

AGENDA

REGULAR MEETING
BOROUGH COUNCIL
MALVERN BOROUGH

February 6, 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. As a courtesy, if you are participating via Zoom, please turn your camera on while speaking.
- c. The Malvern Business Professional Association King Street Wine & Chocolate Stroll is scheduled for Saturday, February 10, 2024 from 2PM to 4PM. Please access their website for further information.
- d. The History Center is open to the public at Borough Hall on the second floor on Saturday, February 17, 2024 from 2PM to 4PM.
- e. The Borough Office is closed on Monday, February 19, 2024 in recognition of President's Day.
- f. Please check out the Borough's website calendar regularly for all up and coming events located throughout the Community.

- g. Borough Council met with its legal counsel in Executive Session on Tuesday, February 6, 2024, to discuss the litigation matters.
- h. Council President Phillips resigned from the Parks & Recreation Committee after many years of dedicated service. Please consider applying to the Vacancy with a term ending January 1, 2025.
- i. Assistant Manager Badman was awarded the prestigious Phyllis Lieberman Woman's Trailblazer Scholarship in the amount of \$1,500 to defray the costs of participation in any professional association that promotes women's leadership in local government for educational advancement.

2. APPROVAL OF AGENDA:

- a. **MOTION:** To approve the agenda for the February 6, 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, January 16, 2024 as presented.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

- Finance & Administration
- Public Works
- Public Safety

The Finance & Administration met on Monday, January 22, 2024 and discussed the following matters:

- Re-Organize: Recognize New Member (Council President Phillips) & Appoint Chair
- Sub-Committee Meeting(s) being Opened to the Public
- Next Request RTKL Website Software
- Work from Home Policy
- Composting Program

The Public Works Sub-Committee met on Monday, January 22, 2024 and discussed the following matters:

- 2024 Paving Program
- Malvern Post Office
- Old Lincoln Highway Infrastructure Capital Improvement Project
- Jennings Lane Pipe Repair
- North Warren Avenue Project
- Trail Connection for Malvern Prep & Paoli Battlefield
- Sanitary Sewer Ejector Station
- Everett's Alley
- King Street Planting Project

The Public Safety Sub-Committee met on Monday, January 29, 2024 and discussed the following matters:

- 202 E. King Street
- Miner Street & Valley View Road Proposed Ordinance Amendment
- Old Lincoln Highway Infrastructure Improvement Project
- Crosswalk Traffic Studies
Broad Street Parking Issue adjacent to Rubino Park

4. SPECIAL BUSINESS

- a. a. OATH OF OFFICE – OFFICER ERIK DRESDEN

Erik Dresden accepted the full-time police officer position open with the Malvern Police Department and will be sworn in this evening by Mayor Uzman.

b. INFLOW AND INFILTRATION EVALUATION OF SEWER SYSTEM

MOTION: To approve the USG proposal for cleaning and televising of the Borough's sanitary sewer system for an estimate (or not to exceed amount) a set amount without prior approval from Malvern Borough.

The Borough, as part of the Year 2024 approved budget totaling \$150,000 per line item #20.429.073, is performing the flushing and televising of all the sewer lines located in Malvern Borough. USG has provided a quote totaling \$157,720 and is an approved Costars contractor with set rates based upon the state contract. The proposal is an estimate based upon what they believe will be the time necessary to complete the work. The Borough Engineer is recommending to set a do not exceed amount in this evening's consideration to move forward with this project.

c. ST. PATRICK ROMAN CATHOLIC CHURCH ESCROW RELEASE

MOTION: To authorize an escrow release in the amount of \$34,163.50 as presented.

The Borough Engineer has reviewed the project status and site conditions for the St. Patrick Parish and prepared a recommendation for a partial release of escrow funds totaling \$34,163.50.

The release encompasses all improvements detailed on the construction cost breakdown including but not limited to stormwater improvements, landscaping, preparation of as-built plans, and setting of lot pins / monuments. Construction of these improvements were inspected by EB Walsh and found to be acceptable.

d. AUTHORIZATION TO APPOINT A BOROUGH COUNCIL MEMBER TO CO-SIGN FOR BANK TRANSACTIONS

MOTION: To authorize Council President Phillips to co-sign for bank transactions on behalf of the Borough removing Council Member Finkbiner as a co-signer.

Borough Council will appoint a Borough Council Member to co-sign for bank transactions.

e. CITIZEN COMMITTEE APPOINTMENT CONSIDERATION

MOTION: To reappoint the following member to the Shade Tree Commission for a five (5) year term to expire on January 1, 2029:

- Linda Burton

5. UNFINISHED BUSINESS

a. ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCES TASK FORCE APPOINTMENTS

Borough Council will discuss five (5) appointments to the Zoning and Subdivision & Land Development Ordinances Task Force. Numerous constant contact invites were sent to the Community, all Borough Volunteer committees were invited to participate, as well as this information being posted on the Borough website.

Borough Council may entertain a motion to appoint this Task Force this evening.

b. 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.

The Public Safety Sub-Committee is in support of the potential ordinance amendment proposed.

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.

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

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MALVERN BOROUGH
1 East First Avenue
Malvern, PA 19355

January 16, 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 via ZOOM
Council Member Riccetti
Zeyn B. Uzman, Mayor via ZOOM

ABSENT:

Council Member Warner

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 announced to check out the Borough's website calendar regularly for all up and coming events located throughout the Borough.

