

## AGENDA

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH

May 16, 2023  
7:30 PM

### Virtual Meeting Participation Option

This evening's meeting of Malvern Borough Council allows for a virtual meeting option via Zoom. The information on how to participate virtually via telephone or video conferencing is provided below.

**Borough Council Meeting Dial-In Information: 1-877-853-5247 (toll-free)**

**Meeting link:** <https://us02web.zoom.us/j/84197019623>

**When prompted, enter the following meeting ID, followed by the “#” symbol: 841 9701 9623. You will be placed in the waiting room and admitted by the host.**

**To unmute if using audio via telephone, please enter \*6.**

**Malvern Borough is not liable for any computer security problems that participants may experience.**

PRESIDING: Amy Finkbiner, Ph.D., President

INVOCATION: Zeyn B. Uzman, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

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

#### 1. ANNOUNCEMENTS

- a. Anyone present who is recording the meeting is asked to announce so at this time, in accordance with Resolution No. 840.
- b. As a courtesy, if you are participating via Zoom, please turn your camera on while speaking.
- c. Borough Council met in executive session on May 11, 2023 to discuss matters related to legal matters of the Borough.
- d. The Parks & Recreation Committee is hosting a Perennial Party on Saturday, May 20, 2023 from 3PM to 5PM located in Burke Park. Please stop by to pick up your free perennial!

- e. The Malvern Library is hosting their annual Spring Book Sale Friday, May 19, 2023 from 10AM to 4PM and Saturday, May 20, 2023 from 10AM to 3PM located outside of Borough Hall in the side yard off First Avenue. Hope to see you there!
- f. Peace Officers Memorial Week is being honored starting on Monday, May 15, 2023. Thank you Malvern Borough Police Department for serving and protecting our Community!

2. APPROVAL OF AGENDA:

MOTION: To approve the agenda for the May 16, 2023 meeting of Borough Council as presented.

3. MINUTES & REPORTS

a. APPROVAL OF MINUTES

MOTION: To approve the minutes of the regular meeting held on Tuesday, May 2, 2023 as presented.

b. APPROVAL OF REPORTS

MOTION: 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 April 2023, as submitted.

c. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

- Finance & Administration
- Public Safety
- Public Works

The Finance & Administration Sub-Committee met on May 10, 2023 and discussed the following:

- Year 2023 Volunteer Appreciation Event
- Crosswalk Buttons – Infrastructure Budget
- Trash Bid Status Update

The Public Works Sub-Committee met on May 9, 2023 and discussed the following:

- Randolph Woods Nature Preserve specifically the Springhouse
- EV Charging Station Locations
- Jennings Lane Stormwater Project
- Malvern Prep Trail Project
- Everett's Alley Road Condition

The Borough Engineer gave a status update on all on-going projects.

The Public Safety Sub-Committee has not met since the last Borough Council meeting and is scheduled to meet on Monday, June 5, 2023.

4. SPECIAL BUSINESS

a. CONDITIONAL USE HEARING FOR 160 QUAKER LANE – APPLICATION CU #2023-02

- **PUBLIC HEARING:** Council President Finkbiner announces that Borough Council will now open a public hearing to consider to consider the conditional use application of Rockhill Real Estate Enterprises, XIX, LLC, the equitable owner of the real property located at 160 Quaker

Lane. The Applicant has made a conditional use application to operate a car dealership at the Property for, in pertinent part, storage and service of automobiles in connection the Applicant's dealerships. The Applicant is not proposing any new improvements to the

Property at this time. Section 220-2001(B)(8) permits motor vehicle sales including used motor vehicle sales on the Property by Conditional Use. The Planning Commission reviewed this project at their Thursday, April 20, 2023 meeting and recommended approval by Borough Council as presented. The Notice of Public Hearing was published in the May 2, 2023 edition of the Daily Local News.

- **ADOPTION:** Council President Finkbiner closes the hearing and Borough Council will consider adoption of the Application CU# 2023-02.

**MOTION:** To approve Application #CU-2023-02 pursuant to Section 220-2001(B)(8) of the Malvern Borough Zoning Ordinance to permit motor vehicle sales including used motor vehicle sales on the Property.

b. CHESTER COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT OPT-IN REQUEST

**MOTION:** To authorize Malvern Borough to opt-in as requested by the Chester County Department of Community Development for the purpose of the Chester County to obtain grant funding associated with the U.S. Department of Housing & Urban Development.

*The Chester County Department of Community Development, on behalf of the Chester County Board of Commissioners, has commenced the preparation of an application for funding activities within Chester County in Fiscal Years 2024 – 2026 under the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program, and the Emergency Solutions Grant (ESG) Program.*

*The U.S. Department of Housing & Urban Development (HUD) requires the County to undertake this process using rules that are similar to those in previous years. Municipalities have the right to be excluded from participation with the County by opting out. If a municipality opts out, it cannot be the beneficiary of Urban County CDBG, HOME, or ESG funding and conversely, cannot apply for the HUD-Administered Small Cities or State program. For the overall benefit of the County and all the communities, it is important that no municipalities opt out.*

c. PLAQUE REQUEST FOR BURKE PARK BENCH

**MOTION:** To authorize a plaque be placed on a Burke Park bench as presented and at the cost of the Applicant

*Jennifer Atkins has requested that a plaque be placed at a bench located at Burke Park in the memory of her late husband, Raymond Atkins, born 1947, passed in 2020.*

d. CITIZEN COMMITTEE APPOINTMENT CONSIDERATION FOR PARKS & RECREATION

**MOTION:** To appoint the following member to the Malvern Parks & Recreation Committee for a remaining terms to expire on January 1, 2024:

- Cynthia Ercole

5. UNFINISHED BUSINESS

a. ZONING HEARING BOARD

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

b. 209 OLD LINCOLN HIGHWAY BID RESULTS – AWARD OR DENY BID(S)

*Borough Council received two (2) bids as a result of the bid request for 209 Old Lincoln Highway, concluding on Thursday, April 27, 2023, and will take action this evening either awarding a contract or denying both bids.*

c. STORMWATER MASTER PLAN REPORT

*Borough Council directed staff at their February 21, 2023 meeting to further research the creation of a Stormwater Master Plan for the Borough. Assistant Borough Badman will present the Borough's findings.*

d. RANDOLPH WOODS NATURE PRESERVE PRESENTATION – STATUS UPDATE

*The Borough Engineer will give a presentation on the recent developments and grant funding received for Randolph Woods Nature Preserve.*

e. BUTTERFLY GARDEN LOCATION

*The Environmental Advisory Council and Shade Tree Commission have recommended the Butterfly Garden to be installed at Borough Hall on the side of the building located off of First Avenue. A presentation will be given by Chair Dr. Zoe Warner, Ph.D. for approval consideration by Borough Council this evening.*

6. NEW BUSINESS

a. STORMWATER MANAGEMENT ORDINANCE – ACT 167

*The Chester County Board of Commissioners adopted Resolution 06-22 in February of 2022 to amend the County-wide Act 167 Stormwater Management Plan for Chester County, PA to replace the 2013 model ordinance with the 2022 County-wide Act 167 Stormwater Management Model Ordinance. The ordinance has been approved by PA DEP and as part of the Malvern Borough stormwater program, the Borough is required to update the current Borough's Stormwater Management Ordinance (adopted on May 20, 2014).*

*The Borough Engineer will give a presentation on the proposed required Stormwater Management Ordinance.*

b. EV CHARGING STATION LOCATION DISCUSSION & GRANT DETAILS

*The Borough is eligible for four (4) EV Charging Stations proposed to be installed at the Borough Hall Parking lot as part of a grant opportunity thru Delaware Valley Regional Planning Commission (DVRPC) requiring a 20% match of project cost by Malvern Borough. The application submission is due to DVRPC by Thursday, May 25, 2023 and the Borough is working with the Borough Traffic Engineer, McMahon and Associates, to complete the application submission.*

*Borough Council will discuss the grant opportunity and locations of the four (4) EV Charging Stations.*

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

May 2, 2023  
7:30 PM

PRESIDING: President Finkbiner

INVOCATION: Mayor Uzman

PLEDGE OF ALLEGIANCE TO THE FLAG

### ROLL CALL

#### PRESENT

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

#### ABSENT:

### 1. ANNOUNCEMENTS

President Finkbiner asked in accordance with Resolution No. 840 if any member of the audience was recording the meeting. Mr. Hugo Schmitt and Mr. Danny Fruchter recorded the meeting.

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

President Finkbiner announced that both Surfin' USA located on King Street and Burke Park from 12PM to 6PM and the Parks and Recreation Community Yard Sale from 9AM to 2PM are scheduled for Saturday, May 6, 2023.

President Finkbiner announced that Public Works painted the Rubino Park chain link fence to spruce up the park.

### 2. APPROVAL OF AGENDA

A motion was made by Council Member Laney, seconded by Council Member Phillips, carried by a vote of 7-0, to approve the agenda for the May 2, 2023 meeting as presented.

### 3. MINUTES & REPORTS

#### a. APPROVAL OF MINUTES

A motion was made by Council Member Laney, seconded by Council Member Niemiec, and carried by a vote of 7-0, to approve the minutes from the Tuesday, April 18, 2023 as presented.

b. BOROUGH COUNCIL SUB-COMMITTEE REPORTS

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

The Public Safety Sub-Committee cancelled their meeting scheduled for May 1, 2023.

4. SPECIAL BUSINESS

a. RESOLUTION NO. 843 – FINANCIAL INSTITUTION DESIGNATION TO TRANSFER FUNDS

President Finkbiner explained that Borough Council desires to designate First Resource Bank, of Exton, Pennsylvania, as a depository institution for funds of the Borough designating First Resource Bank as a depository of funds and to provide other financial accommodations as may be offered. Borough staff and the Finance & Administration Sub-Committee are suggesting to Borough Council to diversify the Borough's assets depositing \$250,000 into First Resource Bank.

The three other banks the Borough does business with are PLGIT, National Bank of Malvern, and Meridian.

A motion was made by Council Member Laney, seconded by Council Vice President Bones, and carried by a vote of 7-0, to approve Resolution No. 843 as presented.

b. CITIZEN COMMITTEE APPOINTMENT CONSIDERATIONS

A motion was made by Council Vice President Bones, seconded by Council Member Frederick, and carried by a vote of 7-0, to appoint Dave Knies, Ph.D. and Geoffrey Rubino to the Malvern Planning Commission for a four (4) years term to expire on January 1, 2027.

