED CONSTRUCTION COSTS  
ROBERTS LANE (SOUTH WARREN AVENUE TO CHURCH STREET) - FULL ROAD WIDTH**

No.	Description	Unit of Measure	Quantity	Unit Price	Estimated Cost
1	ROADWAY MILLING - 2" DEPTH FULL WIDTH	SY	3178	\$3.50	<b>\$11,123.00</b>
2	BASE REPAIR (ESTIMATED 30%)	SY	953	\$22.00	<b>\$20,966.00</b>
3	WEARING COURSE OVERLAY (2" DEPTH)	SY	3178	\$4.50	<b>\$14,301.00</b>
4	SWEEP AND TACK COAT	SY	3178	\$1.00	<b>\$3,178.00</b>
5	JOINT SEAL	LS	1	\$1,000.00	<b>\$1,000.00</b>
9	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	\$2,500.00	<b>\$2,500.00</b>
SUBTOTAL CONSTRUCTION COST ESTIMATE:					<b>\$53,068.00</b>
ESTIMATED MATERIAL COST:					<b>\$40,098.59</b>
TOTAL ESTIMATED CONSTRUCTION COST:					<b>\$93,166.59</b>

\*Unit Price based on 2023 paving program bid results

Note: Preliminary estimates based upon aerial image measurements which were not field verified.

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

**Malvern Borough - 2024 Paving Program Material Costs**

**Roberts Lane**

<b>Material</b>	<b>SY</b>	<b>Depth(in)</b>	<b>Density(lb/SY*in)</b>	<b>Weight(Tons)</b>	<b>Unit Price*</b>	<b>Material Costs</b>
<b>Wearing (9.5mm)</b>	3178	2	113.55	360.9	\$73.15	<b>\$26,397.05</b>
<b>Base (25 mm)</b>	953	4	117.75	224.4	\$61.05	<b>\$13,701.54</b>

**Total: \$40,098.59**

\*2023 COSTARS Quote from Highway Materials + 10% (Asphalt cement index of 590.00 from February 2023)

2024 COSTARS Quote is expected to release March 2024 (Current asphalt cement index of 616.00 for October 2023)

**2024 MALVERN BOROUGH PAVING PROGRAM - Roberts Lane**

**PROJECT SCHEDULE**

<b>DATE</b>	<b>TASK</b>
Monday, April 15, 2024	Advertise Project - Initial <i>21 days between advertisement and pre-bid</i> <i>31 days between bid due date and first advertisement</i>
Monday, May 06, 2024	Pre-Bid Meeting
Monday, May 06, 2024	Advertise Project - Final <i>10 days between bid due date and last advertisement</i>
Thursday, May 16, 2024	Bids Due
<b>Tuesday, May 21, 2024</b>	Borough Council Meeting - Award Project <i>6 days</i>
Monday, May 27, 2024	Finalize Agreement <i>21 days</i>
Monday, June 17, 2024	Start Work <i>50 days</i>
Tuesday, August 06, 2024	Substantial Completion <i>7 days</i>
<b>Tuesday, August 13, 2024</b>	Final Completion

**RESOLUTION NO.860**

**BOROUGH OF MALVERN  
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MALVERN  
CHESTER COUNTY, PENNSYLVANIA, DECLARING ITS INTENT TO FOLLOW THE  
SCHEDULES AND PROCEDURES FOR DISPOSITION OF RECORDS AS SET FORTH  
IN THE MUNICIPAL RECORDS MANUAL APPROVED ON DECEMBER 16, 2008, AS  
AMENDED**

**WHEREAS**, a Local Government Records Committee (the “Committee”) was created the Municipal Records Act, now codified at 53 Pa.C.S.A. sections 1381, et seq., and empowered thereby to make rules and regulations for records disposition by municipalities; and

**WHEREAS**, the Municipal Records Manual was approved by said Committee on December 16, 2008, and most recently amended March 28, 2019; and

**WHEREAS**, Borough Council for the Borough of Malvern, Chester County, Pennsylvania (“Borough of Malvern”) previously adopted Resolution No. 703 of 2016 declaring the Borough of Malvern’s intent to follow the schedules and procedures for disposition of records as originally set forth in the Municipal Records Manual, as originally approved; and

**WHEREAS**, the Borough of Malvern desires to dispose of records according to current and/or updated statutory requirements.