Council President Phillips announced Borough Council met with its legal counsel in Executive Session on Tuesday, January 16, 2024, to discuss the collective bargaining agreement.

Council President Phillips announced the Public Works Superintendent position is open for application submission(s) due by January 31, 2024.

2. APPROVAL OF AGENDA

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, carried by a vote of 6-0, to approve the agenda for the Tuesday, January 16, 2024 meeting as amended to relocate the Valley View Road and Miner Street Parking Modification Ordinance Amendment discussion after the Old Lincoln Highway matter.

3. MINUTES & REPORTS

a. APPROVAL OF REPORTS

A motion was made by Council Vice President Bones, seconded by Council Member Finkbiner,

and carried by a vote of 6-0, to approve the organization and regular meeting minutes from Tuesday, January 2, 2023 as presented.

b. APPROVAL OF REPORTS

A motion was made by Council Vice President Bones, seconded by Council Member Riccetti, 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 December 2023, as submitted.

Mr. Danny Fruchter inquired about the Police budget. Borough Manager Loomis will follow up with him accordingly.

c. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

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

4. SPECIAL BUSINESS

a. OLD LINCOLN HIGHWAY CAPITAL IMPROVEMENT INFRASTRUCTURE PROJECT

The Borough Engineer provided a status update regarding the bid results received. The bid prices received are double the projected price for the project.

Mayor Uzman discussed if the road could be closed and detoured.

Borough Council discussed stormwater, reconstruction of the roadway, traffic flow, gathering data for detour, and rebidding the project if there is a change of scope.

Borough Solicitor explained that the bids are required to be rejected within 60 days if the Borough does not move forward with the project.

Borough Assistant Manager Badman will confirm with Chester County how the American Rescue Plan Act grant funding is affected and what parts of the grant may be amended.

Police Chief Marcelli discussed closing the road down for three (3) to four (4) weeks and the overall process to do so.

Mr. Joseph Rubino commented on the road closure discussion and consulting with the Malvern Fire Company and all EMS entities prior to doing so.

The Borough Engineer will review all potential solutions offline to come up with the best possible cost effective solution.

b. VALLEY VIEW ROAD AND MINER STREET – PARKING MODIFICATION ORDINANCE AMENDMENT DISCUSSION

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, 2024 Borough Council meeting. 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.

The Public Safety Sub-Committee is in support of the potential ordinance amendment proposed.

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.

The Borough Engineer explained turning movements of emergency service vehicles including fire trucks. The proposed solution confirms the studies findings by the Borough Engineer.

Mr. John Buckley commented on parking on the circle and fire trucks navigating this neighborhood.

Mr. Mike Dudas lives in this area and commented that many driveways do not allow for two (2) vehicles.

Borough Council discussed removing parking near the intersection and creating a diagram/ cartoon of the proposed ordinance amendment.

Mr. Mike Dudas requested that two (2) parking spots remain near the intersection.

Police Chief Marcelli confirmed two (2) spots could be marked if needed.

Borough Solicitor Yaw advised that parking needs to be decided upon prior to the Ordinance Amendment being advertised.

Mr. Danny Fruchter is in agreement that the diagram/ cartoon first be distributed prior to the advertisement of the ordinance.

The Borough staff will coordinate the diagram distribution and Borough Council will hand deliver such to this area prior to the February 6, 2024 Borough Council meeting

Mayor Uzman confirmed that the Public Safety Sub-Committee will be discussing this matter in further detail at the Monday, January 29, 2024 meeting.

c. DARK SKIES PRESENTATION

Malvern Borough Planning Commission Vice-Chair Mongeau presented the Dark Skies presentation on behalf of the Planning Commission.

Borough Council discussed that the goal of the program is to reduce light pollution and to create a Task Force to address such.

Planning Commission Vice-Chair suggested having a study completed regarding this matter.

Borough Council is in agreement with this approach and thanked Planning Commission Vice-Chair for all his hard work and effort regarding the Dark Skies proposal and initiative.

Assistant Manager Badman will look into cost estimates with the Borough's Traffic Engineer regarding study costs.

Mr. John Buckley commented on all lights located in Malvern Borough.

d. MALVERN BOROUGH POLICE DEPARTMENT COLLECTIVE BARGAINING AGREEMENT

Council President Phillips presented and summarized the Police Department collective bargaining agreement to Borough Council and the Community. The contract proposes a three (3) year renewal with standard cost of living raises of 4% for Year 2024, 3.25% for Year 2025, and 3.25% for Year 2026.

Mr. Danny Fruchter inquired who is responsible for setting the salaries.

Police Chief Marcelli explained that salaries are set by management.

Mr. Danny Fruchter inquired who is considered management.

Borough Solicitor Yaw explained that Council approves salaries as Police Officers are hired per the Home Rule Charter.

A motion was made by Council Member Riccetti, seconded by Council Member Finkbiner, and carried by a vote of 6-0, to authorize and accept the proposed Malvern Borough Police Department collective bargaining agreement as presented.

e. ENGAGEMENT OF THE COHEN LAW GROUP TO PERFORM CABLE FRANCHISE RENEWAL SERVICES THROUGH VERIZON

The Cohen Law Group is proposing to assist in a franchise fee audit and cable franchise renewal negotiations with Verizon. This engagement is made pursuant to the Proposal to Perform Cable Franchise Renewal Services ("Proposal") submitted to the Chester County Consortium (the "Consortium") on November 30, 2023. The Proposal includes the scope of services for this project as well as the cost of services on a flat fee basis. The flat fee includes all expenses.