A motion was made by Council Member Phillips, seconded by Council Member Niemiec, and carried by a vote of 7-0, to appoint Joseph Rubino to the Malvern Zoning Hearing Board for a three (3) year term to expire on January 1, 2026.

A motion was made by Council Vice President Bones, seconded by Council Member Frederick, and carried by a vote of 7-0, to appoint Bobbi Tower to the Malvern Shade Tree Commission for a five (5) year term expiring on January 1, 2028.

c. PRELIMINARY/ FINAL CONDITIONAL APPROVAL – RESOLUTION NO. 844

President Finkbiner explained that Malvern Preparatory School submitted a revised Preliminary/ Final Land Development Application on March 13, 2023. The application is for an addition to Tolentine Hall. The plan proposes a 5,600 square feet addition that will be placed at the south end of the courtyard situation between Stewart Hall and Tolentine Hall. The building addition will internally connect to the south of Tolentine Hall and a covered walkway will connect the western edge of the proposed building addition to Stewart Hall. There will be a proposed plaza seating area on the north side of the proposed building addition along with modified pedestrian ways to provide connectivity with "Our Mother of Good Counsel" Chapel. As part of the proposed plan, the existing "Good Counsel Hall" building is being demolished. The Planning Commission reviewed this land development project at their Thursday, April 20, 2023 meeting recommending Preliminary/ Final

Conditional approval pursuant to all waivers to be approved as requested requiring trees planted will include native species and subject to any continuing requirements by the Borough Engineer prior to the recording of the plans.

Mr. James Bannon, P.E., representing Malvern Preparatory School presented the plans and answered questions on behalf of the Applicant. The construction timeline is to finish in Summer 2023 and obtain a Use and Occupancy permit.

Borough Council inquired about the school's attendance and future growth plans. Mr. Ted Caniglia explained that there is a waiting list to attend Malvern Preparatory School and the future planned renovations are on-going.

A motion was made by Council Member Niemiec, seconded by Council Member Phillips, and carried by a vote of 7-0, to approve Resolution No. 844 as presented.

## 5. UNFINISHED BUSINESS

### a. MAIN STREET REVITALIZATION INITIATIVE – RESOLUTION NO. 845

Council President Finkbiner explained that Borough Council directed to create the Main Street revitalization task force/ steering committee at their April 18, 2023 regular meeting. Resolution No. 845 creates such.

Ms. Christy Campi inquired as to the timeline the Steering Committee will be assigned.

President Finkbiner explained it would be approximately a four (4) month commitment to render a recommendation to Borough Council.

Borough Council discussed receiving a recommendation from the Steering Committee that outlines the overall structure and looking at all viewpoints.

Dr. Dave Knies commented the high level development experience is desirable as a qualification to be appointed as a member.

Mr. Danny Fruchter asked what the parameters were regarding development experience to be selected as a member of the Committee.

Dr. Dave Knies, Ph.D. explained that commercial development is what he was referring to.

The Borough Solicitor explained that the composition of the Steering Committee is at the discretion of Borough Council.

Mr. Danny Fruchter commented about how Borough Council is best to reach out to industrial members of the Malvern Community to request their involvement in the Committee.

A motion was made by Council Member Phillips, seconded by Council Member Riccetti, and carried by a vote of 7-0 to approve Resolution No. 845 as presented.

### b. ZONING HEARING BOARD

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

6. NEW BUSINESS

7. PUBLIC FORUM

Council Vice President Bones thank Dr. Dave Knies for his hard work and 17 years as a Malvern Planning Commission member.

Mr. Danny Fruchter commented on the trash notification received from the Borough.

Mr. John Buckley commented on debris being located in the right-of-way.

8. ADJOURNMENT

All business having been discussed, a motion was made by Council Member Phillips, seconded by Council Vice President Bones, and carried by a vote of 7-0, to adjourn the meeting at 8:22PM

Respectfully submitted,  
Tiffany M. Loomis  
Borough Manager/Secretary

May 16, 2023

To the President and Members  
Malvern Borough Council  
Malvern, PA 19355

Dear Council Members:

We, the undersigned members of the Finance and Administration Committee, submit the following report for the month of April.

Bills to be paid from the General Fund for Finance and Administration in the amount of \$ 710,632.86. Bills to be paid for Tax Collection in the amount of \$ -0.00-. Bills to be paid for Capital Reserve Fund in the amount of \$ 21,672.39 have been examined and approved for payment.

Respectfully submitted,

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Marty Laney, Chair

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Amy Finkbiner, Ph.D.

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Joe Bones

May 16, 2023

To the President and Members  
Malvern Borough Council  
Malvern, PA 19355

Dear Council Members:

We, the undersigned members of the Public Safety Committee, submit  
The following report for the month of April.

Bills to be paid from the General Fund for Police in the amount of  
\$ 92,983.37 for Code Enforcement in the amount of \$ 10,808.56 and  
for Malvern Fire Company in the amount of \$7,389.08 have been  
Examined and approved for payment.

Respectfully submitted,

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Lynne D. Frederick

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Brendan Phillips, Chair

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Marty Laney

May 16, 2023

To the President and Members  
Malvern Borough Council  
Malvern, PA 19355

Dear Council Members:

We, the undersigned members of the Public Works Committee, submit the following report for the month of April.

Bills to be paid from the General Fund for Highways in the amount of \$ 29,819.23. For Trash & Recyclables in the amount \$ 30,995.94, for Park and Recreation in the amount of \$6,670.18, have been examined and approved for payment. Bills to be paid from the Sewer Fund in the amount of \$ 81,377.72, have been examined and approved for payment.

Respectfully submitted,

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Joseph Bones, Chair

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Mark Niemiec

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Angela Riccetti

|   |   |                 |                        |
|---|---|-----------------|------------------------|
|   | <b><u>TREASURER'S REPORT</u></b>            |                 |                        |
|   | April-23                                    |                 |                        |
|   |   |                 | May 16, 2023           |
| <b><u>GENERAL FUND:</u></b>             |   |                 |                        |
| January 1, 2023 Opening Cash Balance    |   | \$ 2,511,038.11 |                        |
| 2023 General Fund Budget                |   | \$ 5,522,967.00 |                        |
| Year-to-Date - Revenues                 |   | \$ 2,049,024.13 |                        |
| Year-to-Date - Expenditures             |   | \$ 2,026,154.23 |                        |
| April1, 2023 Opening Cash Balance       |   |                 | \$ 2,670,907.38        |
| AprilRevenues                           |   |                 | * 795,601.56           |
| Total Revenues and Opening Cash Balance |   |                 | \$ 3,466,508.94        |
| AprilExpenses                           |   |                 | ** 932,600.93          |
| April 30, 2023 Closing Cash Balance     |   |                 | <b>\$ 2,533,908.01</b> |
| 800,000 Special MM Acct.                | National Bank of Malvern                    | \$ 2,533,908.01 |                        |
| <b><u>PLIGT CLASS I</u></b>             | ** \$657,980 transferred to Capital Reserve |                 |                        |
|   |   | \$ 250,000.00   |                        |
| AprilOpening Cash Value                 |   |                 | \$ 777,933.20          |
| Deposits                                | PLGHIT PRIME TERM 100K                      |                 |                        |
| Interest                                | PLGHIT PRIME TERM 100K                      | Interest        |                        |
| AprilClosing Balance                    |   |                 | <b>\$ 777,933.20</b>   |
| <b><u>MERIDIAN BANK CHECKING</u></b>    |   |                 |                        |
| January 1, 2023 Opening Cash balance    |   | \$ 265,965.70   |                        |
| AprilRevenues                           |   |                 |                        |
| April 30, 2023 Closing Cash Balance     |   |                 | \$ 265,524.88          |
| Total Revenues and Opening Cash Balance |   |                 | \$ 284.78              |
| AprilExpenses                           |   |                 |                        |
| April 30, 2023 Closing Cash Balance     |   |                 | <b>\$ 265,809.66</b>   |
|   |   | \$ 265,809.66   |                        |
| <b><u>CAPITAL RESERVE FUND:</u></b>     |   |                 |                        |
| January 1, 2023 Opening Cash Balance    |   | \$ 895,171.74   |                        |
| 2023 Capital Reserve Budget             |   | \$ 3,128,307.00 |                        |
| Year-to-Date - Revenues                 |   | \$ 660,854.86   |                        |
| Year-to-Date - Expenditures             |   | \$ 174,591.17   |                        |
| April1, 2023 Opening Cash Balance       |   |                 | \$ 744,446.25          |
| AprilRevenues                           |   |                 | 658,628.57             |
| Total Revenues and Opening Cash Balance |   |                 | \$ 1,403,074.82        |
| AprilExpenses                           |   |                 | 21,672.39              |
| April 30, 2023 Closing Cash Balance     |   |                 | <b>\$ 1,381,402.43</b> |
|   | National Bank of Malvern                    | \$ 1,381,402.43 |                        |
| * Sewer payroll                         | 21,096.09                                   |                 |                        |
| **                                      | 21,096.09                                   |                 |                        |
| <b><u>LIQUID FUEL FUND:</u></b>         |   |                 |                        |
| January 1 2023 Opening Cash Balance     |   | \$ 216,973.45   |                        |
| 2023 Liquid Fuels Budget                |   | \$ 180,000.00   |                        |
| Year-to-Date Revenues                   |   | \$ 356.81       |                        |
| Year-to-Date Expenditures               |   | \$ -            |                        |
| April 1, 2023 Opening Cash Balance      |   |                 | \$ 313,131.78          |
| AprilRevenues                           |   |                 | 240.21                 |
| Total Revenues and Opening Cash Balance |   |                 | \$ 313,371.99          |
| AprilExpenses                           |   |                 | *                      |
| April 30, 2023 Closing Cash Balance     |   |                 | <b>\$ 313,371.99</b>   |
|   | Savings Account                             | \$ 313,371.99   |                        |
|   |   |                 |                        |
|   |   |                 |                        |
|   |   |                 |                        |