**NOW, THEREFORE, BE IT RESOLVED** by Borough Council of the Borough of Malvern, Chester County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008, as most recently amended March 28, 2019, and as may be amended from time to time.

**. BE IT FURTHER RESOLVED** that Resolution No. 703 of 2016 is hereby repealed and replaced with this Resolution No. XXX.



**RESOLVED** this 2<sup>nd</sup> day of **April, 2024**, by Borough Council of the Borough of Malvern, Chester County, Pennsylvania.

Passed by Borough Council  
this 2<sup>nd</sup> day of **April, 2024**.

\_\_\_\_\_  
Brendan Phillips, President

Approved by the Mayor,  
this 2<sup>nd</sup> day of **April, 2024**.

\_\_\_\_\_  
Zeyn B. Uzman, Mayor

Enacted,  
this 2<sup>nd</sup> day of **April, 2024**.

\_\_\_\_\_  
Tiffany M. Loomis, Secretary

**RESOLUTION NO. 861  
BOROUGH OF MALVERN  
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MALVERN,  
CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING  
THE DISPOSITION OF PUBLIC RECORDS**

**WHEREAS**, by virtue of Resolution No. 860, adopted April 2, 2024, the Borough of Malvern, Chester County, Pennsylvania (the “Borough of Malvern”), declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008, as most recently amended March 28, 2019, and as may be amended from time to time; and

**WHEREAS**, in accordance with the Municipal Records Act, now codified at 53 Pa.C.S.A. sections 1381, et seq., each individual act of disposition shall be approved by resolution of the governing body of the municipality.

**NOW, THEREFORE, BE IT RESOLVED** that, in accordance with the above cited Municipal Records Manual, the Borough of Malvern hereby authorizes the disposition of the following public records:

ADMINSTRATION AND POLICE DEPARTMENT ELECTONIC DEVICES:

<b>Manufacturer</b>	<b>Model</b>	<b>Serial Number</b>	<b>Purchased</b>	<b>Lease Expired</b>
Dell	Lattitude 5590	7J7SMO2	10/1/2018	10/1/2021
Dell	Lattitude 3570	BPZBB82	2/27/2016	2/27/2019
Dell	Lattitude 5550	DVFTL72	2/24/2016	2/24/2019
Dell	Optiplex AIO 9020	6BQ2FZ1	1/18/2015	1/18/2018
Dell	Optiplex AIO 9020	G473BY1	9/17/2013	9/17/2016
HP	HPDC5800	USH953001T		10 yrs plus
HP	HP DC5800	USH953001V		10 yrs plus
HP	HP M452DN	VNB34M47894		

**RESOLVED** this 2<sup>nd</sup> day of **April, 2024**, by Borough Council of the Borough of Malvern, Chester County, Pennsylvania.

Passed by Borough Council  
this 2<sup>nd</sup> day of **April, 2024**.

\_\_\_\_\_  
Brendan Phillips, President

Approved by the Mayor,  
this 2<sup>nd</sup> day of **April, 2024**.

\_\_\_\_\_  
Zeyn B. Uzman, Mayor

Enacted,  
this 2<sup>nd</sup> day of **April, 2024**.

\_\_\_\_\_  
Tiffany M. Loomis, Secretary

**ORDINANCE NO. 2024-02**  
**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.

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
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

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
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:

<b>Name of Street</b>	<b>Direction of Travel</b>	<b>Location</b>
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 2<sup>nd</sup> day of **April, 2024**

\_\_\_\_\_  
Brendan Phillips, President

APPROVED by the Mayor

this 2<sup>nd</sup> day of **April, 2024**

\_\_\_\_\_  
Zeyn B. Uzman, Mayor

ENACTED,

this 2<sup>nd</sup> day of **April, 2024**

\_\_\_\_\_  
Tiffany M. Loomis,  
Secretary/ Borough Manager