Ms. Cathy Raymond inquired why is Cohen Law Group being selected to provide this service versus the Borough Solicitor.

Borough Solicitor Yaw explained the Cohen Law Group has been recommended and provided services to the Chester County Municipal Consortium.

Mr. John Buckley commented that this is a positive financial opportunity for the Borough.

A motion was made by Council Vice President Bones, seconded by Council Member Finkbiner, and carried by a vote of 5-0, Council Member Niemiec abstained, to authorize the Cohen Law Group to perform the cable franchise renewal service through Verizon as presented

f. APPOINTMENT OF FULL-TIME POLICE OFFICER – ERIK DRESDEN

Mayor Uzman explained that Erik Dresden is currently a sworn part-time police officer with Malvern Police Department. He is the recommended candidate to fill the full-time police officer position open with the Malvern Police Department.

Police Chief Marcelli gave a background on Officer Erik Dresden. He has worked five (5) years as an Officer, has numerous certifications, and lots of work experience to support the Malvern Borough Police Department's hire.

Borough Council inquired when the salary for the officer is decided upon.

Mayor Uzman explained the salary is set this evening.

A motion was made by Council Member Riccetti, seconded by Council Vice President Bones, and carried by a vote of 6-0, appoint Erik Dresden as a full-time officer with the Malvern Police Department effective February 9, 2024 with an annual starting salary of \$65,000.

The oath of office will be completed at the February 6, 2024 Borough Council meeting.

5. UNFINISHED BUSINESS

a. ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCES TASK FORCE APPOINTMENTS

Borough Council discussed appointing members to the Zoning and Subdivision & Land Development Ordinances Task Force. A constant contact invite was sent to the Community on Tuesday, January 9, 2024 inviting the Community to apply, as well as this information being posted on the Borough website.

Borough Council discussed that it would be best to extend the application period to find potential candidates for the Task Force.

Mr. Danny Fruchter expressed interest in becoming a Task Force member and agreed with the extension. He offered ideas of how to obtain qualified applicants.

Mr. Dan Kunze expressed interest in becoming a Task Force member.

Mr. John Buckley commented on that new blood is needed versus the same volunteers being appointed.

Borough Council directed TCA, Inc to move forward with Phase I of the process and Phase II will include the Task Force.

It is expected that the Task Force will be appointed at the February 6, 2024 Borough Council meeting.

b. 2023 YEAR END REPORT

The Borough Manager summarized 2023's year-end financials and accomplishments.

Ms. Cathy Raymond inquired if the Borough uses cash basis or accrual accounting.

Borough Manager Loomis will discuss this matter with Ms. Raymond offline accordingly.

c. COMPOSTING PROGRAM REPORT

Assistant Manager Badman reported on the current status of the Borough's composting program.

Mr. Danny Fruchter requested the report from Assistant Manager Badman.

Ms. Lynn Hepp commented on composting and shared tips.

Mr. John Buckley stated that composting costs \$5 to go through the Farm Market program.

Assistant Manager Badman will post the report to the Borough website under the Trash and Recycling section.

d. ZONING HEARING BOARD

There are no new applications before the Zoning Hearing Board.

6. NEW BUSINESS

7. PUBLIC FORUM

Mr. John Buckley thanked Borough Management for all their hard work and commitment to the Borough.

8. ADJOURNMENT

All business having been discussed, a motion was made by Council Vice President Bones, seconded by Council Member Riccetti, and carried by a vote of 6-0, to adjourn the meeting at 9:50 PM.

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary

ESTIMATE - COSTARS



UTILITY SERVICES GROUP, INC.

**1304 SLATE HILL ROAD
CAMP HILL, PA 17011**

**Contact: Michael Paladino
Phone / Ext: (717) 737-6092 ext. 4306
Email: mpaladino@usginc.net**

Quote To: E. B. Walsh & Associates, Inc.
855 Springdale Drive, Suite 202
Exton, PA 19341

Contact: Dan Daley
Office Tel: 610-903-0033
Cell: 610-308-2299
Email: ddaley@ebwalshinc.com

Job Name: Malvern Borough C&CCTV
Site Address: Various Streets
Bid Plans: Malvern Sewer Plans
Proposal Date: 11/07/2023
USG Quote No.: 23229
Costars Contract #016-E23-314

A. SCHEDULE OF PRICES.
Prices firm for period of 30 Days.

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	CCTV TRUCK W/ OPERATOR	250.00	HRS	245.00	61,250.00
20	JET/VAC TRUCK W/ OPERATOR	250.00	HRS	225.00	56,250.00
30	SUPPORT TRUCK W/ LABORER	100.00	HRS	95.00	9,500.00
40	2 MAN TRAFFIC CONTROL	120.00	HRS	125.00	15,000.00
50	PER DIEM PER MAN	67.00	EA	160.00	10,720.00
60	SANITARY DISPOSAL COST PLUS 15%	1.00	EST	5,000.00	5,000.00

GRAND TOTAL \$157,720.00

NOTES:

QUALIFICATIONS

If project conditions or scope significantly change, USG, Inc. reserves the right to change our pricing at our discretion.

*Off-Road manholes that do not have drive up or are not accessible with equipment will be highlighted on a map and the survey abandoned.