|  |                                   |                 |                        |
|--|-----------------------------------|-----------------|------------------------|
| <b>SEWER FUND:</b>                                 |                                   |                 |                        |
| January 1, 2023 Opening Cash Balance               |                                   | \$ 2,014,819.89 |                        |
| 2023 Sewer Budget                                  |                                   | \$ 1,056,405.00 |                        |
| Year-to-Date - Revenues                            |                                   | \$ 254,417.09   |                        |
| Year-to-Date - Expenditures                        |                                   | \$ 344,654.77   |                        |
| April 1, 2023 Opening Cash Balance                 |                                   |                 | \$ 1,998,927.11        |
| April Revenue                                      |                                   |                 | 7,032.82               |
| Total Revenues and Opening Cash Balance            |                                   |                 | \$ 2,005,959.93        |
| April Expenses                                     |                                   |                 | 81,377.72              |
| April 30, 2023 Closing Cash Balance                |                                   |                 | <b>\$ 1,924,582.21</b> |
| 500,000.00 in MM Acct.                             | National Bank of Malvern          | \$ 1,924,582.21 |                        |
| <b><u>SUMMARY ALL FUNDS</u></b>                    |                                   |                 |                        |
| March-23   |                                   |                 |                        |
| January 1, 2023 Opening Cash Balance               |                                   | \$ 6,672,736.61 |                        |
| 2023 All Budgets                                   |                                   | \$ 9,887,679.00 |                        |
| Year-to-Date - Revenues All Funds                  |                                   | \$ 3,070,704.06 |                        |
| Year-to-Date - Expenditures All Funds              |                                   | \$ 2,545,400.17 |                        |
| April 1, 2023 Opening Cash Balance                 | All Funds                         |                 | \$ 6,770,870.60        |
| April Revenues                                     |                                   |                 | 1,461,787.94           |
| Total Revenues and Opening Cash Balances All Funds |                                   |                 | \$ 8,232,658.54        |
| April Expenses                                     |                                   |                 | 1,035,651.04           |
| April 30, 2023 Closing Cash Balance                |                                   |                 | <b>\$ 7,197,007.50</b> |
|  |                                   | \$ 7,197,007.50 |                        |
| <b><u>SIDEWALK FEE-IN-LIEU ACCOUNT:</u></b>        |                                   |                 |                        |
| April 1, 2023 Opening Cash Balance                 |                                   |                 | \$ 32,818.75           |
| Revenue  |                                   |                 | 35.07                  |
| Total Revenues and Opening Cash Balance            |                                   |                 | \$ 32,853.82           |
| Expenses   |                                   |                 |                        |
| April 30, 2023 Closing Cash Balance                |                                   |                 | <b>\$ 32,853.82</b>    |
| <b><u>ARPA 2022 ACCOUNT</u></b>                    |                                   |                 |                        |
| April 1, 2023 Opening Cash Balance                 |                                   |                 | \$ 212,196.46          |
| Revenue  |                                   |                 | \$ 9,386.74            |
| Total Revenues and Opening Cash Balance            |                                   |                 | \$ 221,583.20          |
| Expenses   |                                   |                 | \$ -                   |
| April 30, 2023 Closing Cash Balance                |                                   |                 | <b>\$ 221,583.20</b>   |
| <b><u>CONTINGENCY FUNDS:</u></b>                   |                                   |                 |                        |
|  | <b>General Fund Contingencies</b> |                 | \$311,041.47           |
|  | National Bank of Malvern          | Interest        | \$656.17               |
|  |                                   | TOTAL           | <b>\$311,697.64</b>    |
|  | <b>Sewer Fund Contingencies</b>   |                 | <b>\$433,754.51</b>    |
|  | National Bank of Malvern          | Interest        | <b>\$915.04</b>        |
|  |                                   |                 | <b>\$434,669.55</b>    |
| <b>TOTAL IN ALL ACCOUNTS</b>                       |                                   |                 |                        |
|  |                                   |                 | <b>\$ 8,197,811.71</b> |
|  | Respectfully Submitted by,        |                 |                        |
|  | Mary Lou Whitcomb                 |                 |                        |
|  | Borough Treasurer                 |                 |                        |

# Malvern Borough Accounts Payable

Report Date 05/10/23

## Expenditure Budget Status Report GL Period 2304

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| Acct #    | Sub # | Description                         | Amended Budget | MTD Expended | YTD Expended | Outstanding Encumbered | Unencumbered Balance | Budget% Unused |
|-----------|-------|-------------------------------------|----------------|--------------|--------------|------------------------|----------------------|----------------|
| <b>01</b> |       | <b>GENERAL FUND</b>                 |                |              |              |                        |                      |                |
| 01400     | 000   | BORO COUNCIL & MAYOR COMPENSATION   | 9,600.00       |              | 2,100.00     |                        | 7,500.00             | 78             |
|           | 001   | SALARY - SECRETARY/MANAGER          | 80,080.00      | 6,160.00     | 27,720.00    |                        | 52,360.00            | 65             |
|           | 002   | SALARY - TREASURER/ADMIN. ASST.     | 54,844.00      | 4,219.20     | 17,931.61    |                        | 36,912.39            | 67             |
|           | 003   | ASSISTANT MANAGER                   | 54,060.00      | 4,158.73     | 18,714.27    |                        | 35,345.73            | 65             |
|           | 021   | SALARY & WAGES - CLERKS             | 11,700.00      | 900.00       | 2,850.08     |                        | 8,849.92             | 76             |
|           | 033   | TELEPHONE & COMMUNICATIONS          | 7,875.00       | 748.75       | 4,674.96     |                        | 3,200.04             | 41             |
|           |       |                                     | 218,159.00     | 16,186.68    | 73,990.92    | 0.00                   | 144,168.08           | 66             |
| 01401     | 000   | REAL ESTATE TAX REFUNDS             | 6,500.00       | 1,128.69     | 1,128.69     |                        | 5,371.31             | 83             |
|           |       |                                     | 6,500.00       | 1,128.69     | 1,128.69     | 0.00                   | 5,371.31             | 83             |
| 01402     | 020   | MATERIALS & SUPPLIES                | 5,000.00       | 137.27       | 2,018.29     |                        | 2,981.71             | 60             |
|           | 021   | CONFERENCES, SEMINARS, MEETINGS     | 9,500.00       | 908.21       | 2,858.05     |                        | 6,641.95             | 70             |
|           | 022   | DUES & MEMBERSHIPS                  | 4,200.00       | 507.60       | 3,332.28     |                        | 867.72               | 21             |
|           | 023   | OFFICE EQUIP. MAINTENANCE & EXPENSE | 25,000.00      | 962.17       | 15,706.48    |                        | 9,293.52             | 37             |
|           | 024   | GENERAL EXPENSE                     | 24,750.00      | 412.98       | 12,120.84    |                        | 12,629.16            | 51             |
|           | 025   | ADVERTISING & PRINTING              | 12,000.00      | 763.76       | 2,761.92     |                        | 9,238.08             | 77             |
|           | 030   | AUDITING SERVICES                   | 15,000.00      |              | 5,500.00     |                        | 9,500.00             | 63             |
|           |       |                                     | 95,450.00      | 3,691.99     | 44,297.86    | 0.00                   | 51,152.14            | 54             |
| 01403     | 012   | COMMISSIONS-EARNED INC. TAX COLL.   | 25,000.00      |              | 3,006.33     |                        | 21,993.67            | 88             |
|           | 013   | EIT TAX COLLECTION STUDY GROUP EXP  | 500.00         |              |              |                        | 500.00               | 100            |
|           | 014   | GENERAL EXPENSE                     | 500.00         |              | 65.31        |                        | 434.69               | 87             |
|           |       |                                     | 26,000.00      | 0.00         | 3,071.64     | 0.00                   | 22,928.36            | 88             |
| 01404     | 000   | LEGAL SERVICES                      | 145,000.00     | 11,036.00    | 50,647.81    |                        | 94,352.19            | 65             |
|           | 002   | LEGAL SERVICES-RIGHT-TO-KNOW        | 65,000.00      | 6,570.00     | 21,623.55    |                        | 43,376.45            | 67             |
|           |       |                                     | 210,000.00     | 17,606.00    | 72,271.36    | 0.00                   | 137,728.64           | 66             |
| 01406     | 200   | WORKERS COMPENSATION                | 12,300.00      | 2,796.56     | 5,593.12     |                        | 6,706.88             | 55             |
|           | 220   | INCOME PROTECTION INSURANCE         | 3,085.00       | 193.27       | 765.94       |                        | 2,319.06             | 75             |
|           | 221   | GROUP LIFE INSURANCE                | 1,729.00       | 102.06       | 408.24       |                        | 1,320.76             | 76             |
|           | 222   | HOSPITALIZATION INSURANCE           | 67,388.00      |              | 21,787.96    |                        | 45,600.04            | 68             |
|           | 223   | DENTAL CARE INSURANCE               | 4,055.00       | 203.46       | 2,001.83     |                        | 2,053.17             | 51             |
|           | 224   | SOCIAL SECURITY TAX- BOROUGH        | 37,841.00      | 1,888.28     | 8,196.59     |                        | 29,644.41            | 78             |
|           |       |                                     | 126,398.00     | 5,183.63     | 38,753.68    | 0.00                   | 87,644.32            | 69             |
| 01407     | 021   | OFFICE SUPPLIES                     | 8,000.00       |              | 798.90       |                        | 7,201.10             | 90             |
|           | 022   | COMPUTER SUPPLIES                   | 5,900.00       |              | 70.77        |                        | 5,829.23             | 99             |
|           | 025   | REPAIRS AND MAINTENANCE             | 13,100.00      | 1,173.80     | 4,802.87     |                        | 8,297.13             | 63             |
|           | 026   | SMALL TOOLS AND MINER EQUIPMENT     | 3,000.00       |              | 274.33       |                        | 2,725.67             | 91             |
|           |       |                                     | 30,000.00      | 1,173.80     | 5,946.87     | 0.00                   | 24,053.13            | 80             |

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| Acct #    | Sub # | Description                         | Amended<br>Budget | MTD<br>Expended | YTD<br>Expended | Outstanding<br>Encumbered | Unencumbered<br>Balance | Budget%<br>Unused |
|-----------|-------|-------------------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>01</b> |       | <b>GENERAL FUND</b>                 |                   |                 |                 |                           |                         |                   |
| 01408     | 000   | ENGINEERING SERVICES                | 71,500.00         | 1,988.00        | 7,108.18        |                           | 64,391.82               | 90                |
|           |       |                                     | 71,500.00         | 1,988.00        | 7,108.18        | 0.00                      | 64,391.82               | 90                |
| 01409     | 020   | MATERIALS & SUPPLIES                | 10,000.00         | 921.03          | 6,571.58        |                           | 3,428.42                | 34                |
|           | 021   | UTILITIES                           | 45,500.00         | 2,042.40        | 7,162.75        |                           | 38,337.25               | 84                |
|           | 022   | GENERAL EXPENSE                     | 3,500.00          |                 |                 |                           | 3,500.00                | 100               |
|           | 023   | MAINTENANCE & REPAIRS               | 55,000.00         | 2,730.64        | 22,891.43       |                           | 32,108.57               | 58                |
|           | 024   | ALARM SYSTEM EXPENSE                | 560.00            |                 | 560.04          |                           | -0.04                   |                   |
|           |       |                                     | 114,560.00        | 5,694.07        | 37,185.80       | 0.00                      | 77,374.20               | 68                |
| 01410     | 010   | SALARY - CHIEF OF POLICE            | 142,061.00        | 10,928.00       | 48,629.60       |                           | 93,431.40               | 66                |
|           | 011   | SALARY & WAGES - PATROLMEN          | 631,169.00        | 47,422.75       | 186,281.78      |                           | 444,887.22              | 71                |
|           | 012   | SALARY & WAGES - CLERICAL           | 68,120.00         | 5,240.00        | 20,960.00       |                           | 47,160.00               | 69                |
|           | 015   | SALARY & WAGES-PART TIME PATROLMEN  | 95,000.00         | 6,896.50        | 21,905.50       |                           | 73,094.50               | 77                |
|           | 018   | SALARY & WAGES -OVERTIME            | 75,000.00         | 8,895.07        | 22,995.36       |                           | 52,004.64               | 69                |
|           | 019   | MAINTENANCE - OFFICE EQUIPMENT      | 8,000.00          | 39.90           | 616.37          |                           | 7,383.63                | 92                |
|           | 020   | MATERIALS & SUPPLIES                | 4,000.00          |                 | 763.09          |                           | 3,236.91                | 81                |
|           | 021   | UNIFORMS                            | 11,000.00         | 90.00           | 741.60          |                           | 10,258.40               | 93                |
|           | 022   | AMMUNITION                          | 7,000.00          |                 | 40.90           |                           | 6,959.10                | 99                |
|           | 023   | TRAINING - EDUCATION                | 9,000.00          | 433.99          | 831.99          |                           | 8,168.01                | 91                |
|           | 024   | ADVERTISING & PRINTING              | 5,000.00          | 556.03          | 556.03          |                           | 4,443.97                | 89                |
|           | 025   | TELEPHONE & COMMUNICATIONS          | 7,000.00          | 770.55          | 3,040.42        |                           | 3,959.58                | 57                |
|           | 026   | VEHICLE MAINTENANCE & REPAIRS       | 21,000.00         | 333.80          | 6,091.54        |                           | 14,908.46               | 71                |
|           | 027   | MAINTENANCE - TRAFFIC SIGNALS       | 4,000.00          |                 | 245.00          |                           | 3,755.00                | 94                |
|           | 029   | GAS & OIL                           | 16,500.00         | 212.12          | 4,749.54        |                           | 11,750.46               | 71                |
|           | 030   | TIRES                               | 3,000.00          |                 |                 |                           | 3,000.00                | 100               |
|           | 031   | ENERGY - TRAFFIC LIGHTS             | 2,000.00          | 177.14          | 708.52          |                           | 1,291.48                | 65                |
|           | 032   | GENERAL EXPENSE                     | 26,000.00         | 901.00          | 11,530.00       |                           | 14,470.00               | 56                |
|           | 042   | DUES & MEMBERSHIPS                  | 20,000.00         |                 | 12,004.02       |                           | 7,995.98                | 40                |
|           | 070   | CAPITAL EXPENDITURES                | 72,500.00         |                 | 39,182.00       |                           | 33,318.00               | 46                |
|           | 071   | IT NETWORKING SERVICES & EXPENSES   | 21,125.00         | 425.00          | 2,090.79        |                           | 19,034.21               | 90                |
|           | 072   | COMPUTER HARDWARE                   | 13,100.00         |                 |                 |                           | 13,100.00               | 100               |
|           | 200   | WORKERS COMPENSATION                | 11,840.00         | 2,796.56        | 5,593.12        |                           | 6,246.88                | 53                |
|           | 220   | INCOME PROTECTION SERVICES          | 6,500.00          | 543.85          | 2,166.44        |                           | 4,333.56                | 67                |
|           | 221   | GROUP LIFE INSURANCE                | 3,500.00          | 302.40          | 1,209.60        |                           | 2,290.40                | 65                |
|           | 222   | HOSPITALIZATION INSURANCE           | 144,900.00        |                 | 61,708.90       |                           | 83,191.10               | 57                |
|           | 223   | DENTAL CARE INSURANCE               | 9,000.00          |                 | 4,718.46        |                           | 4,281.54                | 48                |
|           | 224   | SOCIAL SECURITY TAX BOROUGH         | 72,000.00         | 6,018.71        | 22,792.95       |                           | 49,207.05               | 68                |
|           | 228   | POLICE PROFESSIONAL LIABILITY INSUR | 18,002.00         |                 | 12,716.18       |                           | 5,285.82                | 29                |
|           |       |                                     | 1,527,317.00      | 92,983.37       | 494,869.70      | 0.00                      | 1,032,447.30            | 68                |
| 01411     | 020   | CONTRIBUTION VOLUNTEER FIRE COMPANY | 132,250.00        |                 |                 |                           | 132,250.00              | 100               |
|           | 021   | COST OF FIRE HYDRANTS               | 22,000.00         | 1,804.66        | 4,823.58        |                           | 17,176.42               | 78                |
|           | 022   | VOL. FIRE CO. - WATER CONSUMPTION   | 4,000.00          | 98.42           | 98.42           |                           | 3,901.58                | 98                |
|           | 023   | STATE WORKERS INS. FD. (SWIF)       | 46,574.00         | 5,486.00        | 12,927.00       |                           | 33,647.00               | 72                |



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| Acct #    | Sub # | Description                         | Amended<br>Budget | MTD<br>Expended | YTD<br>Expended | Outstanding<br>Encumbered | Unencumbered<br>Balance | Budget%<br>Unused |
|-----------|-------|-------------------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>01</b> |       | <b>GENERAL FUND</b>                 |                   |                 |                 |                           |                         |                   |
| 01411     | 099   | FOREIGN FIRE INS. MFC               | 33,000.00         |                 |                 |                           | 33,000.00               | 100               |
|           |       |                                     | 237,824.00        | 7,389.08        | 17,849.00       | 0.00                      | 219,975.00              | 92                |
| 01414     | 010   | SALARIS & WAGES - CODE ENFORCEMENT  | 136,888.00        | 9,819.03        | 40,092.94       |                           | 96,795.06               | 71                |
|           | 020   | GENERAL EXPENSE                     | 4,000.00          | 692.96          | 4,047.94        |                           | -47.94                  | -1                |
|           | 021   | CONTRIBUTION TO PLANNING COMMISSION | 2,500.00          |                 | 262.50          |                           | 2,237.50                | 90                |
|           | 022   | CONTRIBUTION TO ZONING BOARD        | 6,500.00          |                 | 276.00          |                           | 6,224.00                | 96                |
|           | 023   | CONTRIBUTION TO HISTORICAL COMMISS. | 3,000.00          | 35.27           | 1,485.16        |                           | 1,514.84                | 51                |
|           | 024   | CONTR. TO THE ENVIORNMENTAL ADV CO  | 1,000.00          |                 | 356.89          |                           | 643.11                  | 64                |
|           | 221   | REFUNDS- ZONING HEARINGS            | 500.00            |                 |                 |                           | 500.00                  | 100               |
|           |       |                                     | 154,388.00        | 10,547.26       | 46,521.43       | 0.00                      | 107,866.57              | 70                |
| 01415     | 000   | EMERGENCY MANAGEMENT COORDINATOR    | 500.00            | 261.30          | 261.30          |                           | 238.70                  | 48                |
|           |       |                                     | 500.00            | 261.30          | 261.30          | 0.00                      | 238.70                  | 48                |
| 01427     | 020   | CONTRACTED SERVICES                 | 268,750.00        | 23,471.46       | 77,731.65       |                           | 191,018.35              | 71                |
|           | 021   | LANDFILL FEES & EXPENSES            | 106,250.00        | 7,524.48        | 31,008.92       |                           | 75,241.08               | 71                |
|           |       |                                     | 375,000.00        | 30,995.94       | 108,740.57      | 0.00                      | 266,259.43              | 71                |
| 01430     | 010   | SALARIES & WAGES - HIGHWAYS         | 242,919.00        | 18,685.93       | 82,913.68       |                           | 160,005.32              | 66                |
|           | 018   | SALRIES & WAGES-OVERTIME            | 50,000.00         | 368.57          | 882.21          |                           | 49,117.79               | 98                |
|           | 020   | MATERIALS & SUPPLIES                | 12,500.00         | 331.80          | 1,830.66        |                           | 10,669.34               | 85                |
|           | 021   | UTILITIES                           | 14,300.00         | 466.95          | 2,067.18        |                           | 12,232.82               | 86                |
|           | 022   | GENERAL EXPENSE                     | 15,000.00         | 1,234.49        | 4,488.95        |                           | 10,511.05               | 70                |
|           | 023   | EQUIPMENT RENTALS                   | 4,000.00          |                 |                 |                           | 4,000.00                | 100               |
|           | 024   | TELEPHONE & COMMUNICATIONS          | 7,500.00          | 579.68          | 2,545.39        |                           | 4,954.61                | 66                |
|           | 025   | VEHICLE MAINTENANCE & REPAIRS       | 12,000.00         | 1,362.24        | 2,302.56        |                           | 9,697.44                | 81                |
|           | 026   | GAS, OIL & TIRES                    | 15,000.00         | 141.42          | 3,166.37        |                           | 11,833.63               | 79                |
|           | 027   | MINOR EQUIPMENT PURCHASES           | 2,500.00          | 89.97           | 374.64          |                           | 2,125.36                | 85                |
|           | 200   | WORKERS COMPENSATION                | 11,840.00         | 2,796.56        | 5,593.12        |                           | 6,246.88                | 53                |
|           | 220   | INCOME PROTECTION INSURANCE         | 2,771.00          | 197.70          | 771.18          |                           | 1,999.82                | 72                |
|           | 221   | GROUP LIFE INSURANCE                | 1,729.00          | 108.88          | 435.52          |                           | 1,293.48                | 75                |
|           | 222   | HOSPITALIZATION INSURANCE           | 94,201.00         |                 | 30,316.15       |                           | 63,884.85               | 68                |
|           | 223   | DENTAL CARE INSURANCE               | 4,127.00          |                 | 2,015.69        |                           | 2,111.31                | 51                |
|           | 224   | SOCIAL SECURITY TAX - BOROUGH       | 24,434.00         | 1,742.70        | 7,608.31        |                           | 16,825.69               | 69                |
|           |       |                                     | 514,821.00        | 28,106.89       | 147,311.61      | 0.00                      | 367,509.39              | 71                |
| 01432     | 020   | SNOW & ICE REMOVAL                  | 35,000.00         |                 | 2,117.00        |                           | 32,883.00               | 94                |
|           |       |                                     | 35,000.00         | 0.00            | 2,117.00        | 0.00                      | 32,883.00               | 94                |
| 01433     | 020   | STREET SIGNS & MARKINGS             | 10,000.00         | 165.27          | 1,378.52        |                           | 8,621.48                | 86                |
|           |       |                                     | 10,000.00         | 165.27          | 1,378.52        | 0.00                      | 8,621.48                | 86                |