B. INCLUSIONS:

1. Mobilization and travel of crews to the project site, portal to portal.
2. CCTV truck with NASSCO/PACP certified operator to televise sanitary sewer mainlines. Assessment will detail pipe integrity, system conditions, and notable observations.
3. Combination jet/vacuum truck with crew to clean sanitary sewer mainlines and to vacuum out collected debris.
4. USG assumes a water source will be available onsite. In the event water is not accessible onsite, USG will bill the hourly trucking rate provided in bid item 20.
5. Provide deliverables as USB drive.
6. Crews will use standard construction signs and cones. Where traffic control is required, USG will charge a 2-man crew at a 4-hour onsite minimum.
7. USG will collect debris vaced out of the system and dispose at an off-site location. Disposal will be billed cost plus 15%.
8. USG hourly rates provided are billed portal to portal, subject to an 8-hour minimum.
9. Standard USG safety procedures, safety equipment, and work-related PPE.
10. Standard USG insurances.

C. SPECIAL CONDITIONS:

1. Client is to direct all work on site and to provide direct truck access to all structures.
2. Client is to provide an adjacent, permitted hydrant water source for cleaning operations.
3. Client is to provide a disposal location for all collected debris. If a disposal location is not provided, disposal and trucking will be invoice at cost plus 15%.
4. Structures are to be located and uncovered from any brush, soil, debris, or pavement by Client.
5. USG operators reserve the right to abandon a survey if conditions are deemed unsafe or where equipment or structures may be damaged.
6. USG assumes normal working hours Monday through Friday, 7:00 AM to 5:00 PM.

D. EXCLUSIONS:

1. Purchase or delivery of water.
2. Handling or disposal of hazardous or contaminated waste.
3. Restoration, landscaping, excavation, including but not limited to cost related to stuck equipment retrieval and associated repairs and restoration, or testing of any kind.
4. Resident or business notification.
5. No parking postings.
6. Bypass pumping, plugging, or dewatering; E&S controls.
7. Prevailing Wages or worker union requirements.
8. Bonds, permits, fees, non-standard insurances or licenses.

E. MEASUREMENT AND PAYMENT:

1. Measurement and payment for work completed shall be per the units of measure and unit pricing indicated in Part "A" Schedule of Prices with actual quantities performed.
2. Payments will be submitted to Utility Services Group, Inc. within 30 days from date of invoice. Any costs incurred for collection will be added to clients' expense. All Credit Card Payments will be subject to a 3.25% service charge.
3. The provided quantities are to be used for budgeting purposes only. The final invoice will reflect the documented quantities from the daily signed work order.

Thank you for considering Utility Services Group, Inc. for this project. If there are any questions you have or clarification you need, do not hesitate to contact us.

Submitted By:

Michael Paladino
Utility Services Group, Inc.

ACCEPTANCE ACKNOWLEDGED:

By: _____ Date: _____

INVOICE:

MAIL ___ EMAIL ___

Billing Information:

Please provide the name and address to be used when USG invoices this project. If you have special handling or submission processes, please provide that information when you return the signed authorization:

Attn: _____ Name for COI: _____

_____ E-Mail: _____



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

February 1, 2024

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

Re: Land Development Plan for St. Patrick Parish School Addition
Escrow Release #3
EBWA Project #2780-17

Dear Ms. Loomis:

In accordance with the request of Malvern Borough, my office has reviewed the project status and site conditions for the St. Patrick Parish and prepared a recommendation for a partial release of escrow funds for the above referenced project. The release encompasses all improvements detailed on the attached construction cost breakdown including but not limited to stormwater improvements, landscaping, preparation of as-built plans, and setting of lot pins / monuments. Construction of these improvements were inspected by my office and found to be acceptable.

I recommend that the escrow funds, in the amount of Thirty-Four Thousand, One Hundred and Sixty-Three dollars and 50/100 cents (\$34,163.50) be released.

The following items must be addressed prior to the final release of all escrow funds:

1. Per the approved development plans, the applicant was required to remove and reset the brick pavers along Roberts Lane to address any tripping hazards. This work does not appear to have been completed. Financial security in the amount of \$7,800 was posted for this work.
2. A Stormwater Operation and Maintenance Fee of \$1,200 must be paid to the Borough per the development agreement.
3. A deed of dedication for the right-of-way along Roberts Lane must be prepared and submitted to the Borough for review and approval.

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

February 1, 2024

Ms. Tiffany Loomis, Borough Manager

Malvern Borough

Re: Land Development Plan for St. Patrick Parish School Addition
Escrow Release #3

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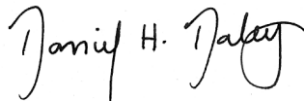
4. The Deed of Consolidation must be reviewed by the Borough Solicitor and if acceptable, recorded at the County Recorder of Deeds. From an engineering perspective, the Deed of Consolidation appears acceptable.

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

A handwritten signature in black ink that reads "Daniel H. Daley". The signature is written in a cursive style with a large, stylized 'D' and 'A'.

Daniel H. Daley, P.E.

encl.