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|-----------|-------|------------------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>01</b> |       | <b>GENERAL FUND</b>                |                   |                 |                 |                           |                         |                   |
| 01434     | 020   | STREET LIGHTING                    | 30,000.00         | 1,547.07        | 8,544.38        |                           | 21,455.62               | 72                |
|           |       |                                    | 30,000.00         | 1,547.07        | 8,544.38        | 0.00                      | 21,455.62               | 72                |
| 01436     | 020   | MAINT. & REPAIRS - SEWERS & DRAINS | 3,000.00          |                 | 500.00          |                           | 2,500.00                | 83                |
|           | 053   | STORMWATER FEES                    | 2,000.00          |                 | 2,000.00        |                           |                         |                   |
|           |       |                                    | 5,000.00          | 0.00            | 2,500.00        | 0.00                      | 2,500.00                | 50                |
| 01437     | 020   | REPAIRS TO TOOLS & MACHINERY       | 2,000.00          |                 | 1,518.75        |                           | 481.25                  | 24                |
|           |       |                                    | 2,000.00          | 0.00            | 1,518.75        | 0.00                      | 481.25                  | 24                |
| 01438     | 020   | MAINTENANCE & REPAIRS - STREETS    | 10,000.00         |                 | 224.95          |                           | 9,775.05                | 98                |
|           |       |                                    | 10,000.00         | 0.00            | 224.95          | 0.00                      | 9,775.05                | 98                |
| 01439     | 070   | CAPITAL EXPENDITURES               | 59,570.00         |                 |                 |                           | 59,570.00               | 100               |
|           |       |                                    | 59,570.00         | 0.00            | 0.00            | 0.00                      | 59,570.00               | 100               |
| 01452     | 020   | RECREATIONAL PROGRAMS              | 15,000.00         | 1,127.10        | 3,702.06        |                           | 11,297.94               | 75                |
|           | 021   | MAINTENANCE & REPAIRS              | 10,000.00         | 780.42          | 1,616.92        |                           | 8,383.08                | 84                |
|           |       |                                    | 25,000.00         | 1,907.52        | 5,318.98        | 0.00                      | 19,681.02               | 79                |
| 01454     | 010   | SALARIES & WAGES - PARKS & REC.    | 55,867.00         | 4,297.45        | 17,925.31       |                           | 37,941.69               | 68                |
|           | 020   | MATERIALS & SUPPLIES               | 6,500.00          |                 | 5,438.69        |                           | 1,061.31                | 16                |
|           | 021   | GENERAL EXPENSE                    | 6,500.00          | 465.21          | 2,102.90        |                           | 4,397.10                | 68                |
|           |       |                                    | 68,867.00         | 4,762.66        | 25,466.90       | 0.00                      | 43,400.10               | 63                |
| 01455     | 020   | SHADE TREE MAINTENANCE             | 17,250.00         |                 | 1,560.00        |                           | 15,690.00               | 91                |
|           |       |                                    | 17,250.00         | 0.00            | 1,560.00        | 0.00                      | 15,690.00               | 91                |
| 01456     | 020   | CONTRIBUTION TO LIBRARY            | 12,180.00         |                 |                 |                           | 12,180.00               | 100               |
|           |       |                                    | 12,180.00         | 0.00            | 0.00            | 0.00                      | 12,180.00               | 100               |
| 01483     | 020   | NON-UNIFORMED PENSION FUND         | 29,120.00         |                 |                 |                           | 29,120.00               | 100               |
|           |       |                                    | 29,120.00         | 0.00            | 0.00            | 0.00                      | 29,120.00               | 100               |
| 01486     | 026   | CASUALTY - GENERAL LIABILITY       | 12,967.00         |                 | 11,848.25       |                           | 1,118.75                | 9                 |
|           | 027   | AUTOMOBILE LIABILITY INSURANCE     | 3,763.00          |                 | 3,774.78        |                           | -11.78                  | -0                |
|           | 029   | PUBLIC OFFICIALS LIABILITY INS.    | 6,776.00          |                 | 6,716.70        |                           | 59.30                   | 1                 |
|           | 030   | INLAND MARINE INSURANCE            | 8,559.00          |                 | 8,530.21        |                           | 28.79                   | 0                 |

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|-----------|-------|----------------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>01</b> |       | <b>GENERAL FUND</b>              |                   |                 |                 |                           |                         |                   |
| 01486     | 032   | COMMERCIAL PROPERTY INSURANCE    | 2,200.00          |                 | 2,263.53        |                           | -63.53                  | -3                |
|           |       |                                  | 34,265.00         | 0.00            | 33,133.47       | 0.00                      | 1,131.53                | 3                 |
| 01489     | 010   | MILITARY & CIVIC CONTRIBUTIONS   | 43,500.00         |                 |                 |                           | 43,500.00               | 100               |
|           |       |                                  | 43,500.00         | 0.00            | 0.00            | 0.00                      | 43,500.00               | 100               |
| 01492     | 011   | TRANSFER TO CAPITAL RESERVE FUND | 1,427,799.00      | 657,980.00      | 657,980.00      |                           | 769,819.00              | 54                |
|           |       |                                  | 1,427,799.00      | 657,980.00      | 657,980.00      | 0.00                      | 769,819.00              | 54                |
| 01        | ***** | GENERAL FUND                     | 5,517,968.00      | 889,299.22      | 1,839,051.56    | 0.00                      | 3,678,916.44            | 67                |



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| Acct #    | Sub # | Description                         | Amended<br>Budget | MTD<br>Expended | YTD<br>Expended | Outstanding<br>Encumbered | Unencumbered<br>Balance | Budget%<br>Unused |
|-----------|-------|-------------------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>08</b> |       | <b>SEWER FUND</b>                   |                   |                 |                 |                           |                         |                   |
| 08429     | 010   | SALARIES & WAGES - SEWER OP & MAINT | 154,585.00        | 11,891.05       | 52,763.27       |                           | 101,821.73              | 66                |
|           | 020   | MATERIALS & SUPPLIES                | 2,500.00          |                 | 1,585.18        |                           | 914.82                  | 37                |
|           | 021   | UTILITIES                           | 35,000.00         | 3,912.57        | 10,637.20       |                           | 24,362.80               | 70                |
|           | 022   | MAINTENANCE & REPAIRS               | 25,000.00         |                 | 1,094.07        |                           | 23,905.93               | 96                |
|           | 023   | VEHICLE MAINTENANCE & REPAIRS       | 2,500.00          |                 | 142.95          |                           | 2,357.05                | 94                |
|           | 024   | GAS & OIL                           | 4,000.00          | 39.28           | 879.58          |                           | 3,120.42                | 78                |
|           | 026   | SEWAGE DISPOSAL VARIOUS             | 520,000.00        | 48,155.69       | 156,396.08      |                           | 363,603.92              | 70                |
|           | 027   | MATERIALS & SUPPLIES                | 3,000.00          |                 |                 |                           | 3,000.00                | 100               |
|           | 028   | GENERAL EXPENSE                     | 15,000.00         |                 | 12,266.54       |                           | 2,733.46                | 18                |
|           | 029   | ENGINEERING                         | 12,000.00         | 884.50          | 884.50          |                           | 11,115.50               | 93                |
|           | 030   | TELEPHONE & COMMUNICATIONS          | 6,000.00          | 4,091.76        | 4,515.36        |                           | 1,484.64                | 25                |
|           | 031   | ALARM SYSTEM EXPENSE                | 2,000.00          |                 |                 |                           | 2,000.00                | 100               |
|           | 101   | SALARIES & WAGES - SEWER ADMIN.     | 99,303.00         | 7,739.04        | 32,922.33       |                           | 66,380.67               | 67                |
|           |       |                                     | 880,888.00        | 76,713.89       | 274,087.06      | 0.00                      | 606,800.94              | 69                |
| 08430     | 070   | CAPITAL EXPENDITURES                | 15,000.00         |                 |                 |                           | 15,000.00               | 100               |
|           |       |                                     | 15,000.00         | 0.00            | 0.00            | 0.00                      | 15,000.00               | 100               |
| 08484     | 010   | AUTOMOBILE INSURANCE                | 2,280.00          |                 | 2,518.76        |                           | -238.76                 | -11               |
|           | 200   | WORKMEN'S COMPENSATION              | 11,840.00         | 2,796.56        | 5,593.12        |                           | 6,246.88                | 53                |
|           |       |                                     | 14,120.00         | 2,796.56        | 8,111.88        | 0.00                      | 6,008.12                | 43                |
| 08486     | 011   | CASUALTY - GENERAL LIABILITY        | 9,352.00          |                 | 8,557.07        |                           | 794.93                  | 9                 |
|           | 013   | SOCIAL SECURITY TAX -SEWER - BORO   | 19,944.00         | 1,466.00        | 6,413.00        |                           | 13,531.00               | 68                |
|           | 014   | COMMERICAL PROPERTY INSURANCE       | 6,685.00          |                 | 7,489.15        |                           | -804.15                 | -12               |
|           | 015   | PUBLIC OFFICIALS LIABILITY INS.     | 4,312.00          |                 | 4,412.87        |                           | -100.87                 | -2                |
|           | 016   | DENTAL CARE INSURANCE               | 5,959.00          |                 | 2,242.82        |                           | 3,716.18                | 62                |
|           | 017   | INCOME PROTECTION INSURANCE         | 3,904.00          | 260.65          | 1,024.75        |                           | 2,879.25                | 74                |
|           | 019   | HOSPITALIZATON & PRESCRIPTION INS.  | 93,937.00         |                 | 31,358.92       |                           | 62,578.08               | 67                |
|           | 020   | GROUP LIFE INSURANCE                | 2,305.00          | 140.62          | 562.48          |                           | 1,742.52                | 76                |
|           |       |                                     | 146,398.00        | 1,867.27        | 62,061.06       | 0.00                      | 84,336.94               | 58                |
| 08        | ***** | SEWER FUND                          | 1,056,406.00      | 81,377.72       | 344,260.00      | 0.00                      | 712,146.00              | 67                |

# Malvern Borough Accounts Payable

Report Date 05/10/23

## Expenditure Budget Status Report GL Period 2304

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| Acct #    | Sub # | Description                         | Amended<br>Budget | MTD<br>Expended | YTD<br>Expended | Outstanding<br>Encumbered | Unencumbered<br>Balance | Budget%<br>Unused |
|-----------|-------|-------------------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>20</b> |       | <b>SEWER CAPITAL RESERVE</b>        |                   |                 |                 |                           |                         |                   |
| 20429     | 072   | REPAIR OF SEWER LATERALS            | 7,000.00          |                 |                 |                           | 7,000.00                | 100               |
|           | 073   | REPAIR JOINTS FOR I & I             | 75,000.00         |                 |                 |                           | 75,000.00               | 100               |
|           | 074   | UPGRADE WET WELL PUMP ST.#2 RUTHLAN | 35,000.00         |                 |                 |                           | 35,000.00               | 100               |
|           | 076   | CONSTRUCTION FUND-VFSA & TT         | 50,000.00         |                 |                 |                           | 50,000.00               | 100               |
|           | 077   | REPLACE PUMP AT STATION #1 POWELTON | 15,000.00         |                 |                 |                           | 15,000.00               | 100               |
|           |       |                                     | 182,000.00        | 0.00            | 0.00            | 0.00                      | 182,000.00              | 100               |
| 20        | ***** | SEWER CAPITAL RESERVE               | 182,000.00        | 0.00            | 0.00            | 0.00                      | 182,000.00              | 100               |
| <b>30</b> |       | <b>CAPITAL RESERVE FUND</b>         |                   |                 |                 |                           |                         |                   |
| 30400     | 001   | ZONING ORDINANCE AMENDMENTS UPDATE  | 100,000.00        |                 |                 |                           | 100,000.00              | 100               |
|           | 002   | GENERAL CODE REFORMAT OF CODE ORDIN | 17,050.00         |                 | 9,300.00        |                           | 7,750.00                | 46                |
|           | 004   | REVIALIZATION & COMPREHENSIVE PLAN  | 20,000.00         |                 | 4,511.20        |                           | 15,488.80               | 77                |
|           |       |                                     | 137,050.00        | 0.00            | 13,811.20       | 0.00                      | 123,238.80              | 90                |
| 30409     | 002   | MUNICIPAL BUILDING FENCING & LIGHTI | 52,623.00         |                 | 35,823.00       |                           | 16,800.00               | 32                |
|           |       |                                     | 52,623.00         | 0.00            | 35,823.00       | 0.00                      | 16,800.00               | 32                |
| 30430     | 001   | TRAFFIC ANALYSIS ENGINEER STUDIES   | 30,000.00         | 185.00          | 185.00          |                           | 29,815.00               | 99                |
|           |       |                                     | 30,000.00         | 185.00          | 185.00          | 0.00                      | 29,815.00               | 99                |
| 30434     | 001   | STREET LIGHTING                     | 70,000.00         |                 |                 |                           | 70,000.00               | 100               |
|           |       |                                     | 70,000.00         | 0.00            | 0.00            | 0.00                      | 70,000.00               | 100               |
| 30435     | 006   | RANDOLPH WOODS DEV./M-W GREENWAY TR | 250,000.00        | 5,616.00        | 5,616.00        |                           | 244,384.00              | 98                |
|           | 012   | SIDEWALK IMPROVEMENTS               | 150,000.00        |                 |                 |                           | 150,000.00              | 100               |
|           |       |                                     | 400,000.00        | 5,616.00        | 5,616.00        | 0.00                      | 394,384.00              | 99                |
| 30437     | 002   | BRIDGE STREET REPAIRS               | 130,500.00        |                 |                 |                           | 130,500.00              | 100               |
|           |       |                                     | 130,500.00        | 0.00            | 0.00            | 0.00                      | 130,500.00              | 100               |
| 30439     | 001   | OLD LINCOLN HIGHWAY IMPROVEMENTS    | 650,000.00        | 610.00          | 762.50          |                           | 649,237.50              | 100               |
|           | 002   | TRAFFIC SAFETY IMPROVEMENTS         | 100,000.00        |                 |                 |                           | 100,000.00              | 100               |
|           | 070   | PAVING BOROUGH STREETS              | 315,000.00        | 6,346.00        | 8,976.50        |                           | 306,023.50              | 97                |
|           |       |                                     | 1,065,000.00      | 6,956.00        | 9,739.00        | 0.00                      | 1,055,261.00            | 99                |
| 30445     | 001   | Parking Facility Improvements       |                   | 1,594.39        | 1,594.39        |                           | -1,594.39               |                   |
|           |       |                                     | 0.00              | 1,594.39        | 1,594.39        | 0.00                      | -1,594.39               | 0                 |



## Malvern Borough Accounts Payable

Report Date 05/10/23

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GL Period 2304

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| Acct #    | Sub # | Description                    | Amended<br>Budget | MTD<br>Expended | YTD<br>Expended | Outstanding<br>Encumbered | Unencumbered<br>Balance | Budget%<br>Unused |
|-----------|-------|--------------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>30</b> |       | <b>CAPITAL RESERVE FUND</b>    |                   |                 |                 |                           |                         |                   |
| 30446     | 001   | STREAMBANK STABILIZATION       | 844,150.00        | 1,965.50        | 2,301.00        |                           | 841,849.00              | 100               |
|           | 002   | Drainage Improvements          | 50,000.00         | 2,742.50        | 4,138.00        |                           | 45,862.00               | 92                |
|           |       |                                | 894,150.00        | 4,708.00        | 6,439.00        | 0.00                      | 887,711.00              | 99                |
| 30454     | 001   | Park Improvements              | 25,000.00         |                 | 10,865.00       |                           | 14,135.00               | 57                |
|           | 002   | QUAN PARK IMPROVEMENTS         | 326,334.00        | 1,063.00        | 56,928.26       |                           | 269,405.74              | 83                |
|           | 003   | PUMP TRACK                     | 201,500.00        | 1,184.00        | 1,184.00        |                           | 200,316.00              | 99                |
|           |       |                                | 552,834.00        | 2,247.00        | 68,977.26       | 0.00                      | 483,856.74              | 88                |
| 30455     | 001   | KING STREET- SHADE TREE PLAN   | 25,000.00         | 366.00          | 366.00          |                           | 24,634.00               | 99                |
|           |       |                                | 25,000.00         | 366.00          | 366.00          | 0.00                      | 24,634.00               | 99                |
| 30459     | 000   | SIGNAGE THROUGHOUT THE BOROUGH | 50,000.00         |                 |                 |                           | 50,000.00               | 100               |
|           | 001   | Trail Construction             | 100,000.00        |                 |                 |                           | 100,000.00              | 100               |
|           |       |                                | 150,000.00        | 0.00            | 0.00            | 0.00                      | 150,000.00              | 100               |
| 30471     | 000   | DEBT SERVICE PRINCIPAL         | 32,000.00         |                 | 32,000.00       |                           |                         |                   |
|           |       |                                | 32,000.00         | 0.00            | 32,000.00       | 0.00                      | 0.00                    | 0                 |
| 30472     | 000   | DEBT SERVICE INTEREST          | 484.00            |                 | 40.32           |                           | 443.68                  | 92                |
|           |       |                                | 484.00            | 0.00            | 40.32           | 0.00                      | 443.68                  | 92                |
| 30480     | 8932  | GENERAL EXPENSE                | 5,000.00          |                 |                 |                           | 5,000.00                | 100               |
|           |       |                                | 5,000.00          | 0.00            | 0.00            | 0.00                      | 5,000.00                | 100               |
| 30        | ***** | CAPITAL RESERVE FUND           | 3,544,641.00      | 21,672.39       | 174,591.17      | 0.00                      | 3,370,049.83            | 95                |

# Malvern Borough Accounts Payable

Report Date 05/10/23

## Expenditure Budget Status Report GL Period 2304

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| Acct #    | Sub # | Description              | Amended<br>Budget | MTD<br>Expended | YTD<br>Expended | Outstanding<br>Encumbered | Unencumbered<br>Balance | Budget%<br>Unused |
|-----------|-------|--------------------------|-------------------|-----------------|-----------------|---------------------------|-------------------------|-------------------|
| <b>35</b> |       | <b>HIGHWAY AID FUND</b>  |                   |                 |                 |                           |                         |                   |
| 35492     | 000   | TRANSFER TO GENERAL FUND | 50,000.00         |                 |                 |                           | 50,000.00               | 100               |
|           |       |                          | 50,000.00         | 0.00            | 0.00            | 0.00                      | 50,000.00               | 100               |
| 35        | ***** | HIGHWAY AID FUND         | 50,000.00         | 0.00            | 0.00            | 0.00                      | 50,000.00               | 100               |
|           |       |                          | 10,351,015.00     | 992,349.33      | 2,357,902.73    | 0.00                      | 7,993,112.27            | 77                |