CONSTRUCTION COST BREAKDOWN
ST. PATRICK PARISH SCHOOL ADDITION
MALVERN BOROUGH, CHESTER COUNTY
EBW PROJECT #2780-17

RELEASE REQUEST: # 3
DATE: 2/1/2024

ITEM	UNIT	QUANTITY	UNIT PRICE	ESCROW AMOUNT	PREV. REL.	THIS RELEASE	TOTAL RELEASE	TOTAL REMAINING
<u>DEMOLITION / CLEARING</u>								
Rock Constuction Entrance	LS	1	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00	\$2,000.00	\$0.00
Tree removal	LS	1	\$2,500.00	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00	\$0.00
<u>EROSION CONTROL</u>								
12" Compost Filter Sock	LF	455	\$5.25	\$2,388.75	\$1,575.00	\$813.75	\$2,388.75	\$0.00
Tree Protection / Construction Fence	LF	375	\$1.65	\$618.75	\$453.75	\$165.00	\$618.75	\$0.00
Strip / Stockpile Topsoil	SF	19000	\$0.40	\$7,600.00	\$7,600.00	\$0.00	\$7,600.00	\$0.00
Inlet Protection	EA	2	\$175.00	\$350.00	\$350.00	\$0.00	\$350.00	\$0.00
<u>SIDEWALK CONSTRUCTION</u>								
Reset Brick Paver sidewalk along Roberts Ln	SF	600	\$13.00	\$7,800.00	\$0.00	\$0.00	\$0.00	\$7,800.00
<u>STORM DRAINAGE</u>								
Supply / Install MH #4 & pipe to recharge bed	EA	1	\$4,100.00	\$4,100.00	\$4,100.00	\$0.00	\$4,100.00	\$0.00
Supply / Install MH #1, #2, & #3	EA	3	\$2,500.00	\$7,500.00	\$0.00	\$7,500.00	\$7,500.00	\$0.00
18" HDPE Pipe	LF	27	\$25.00	\$675.00	\$0.00	\$675.00	\$675.00	\$0.00
Install Roof Drains and connect to manhole	LF	150	\$18.00	\$2,700.00	\$2,700.00	\$0.00	\$2,700.00	\$0.00
Infiltration Bed	LS	1	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$35,000.00	\$0.00
4" SDR - 35 Pipe	LF	145	\$12.00	\$1,740.00	\$0.00	\$1,740.00	\$1,740.00	\$0.00
Cleanouts	EA	3	\$250.00	\$750.00	\$0.00	\$750.00	\$750.00	\$0.00
Roadway Restoration (Water)	LS	1	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00
<u>LANDSCAPING</u>								
Respread Topsoil	SF	19000	\$0.40	\$7,600.00	\$6,000.00	\$1,600.00	\$7,600.00	\$0.00
Rake / Seed	SF	19000	\$0.60	\$11,400.00	\$10,000.00	\$1,400.00	\$11,400.00	\$0.00
Street Tree	EA	9	\$400.00	\$3,600.00	\$2,400.00	\$1,200.00	\$3,600.00	\$0.00
Evergreen Tree	EA	38	\$300.00	\$11,400.00	\$9,900.00	\$1,500.00	\$11,400.00	\$0.00
Flowering Tree	EA	8	\$300.00	\$2,400.00	\$2,400.00	\$0.00	\$2,400.00	\$0.00
Shrubs	EA	28	\$75.00	\$2,100.00	\$1,725.00	\$375.00	\$2,100.00	\$0.00

ITEM	UNIT	QUANTITY	UNIT PRICE	ESCROW AMOUNT	PREV. REL.	THIS RELEASE	TOTAL RELEASE	TOTAL REMAINING
MISCELLANEOUS								
Concrete Monuments /Pins	EA	2	\$350.00	\$700.00	\$0.00	\$700.00	\$700.00	\$0.00
As-Built Plans	LS	1	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	\$0.00
Survey / Layout	LS	1	\$2,500.00	\$2,500.00	\$1,500.00	\$1,000.00	\$2,500.00	\$0.00
Split Rail Fence	LF	655	\$15.00	\$9,825.00	\$9,825.00	\$0.00	\$9,825.00	\$0.00
SWM Operation & Maintenance Fee	LS	1	\$1,200.00	\$1,200.00	\$0.00	\$0.00	\$0.00	\$1,200.00
SUBTOTAL				\$132,447.50	\$100,028.75	\$23,418.75	\$123,447.50	\$9,000.00
INSPECTIONS / ADMINISTRATION				\$6,622.38	\$1,500.00	\$4,122.38	\$5,622.38	\$1,000.00
10% CONTINGENCY				\$13,244.75	\$0.00	\$6,622.38	\$6,622.38	\$6,622.38
TOTAL ESCROW AMOUNT				\$152,314.63	\$101,528.75	\$34,163.50	\$135,692.25	\$16,622.38

DEVELOPER

PERCENTAGE
COMPLETE:

89.09%

BOROUGH ENGINEER

BOROUGH OFFICIAL



EDWARD B. WALSH & ASSOCIATES, INC.

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

ST. PATRICK PARISH SCHOOL ADDITION LAND DEVELOPMENT
MALVERN BOROUGH
ESCROW RELEASE

Payment Certificate No. 3 - February 1, 2024

Total Amount of Escrow Funds	\$152,314.63
Total Amount of Construction Previously Completed	\$101,528.75
Amount of Construction Completed Per This Certificate No. 3	\$34,163.50
Total Amount of Construction Completed as of February 1, 2024	\$135,692.25
Less Funds Previously Released	\$101,528.75
Funds That May Be Released Per This Certificate No. 3	\$34,163.50
Balance Of Funds Remaining In Escrow Account	\$16,622.38

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.