### Legend:

Expenditure Budget Status Report Previewing to your screen

Starting at Fund 01400

MARP03 run by Tiffany Loomis 3 : 12 PM

| Acct # | Sub # | Description                         | Amended<br>Budget | MTD<br>Received | YTD<br>Received | Unrealized<br>Balance | Budget %<br>Realized |
|--------|-------|-------------------------------------|-------------------|-----------------|-----------------|-----------------------|----------------------|
| 01     |       | GENERAL FUND                        |                   |                 |                 |                       |                      |
| 01301  | 000   | REAL ESTATE TAXES (CURRENT)         | 1,185,244.00      | 541,845.29      | 836,059.29      | 349,184.71            | 71                   |
|        | 001   | REAL ESTATE TAXES (PRIOR YEARS)     |                   |                 | 597.53          | -597.53               |                      |
|        | 002   | REAL ESTATE TAXES (DELINQUENT)      | 8,000.00          | 1,477.63        | 6,737.53        | 1,262.47              | 84                   |
|        | 003   | INTERIM REAL ESTATE TAXES           | 3,500.00          |                 | 520.62          | 2,979.38              | 15                   |
|        |       |                                     | 1,196,744.00      | 543,322.92      | 843,914.97      | 352,829.03            | 71                   |
| 01310  | 000   | PER CAPITA TAX (CURRENT)            | 11,500.00         | 2,732.00        | 5,396.00        | 6,104.00              | 47                   |
|        | 001   | PER CAPITA TAX (PRIOR YEARS)        | 3,000.00          | 297.00          | 836.00          | 2,164.00              | 28                   |
|        | 010   | REAL ESTATE TRANSFER TAX            | 184,000.00        | 8,673.00        | 165,746.82      | 18,253.18             | 90                   |
|        | 020   | EARNED INCOME TAX (CURRENT)         | 1,600,000.00      | 36,545.20       | 47,208.70       | 1,552,791.30          | 3                    |
|        | 021   | EARNED INCOME TAX (PRIOR YEARS)     | 500,000.00        | 52,800.00       | 588,966.38      | -88,966.38            | 118                  |
|        | 052   | LOCAL SERVICE TAX (PRIOR)           | 50,000.00         | 918.38          | 39,618.65       | 10,381.35             | 79                   |
|        |       |                                     | 2,348,500.00      | 101,965.58      | 847,772.55      | 1,500,727.45          | 36                   |
| 01320  | 001   | BUILDING PERMITS & REGISTRATION     | 35,000.00         | 10,063.45       | 22,641.45       | 12,358.55             | 65                   |
|        | 002   | PLUMBING PERMITS & REGISTRATIONS    | 3,000.00          | 709.50          | 1,834.00        | 1,166.00              | 61                   |
|        | 003   | STREET PERMITS                      | 3,000.00          | 525.00          | 1,000.00        | 2,000.00              | 33                   |
|        | 004   | ZONING & SUBDIVISION PERMITS        | 5,000.00          | 300.00          | 1,825.00        | 3,175.00              | 37                   |
|        | 006   | FRANCHISE FEE - COMCAST             | 82,000.00         |                 | 19,940.35       | 62,059.65             | 24                   |
|        | 007   | HOUSING & PROPERTY MAINTENANCE FEES | 38,000.00         | 2,075.00        | 22,975.00       | 15,025.00             | 61                   |
|        | 071   | INSPECTION FEES                     | 10,000.00         | 725.00          | 3,025.00        | 6,975.00              | 30                   |
|        |       |                                     | 176,000.00        | 14,397.95       | 73,240.80       | 102,759.20            | 42                   |
| 01321  | 033   | PARKING PERMITS                     | 2,000.00          | 144.00          | 1,572.00        | 428.00                | 79                   |
|        |       |                                     | 2,000.00          | 144.00          | 1,572.00        | 428.00                | 79                   |
| 01330  | 000   | VIOLATIONS OF ORDINANCES            | 3,000.00          | 690.15          | 1,377.67        | 1,622.33              | 46                   |
|        | 001   | MOTOR VEHICLE CODE VIOL./ CRIMINAL  | 15,000.00         | 981.06          | 4,409.19        | 10,590.81             | 29                   |
|        | 002   | FALSE ALARM PENALTIES               | 1,000.00          |                 | 150.90          | 849.10                | 15                   |
|        |       |                                     | 19,000.00         | 1,671.21        | 5,937.76        | 13,062.24             | 31                   |
| 01341  | 000   | EARNINGS ON INVESTMENTS             | 12,000.00         | 4,374.87        | 23,964.09       | -11,964.09            | 200                  |
|        |       |                                     | 12,000.00         | 4,374.87        | 23,964.09       | -11,964.09            | 200                  |
| 01342  | 000   | RENTS OF PROPERTY                   | 78,750.00         | 12,834.50       | 25,569.00       | 53,181.00             | 33                   |
|        |       |                                     | 78,750.00         | 12,834.50       | 25,569.00       | 53,181.00             | 32                   |
| 01355  | 002   | GRANTS FROM COUNTY FOR SPECIAL PROJ |                   | 30,504.87       | 31,104.87       | -31,104.87            |                      |
|        |       |                                     | 0.00              | 30,504.87       | 31,104.87       | -31,104.87            | 0                    |

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| Acct # | Sub # | Description                         | Amended<br>Budget | MTD<br>Received | YTD<br>Received | Unrealized<br>Balance | Budget %<br>Realized |
|--------|-------|-------------------------------------|-------------------|-----------------|-----------------|-----------------------|----------------------|
| 01     |       | GENERAL FUND                        |                   |                 |                 |                       |                      |
| 01362  | 000   | POLICE SPECIAL DUTY                 | 10,000.00         |                 | 2,600.00        | 7,400.00              | 26                   |
|        |       |                                     | 10,000.00         | 0.00            | 2,600.00        | 7,400.00              | 26                   |
| 01379  | 000   | MISCELLANEOUS INCOME                | 35,000.00         | 17,834.27       | 18,236.22       | 16,763.78             | 52                   |
|        | 002   | PD AUTO. PROT. DEVICE ALARM REGIST. | 3,000.00          | 50.00           | 1,660.89        | 1,339.11              | 55                   |
|        | 003   | PD COPIES OF ACCIDENT/MISC. REPORTS | 400.00            | 30.00           | 135.00          | 265.00                | 34                   |
|        | 004   | MISCELLANEOUS TAX CERTIFICATION & D | 4,500.00          | 330.00          | 2,850.00        | 1,650.00              | 63                   |
|        |       |                                     | 42,900.00         | 18,244.27       | 22,882.11       | 20,017.89             | 53                   |
| 01395  | 000   | REFUNDS                             | 3,500.00          | 42,262.74       | 42,508.30       | -39,008.30            | 1215                 |
|        |       |                                     | 3,500.00          | 42,262.74       | 42,508.30       | -39,008.30            | 1215                 |
| 01     | ***** | GENERAL FUND                        | 3,889,394.00      | 769,722.91      | 1,921,066.45    | 1,968,327.55          | 49                   |



| Acct # | Sub # | Description                         | Amended<br>Budget | MTD<br>Received | YTD<br>Received | Unrealized<br>Balance | Budget %<br>Realized |
|--------|-------|-------------------------------------|-------------------|-----------------|-----------------|-----------------------|----------------------|
| 08     |       | SEWER FUND                          |                   |                 |                 |                       |                      |
| 08341  | 000   | EARNINGS FROM INVESTMENTS           | 9,000.00          | 3,167.27        | 12,065.07       | -3,065.07             | 134                  |
|        |       |                                     | 9,000.00          | 3,167.27        | 12,065.07       | -3,065.07             | 134                  |
| 08364  | 010   | SEWER RENTS                         | 1,018,180.00      | 4,730.59        | 244,868.16      | 773,311.84            | 24                   |
|        | 012   | OTHER INCOME - PENALTIES & INTEREST | 40,000.00         | 50.00           | 325.00          | 39,675.00             | 1                    |
|        |       |                                     | 1,058,180.00      | 4,780.59        | 245,193.16      | 812,986.84            | 23                   |
| 08     | ***** | SEWER FUND                          | 1,067,180.00      | 7,947.86        | 257,258.23      | 809,921.77            | 24                   |
| 30     |       | CAPITAL RESERVE FUND                |                   |                 |                 |                       |                      |
| 30340  | 000   | EARNINGS FROM INVESTMENTS           | 2,500.00          | 648.57          | 2,841.86        | -341.86               | 114                  |
|        |       |                                     | 2,500.00          | 648.57          | 2,841.86        | -341.86               | 114                  |
| 30392  | 001   | TRANSFER FROM GENERAL FUND          | 1,427,799.00      | 657,980.00      | 657,980.00      | 769,819.00            | 46                   |
|        |       |                                     | 1,427,799.00      | 657,980.00      | 657,980.00      | 769,819.00            | 46                   |
| 30     | ***** | CAPITAL RESERVE FUND                | 1,430,299.00      | 658,628.57      | 660,821.86      | 769,477.14            | 46                   |

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| Acct # | Sub # | Description                    | Amended<br>Budget | MTD<br>Received | YTD<br>Received | Unrealized<br>Balance | Budget %<br>Realized |
|--------|-------|--------------------------------|-------------------|-----------------|-----------------|-----------------------|----------------------|
| 35     |       | HIGHWAY AID FUND               |                   |                 |                 |                       |                      |
| 35341  | 000   | EARNINGS FROM INVESTMENTS      | 1,000.00          | 240.21          | 862.74          | 137.26                | 86                   |
|        |       |                                | 1,000.00          | 240.21          | 862.74          | 137.26                | 86                   |
| 35355  | 005   | STATE MOTOR LICENSE FUND GRANT | 84,646.00         |                 | 95,535.80       | -10,889.80            | 113                  |
|        |       |                                | 84,646.00         | 0.00            | 95,535.80       | -10,889.80            | 113                  |
| 35     | ***** | HIGHWAY AID FUND               | 85,646.00         | 240.21          | 96,398.54       | -10,752.54            | 113                  |
|        |       |                                | 6,472,519.00      | 1,436,539.55    | 2,935,545.08    | 3,536,973.92          | 45                   |

Louis M. Marcelli  
Chief of Police

# MALVERN BOROUGH POLICE DEPARTMENT



Date: May 1, 2023

To: Mayor Uzman  
Members of Borough Council

From: Louis M. Marcelli, Chief of Police *[Signature]*

Subject: MONTHLY REPORT – April 2023

During the month of March 2023, Members of the Police Department received 300 calls for service. Of the 300 calls, there was 3- Part I Crime and 3-Part II Crimes. The Members of the Department made 3 Criminal arrest for the month.

## Traffic Enforcement:

Traffic Citations – 4; Warnings –25 ; Parking Tickets – 9 and Ordinances – 0.

## Alarms:

There were 4 police, 2 fire alarms and 1 EMS alarm.

## EMS, Medical and Ambulance:

There was a total of 13 calls.

## Accidents:

There were 5 property, 2 hit and run, 0 vehicle versus pedestrian, and 4 reportable crash for the month.

## Assistance to Malvern Police Department:

The Police Department received assistance from other Departments on 2 occasions.

1 East First Avenue, Suite 1, Malvern, PA 19355  
Police Radio: 610-647-1440 | Office: 610-647-0261 | Fax: 610-647-6166  
Email: [police@malvern.org](mailto:police@malvern.org)

Louis M. Marcelli  
*Chief of Police*

# MALVERN BOROUGH POLICE DEPARTMENT



## Assistance to Other Departments:

Members of the Department responded to assist other Departments on 16 occasions for miscellaneous police related issues.

## House Checks:

There were 16 house checks for the month.

## Fingerprinting:

4 individuals were printed for employment purposes.

## Training:

April 10 and 11<sup>th</sup>, Officers Wilson, Martin and Capuano attended mandatory in-service training for yearly recertification.

April 17<sup>th</sup>- Cpl. Dougherty attended a Report Writing webinar.