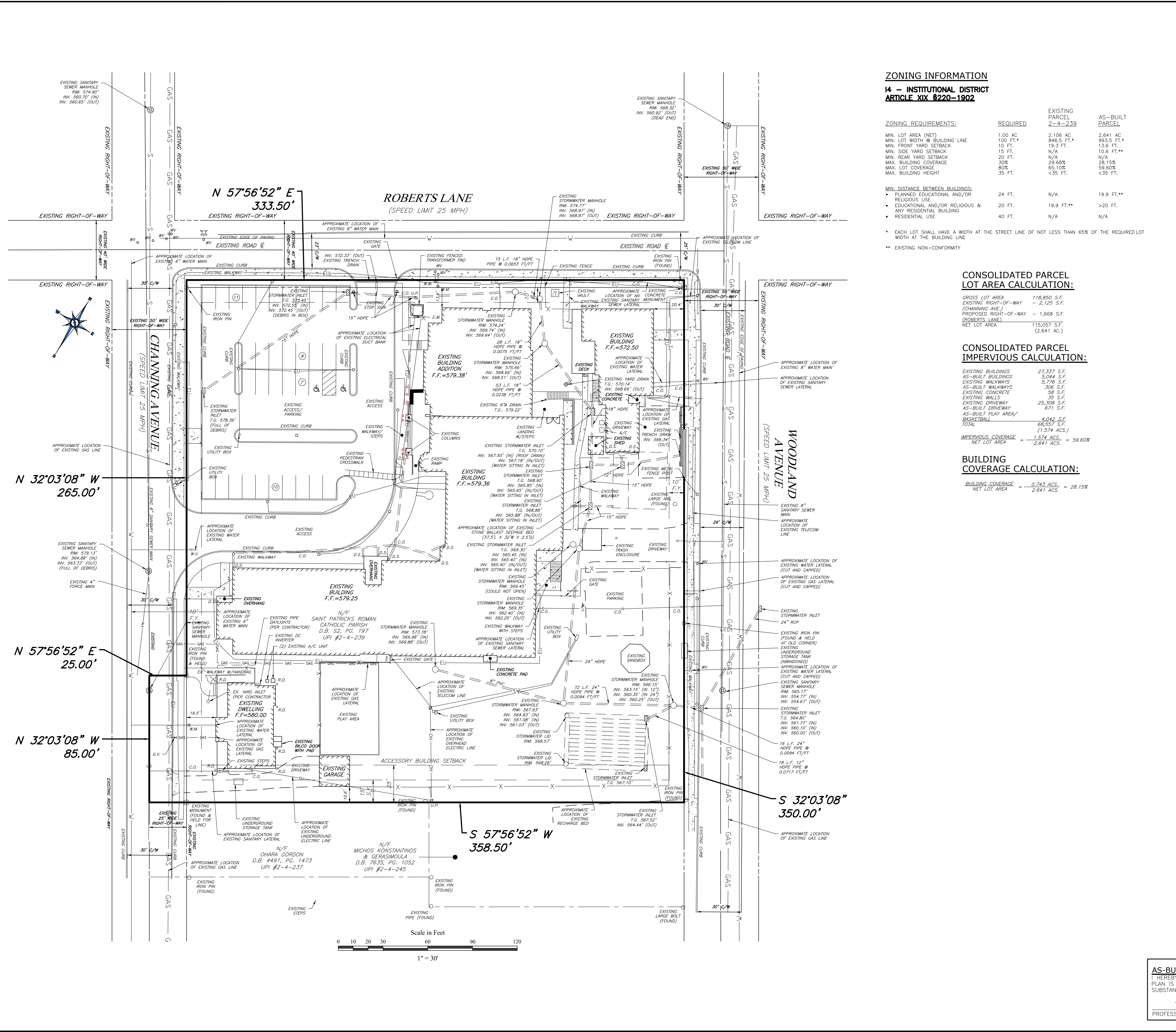
Very truly yours,

Edward B. Walsh & Associates, Inc.

Malvern Borough Engineers

Daniel H. Daley, P.E.

Tiffany Loomis, Borough Manager



ZONING INFORMATION
14 - INSTITUTIONAL DISTRICT
ARTICLE XIX §220-1902

ZONING REQUIREMENTS:	REQUIRED	EXISTING PARCEL 2-4-239	AS-BUILT PARCEL
MIN. LOT AREA (NET)	1.00 AC	2.106 AC	2.641 AC
MIN. LOT WIDTH @ BUILDING LINE	100 FT.*	846.5 FT.*	993.5 FT.*
MIN. FRONT YARD SETBACK	10 FT.	19.3 FT.	13.6 FT.
MIN. SIDE YARD SETBACK	15 FT.	N/A	10.6 FT.**
MIN. REAR YARD SETBACK	20 FT.	N/A	N/A
MAX. BUILDING COVERAGE	30%	28.68%	28.15%
MAX. LOT COVERAGE	80%	65.10%	59.60%
MAX. BUILDING HEIGHT	35 FT.	<35 FT.	<35 FT.

- MIN. DISTANCE BETWEEN BUILDINGS:**
- PLANNED EDUCATIONAL AND/OR RELIGIOUS USE: 24 FT. N/A 19.9 FT.**
 - EDUCATIONAL AND/OR RELIGIOUS & ANY RESIDENTIAL BUILDING: 20 FT. 19.9 FT.** >20 FT.
 - RESIDENTIAL USE: 40 FT. N/A N/A
- * EACH LOT SHALL HAVE A WIDTH AT THE STREET LINE OF NOT LESS THAN 65% OF THE REQUIRED LOT WIDTH AT THE BUILDING LINE.
 ** EXISTING NON-CONFORMITY

CONSOLIDATED PARCEL LOT AREA CALCULATION:

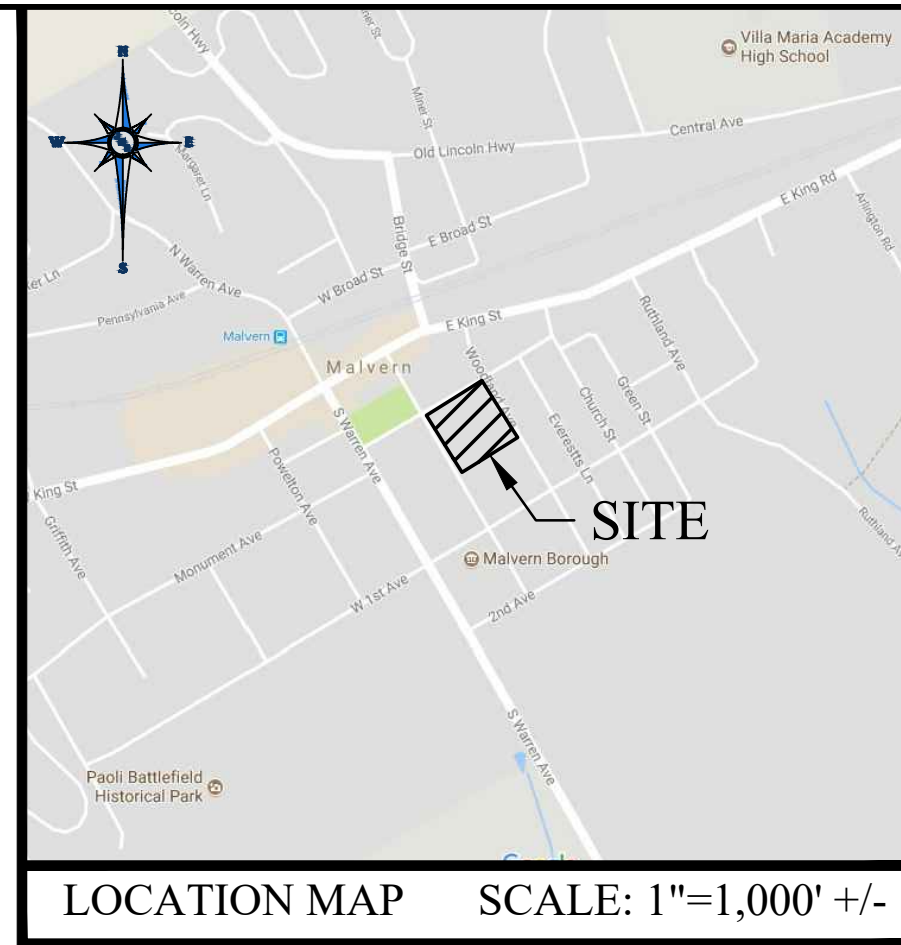
GROSS LOT AREA	118,850 S.F.
EXISTING RIGHT-OF-WAY (CHANNING AVE.)	- 2,125 S.F.
PROPOSED RIGHT-OF-WAY (ROBERTS LANE)	- 1,668 S.F.
NET LOT AREA	115,057 S.F. (2,641 AC.)

CONSOLIDATED PARCEL IMPERVIOUS CALCULATION:

EXISTING BUILDINGS	27,337 S.F.
AS-BUILT BUILDINGS	5,044 S.F.
EXISTING WALKWAYS	5,776 S.F.
AS-BUILT WALKWAYS	306 S.F.
EXISTING CONCRETE	58 S.F.
EXISTING WALLS	35 S.F.
EXISTING DRIVEWAY	25,308 S.F.
AS-BUILT DRIVEWAY	67 S.F.
AS-BUILT PLAY AREA/BASKETBALL	4,042 S.F.
TOTAL	68,557 S.F. (1,574 AC.)
IMPERVIOUS COVERAGE	- 1,574 AC. = 59.60%
NET LOT AREA	- 2,641 AC.

BUILDING COVERAGE CALCULATION:

BUILDING COVERAGE	- 0.243 AC. = 28.15%
NET LOT AREA	- 2,641 AC.



PROJECT GENERAL NOTES:

- GENERAL NOTES:**
- PROJECT INFORMATION (LOTS TO BE CONSOLIDATED):
 - PARCEL ID: #020402380000
 - UPI: #2-4-239
 - 133 CHANNING AVENUE - APT. #1
 - MALVERN, PA. 19355
 - DEED BOOK 9452, PAGE 1594
 - GROSS TRACT AREA: 15,937.50 S.F. (0.366 ACS)
 - NET TRACT AREA: 13,812.50 S.F. (0.317 ACS)
 - PARCEL ID: #020402390000
 - UPI: #2-4-239
 - 108 WOODLAND AVENUE
 - MALVERN, PA. 19355
 - DEED BOOK S2, PAGE 197
 - GROSS TRACT AREA: 92,310.50 S.F. (2.119 ACS)
 - NET TRACT AREA: 92,310.50 S.F. (2.119 ACS)
 - PARCEL ID: #020402440100
 - UPI: #2-4-244.1
 - 130 WOODLAND AVENUE
 - MALVERN, PA. 19355
 - DEED BOOK 2041, PAGE 191
 - GROSS TRACT AREA: 10,602.00 S.F. (0.244 ACS)
 - NET TRACT AREA: 10,602.00 S.F. (0.244 ACS)
2. BASE PLAN INFORMATION FROM A PRELIMINARY FINAL SITE PLAN FOR ST. PATRICK'S ROMAN CATHOLIC PARISH ENTITLED "ST. PATRICK'S PARISH SCHOOL ADDITION" DATED 02/23/2018 AND LAST REVISED 07/09/19, PREPARED BY JMR ENGINEERING, LLC, 106 SCHUBERT DRIVE, DOWNTOWNTOWN, PA. 19335.
3. EXISTING FEATURES SHOWN PER AS-BUILT SURVEY VERIFICATION BY JMR ENGINEERING, LLC, DOWNTOWNTOWN, PA., ON MAY 2023.
4. FEMA FLOOD MAP NUMBER 42029C0160G, EFFECTIVE ON 09/29/2017 INDICATES THAT THE PROPERTY IS LOCATED WITHIN ZONE X AND IS OUTSIDE OF THE 100-YEAR FLOODPLAIN.
5. SITE IS A TRIBUTARY TO RUTH RUN WHICH LIES WITHIN THE CRUM CREEK WATERSHED WHICH IS CLASSIFIED AS HIGH QUALITY, COLD WATER FISH (HQ-CF); TAKEN FROM DEP CODE TITLE 25, CHAPTER 93.
6. THE PROPERTY IS SERVICED BY PUBLIC WATER AND PUBLIC SEWER.
7. THE DELINEATED STEEP SLOPES ARE MANMADE THEREFORE ARE NOT REGULATED BY THE NATURAL RESOURCE PROTECTION STANDARDS.

PLAN LEGEND

---	BOUNDARY LINE
---	ADJOINER BOUNDARY LINE
---	LEGAL RIGHT-OF-WAY LINE
---	SETBACK LINE
---	EXISTING BUILDING LINE
---	EXISTING EDGE OF PAVING
---	EXISTING STORM SEWER
---	EXISTING SANITARY SEWER
---	EXISTING WATER LINE
---	EXISTING FENCE
---	EXISTING 1' CONTOURS
---	EXISTING 5' CONTOURS
○	EXISTING STORMWATER MANHOLE
⊗	EXISTING SANITARY MANHOLE
○	EXISTING WATER VALVE
⊗	EXISTING WATER METER
○	EXISTING UTILITY POLE

JMR ENGINEERING, LLC

PROFESSIONAL CIVIL ENGINEERING • LAND PLANNING SERVICES

106 SCHUBERT DRIVE • DOWNTOWNTOWN, PA. 19335

VOICE: (484) 880-7942

EMAIL: ADMIN@JMRENGINEERING.COM

WEBSITE: WWW.JMRENGINEERING.COM

MATTHEW S. BUSH

PROFESSIONAL ENGINEER

PENNSYLVANIA LICENSE NO. PE079432

UTILITY USERS LIST

USERS	RESPONSES
AQUA PENNSYLVANIA	
COMCAST CABLE	
LEVEL 3 COMMUNICATIONS	
MALVERN BOROUG	
PECO ENERGY C/O USIC	
VERIZON PENNSYLVANIA, LLC	
XO COMMUNICATIONS	
ZAYO BANDWIDTH FORMERLY PPL TELECOMM, LLC	

CALL BEFORE YOU DIG!

PHONING IN BEFORE THE CONSTRUCTION OF ANY IMPROVING UTILITY PIPE IN LESS THAN 30 FEET FROM THE CONSTRUCTION OF CONSTRUCTION AND OF THE LOCATION OF SUBURBAN UTILITY SERVICE. THE CONSTRUCTOR SHALL VERIFY THE LOCATION OF ALL SUBURBAN UTILITIES PRIOR TO CONSTRUCTION.

1-800-242-1776

POCS SERIAL NUMBER: 20172542138

PLAN REVISIONS

REV	DATE	DESCRIPTION OF CHANGES

PROJECT:
AS-BUILT PLAN
 FOR
ST. PATRICK'S ROMAN CATHOLIC PARISH MALVERN BOROUGH CHESTER COUNTY, PA.

LOCATION:
ST. PATRICK'S ROMAN CATHOLIC PARISH MALVERN BOROUGH CHESTER COUNTY, PA.

PARCELS:
TAX PARCEL NUMBER: 2-4-238, 2-4-239 & 2-4-244.1

CLIENT:
ST. PATRICK'S ROMAN CATHOLIC PARISH 126 WOODLAND AVENUE MALVERN, PA. 19355

PROJECT No.:	1250
SURVEY REF.:	1250-B (As-Built)
DRAWN BY:	J.L.S.
CHECKED BY:	M.S.B.
PLAN DATE:	06/06/2023
PLAN SCALE:	1"=30'

AS-BUILT PLAN

SHEET NUMBER:
1 OF 1

Plot Date: Wed, Jun. 07 2023
 File: 1AS-BUILT (FULL SITE).DWG

AS-BUILT PLAN CERTIFICATION

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THAT THIS AS-BUILT PLAN IS IN ACCORDANCE WITH THE ACTUAL DETAILS OF CONSTRUCTION AND IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED AND RECORDED FINAL PLAN.

Matthew S. Bush
 PROFESSIONAL ENGINEER

DATE: 06/06/2023

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 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
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