April 19<sup>th</sup>- Chief Marcelli held the annual departmental meeting which was attended by all officers and staff. All officers in attendance received their CPR/First Aid/AED/Narcan recertification along with TASER and OC training.

cc: Tiffany Loomis  
Borough Manager

**1 East First Avenue, Suite 1, Malvern, PA 19355**  
**Police Radio: 610-647-1440 | Office: 610-647-0261 | Fax: 610-647-6166**  
**Email: [police@malvern.org](mailto:police@malvern.org)**



## **PUBLIC WORKS SUPERINTENDENT REPORT**

**April 2023**

### **STREET DEPT:**

Trash containers on King Street and all Public Parks are cleaned out weekly on Monday, Wednesday and Friday. Doggie Bags dispenser are filled.

Cleaned storm drains

17 Mark outs were received from Pa One Call and completed.

Repaired various street signs.

Repaired various Pot Holes.

Street sweeper was run thru out Borough.

Repaired various street lights.

Cut grass at all parks and Paoli Battlefield.

Pressure washed and painted pavilion inside at Rubino Park.

Painted fence at Rubino Park.

Pressure washed all toys at all parks.

Installed no parking sign and painted curb in front of 109 East King Street.

Mulched all flower beds.

Picked up plants at Keystone Wildflowers in Robeson, Pa.

### **SEWER DEPT:**

Pump stations were checked daily.

Pumped 9,412,700 gallons to Valley Forge Sewer Authority.

Cleaned out wet well at pump stations.

### **SHOP:**

Service and inspection on Police.

Service on lawn equipment.

Respectfully submitted,  
Ira Dutter, Jr.  
Superintendent of Public Works

**ARPA COMMITTEE RECOMMENDATIONS & EXPENDITURE STATUS AS OF MAY 10, 2023**

| CATEGORY   | TOTAL AMOUNT<br>DESIGNATED<br>TO BE RELEASED | TRANSACTIONS   | REMAINING<br>BALANCE | NOTES  |
|--|--|--|----------------------|--|
| <p><b><u>Borough Hall Renovations including but not limited to:</u></b><br/> Fence in Police Rear Access - <b>COMPLETED</b><br/> Lighting of Police Area - <b>COMPLETED</b><br/> Upgrade 3 Police Cars w/ Charging Capabilities - <b>COMPLETED</b><br/> Charging Station for Police Cars - <b>COMPLETED</b><br/> Sound System Upgrade - <b>COMPLETED</b><br/> LED Lighting for all Borough Buildings - <b>COMPLETED</b><br/> Upgrade Sound System - <b>COMPLETED</b></p> | \$ 40,000.00                                 | <p><b>\$3,000</b> - Upgrade 3 Police Cars w/ Charging Capabilities - 5/17/2022 (\$2,775 processed for payment in August 2022 for electrical work to be completed)</p> <p><b>\$13,200</b> - Fence in Police Rear Access/ Lighting &amp; Camera including electrical work 6/7/2022 (\$4,081.20 &amp; \$2,453.34 processed for payment in August 2022 for electrical work)</p> <p>(Fence Purchase &amp; Installation totaling \$8,122.13 - A <u>deposit</u> of \$4,061.07 was paid July 11, 2022. The remaining balance is paid upon the work being completed - WORK TO BE COMPLETED IN OCTOBER/ NOVEMBER) <b>THE REMAINDER TO BE PAID FROM WORKERS COMPENSTATION INSURANCE GRANT &amp; BUILDING MAINTENANCE IN THE GENERAL FUND.</b></p> <p><b>\$1,277.15</b> paid 9/28 for Light Pole to Stairs.</p> <p>A <u>deposit</u> of <b>\$1,196</b> was paid in July for the Sound System. <b>The Sound System has been installed and the invoice will be received shortly totaling \$23,449</b> - Sound System approved by Borough Council on 6/21/2022</p> | \$ 707.24            | NONE   |
| <p><b><u>Library Renovations including but not limited to:</u></b><br/> Carpet Tiles<br/> Painting the Library<br/> Foyer Renovations<br/> Shared Bathroom Renovations<br/> AC System to be repaired</p>   | \$ 40,000.00                                 | NONE   | \$ 40,000.00         | NONE   |
| <p><b><u>Economic Revitalization including but not limited to:</u></b><br/> Main Street Manager for King Street<br/> Potential WIFI Hot Spots<br/> Craft &amp; Mercantile Event - Scheduled for 9/16/22 - <b>COMPLETED</b><br/> Craft &amp; Mercantile Event - Scheduled for 9/15/23 - <b>PENDING</b></p>  | \$ 106,600.00                                | <p><b>\$5,000</b> - Craft &amp; Mercantile Event - 4/5/2022<br/> <b>\$6,000</b> - MBPA for Lighting Installation - 10/18/2022<br/> <b>\$3,000</b> - POLICE DETAIL for SURFIN' USA event scheduled for 5/6/2023<br/> ESTIMATE = 5 Hours w/ 6 Police Officers<br/> <b>\$5,550</b> - Craft&amp; Mercantile Event scheduled for 9/15/2023</p>  | \$ 87,050.00         | <p align="center"><b>WORKING ON MAIN STREET<br/>MANAGER INITIATIVE</b></p> <p><b>\$400</b> deducted from spending account total due to Composting Program costing an additional \$800. Split additional cost between two (2) remaining available categories.</p> |
| <p><b><u>Public Works Capital Improvement Program including but no limited to:</u></b><br/> Stormwater Issues - <b>ON GOING</b><br/> 2022 Road Program - <b>COMPLETED</b></p>  | \$ 106,600.00                                | <p><b>\$25,000</b> - 2022 Road Program - 6/7/2022 - PAID IN AUGUST 2022<br/> POST OFFICE STORMWATER PIPE - <b>\$9,500</b> - INVOICES RECEIVED &amp; PAID<br/> WORK COMPLETED ON OCTOBER 11, 2022</p>   | \$ 72,100.00         | <p><b>\$400</b> deducted from spending account total due to Composting Program costing an additional \$800. Split additional cost between two (2) remaining available categories.</p>  |
| <p><b>Quann Park - COMPLETED</b></p>   | \$ 20,000.00                                 | <p><b>\$20,000</b> - Park Improvements for DCNR Grant Match - 4/19/2022<br/> PAID IN AUGUST 2022</p>   | \$ 20,000.00         | <b>COMPLETED</b>   |
| <p><b>Composting Program</b> - Originally \$10k was budgeted for this item. \$800 additional funds were needed. \$400 each was deducted from Storkwater and Economic Revitalization to balance the funds that are allowed to spent.</p>  | \$ 10,800.00                                 | <p>Borough Council approved the composting pilot program at their January 3, 2023 meeting - <b>\$10,800</b> Authorized from ARPA Funds<br/> <b>\$900</b> paid as of May 10, 2023</p>   | \$ 900.00            | <b>COMPLETED</b>   |
| <p><b>Malvern Fire Company - Purchase of EMS Gear COMPLETED</b></p>  | \$ 36,883.00                                 | <p><b>\$36,883</b> - EMS GEAR - 10/19/2022</p>   | \$ -                 | <b>COMPLETED</b>   |

# RTKL LOG

| Case #       | Request Date | Date Received | Requestor         | Records Requested  | Borough Responder | Response  |           |
|--------------|--------------|---------------|-------------------|--|-------------------|-----------|-----------|
|              |              |               |                   |  |                   | Date      | Extension |
| RTK-2023-001 | 1/12/2023    | 1/12/2023     | Ed Gallagher      | 151/153 Old Lincoln Hwy File   | Corinne Badman    | 1/12/2023 | N         |
| RTK-2023-002 | 1/13/2023    | 1/13/2023     | Jeffrey Dill      | 147 Monument Ave File  | Corinne Badman    | 1/13/2023 | N         |
| RTK-2023-003 | 1/15/2023    | 1/16/2023     | Timothy J. Browne | Year 2022 Permit Log   | Tiffany Loomis    | 1/20/2023 | N         |
| RTK-2023-004 | 1/18/2023    | 1/18/2023     | Danny Fruchter    | Sub-Committee Reports given at 1/17/23 Borough Council meeting and Eli Kahn communcinations with the Borough which led to the discussions by the Sub-Committee(s)  | Tiffany Loomis    | 1/20/2023 | N         |
| RTK-2023-005 | 1/20/2023    | 1/20/2023     | Richard Breuer    | All written communications with the Chester County Board of Elections or any official of Chester County regarding the Initiative Petition submitted to the Borough on October 20, 2022.  | Tiffany Loomis    | 1/30/2023 | N         |
| RTK-2023-006 | 1/23/2023    | 1/23/2023     | Jennifer Chomko   | How much Danny Fructner has cost the Borough on RTK Requests and if any request has yielded any information?   | Tiffany Loomis    | 2/16/2023 | Y         |
| RTK-2023-007 | 1/23/2023    | 1/23/2023     | Chris Buckley     | Any report(s), emails, meeting notes, presentations, presentation notes, calendar invites, known communications, physical mail, contracts, agreements regarding Rockwell Associates and/or other known arborist or tree "experts" pertaining to the plot of land for the first ave bike trail or formally known as the pump park.  | Tiffany Loomis    | 3/1/2023  | Y         |
| RTK-2023-008 | 1/24/2023    | 1/25/2023     | Keith Barclay     | Any floorplans/building files for 30-32 E. King Street.  | Corinne Badman    | 1/25/2023 | N         |
| RTK-2023-009 | 1/30/2023    | 1/30/2023     | Chris Buckley     | Any and all information regarding communication between Chester County Parks and Preservation and any Borough official pertaining to the First Ave Bike Trail, Pump Park, or anything to do regarding that particular parcel of land from September 2022 to present.   | Tiffany Loomis    | 3/1/2023  | Y         |
| RTK-2023-010 | 2/1/2023     | 2/1/2023      | Ali Hart          | 5/192023 Shooting Incident Report that occurred at Charleston Green  | Tiffany Loomis    | 2/8/2023  | N         |
| RTK-2023-011 | 2/2/2023     | 2/2/2023      | Joe Lorusso       | All emails from 1/1/19 thru 2/3/2023 any Malvern Borough officials/ employees to Dan Daley, Shelly Georgopoulos, Mark Hinckley, Keri Hinckley, Amanda Snyder, Erika Gross, Bob O'Neil, Melissa Kiely, Jonathan Georgopoulos, Scott Snyder, Suzanne Lowe, Suzanne Clancy, Chris Scott, Samuel Song, Soo Park, Greater Valley Mountain Bike Team, Wendy Dembrak, Matthew Mcquire, Corrine Badman.  | Tiffany Loomis    | 2/24/2023 | y         |
| RTK-2023-012 | 2/3/2023     | 2/3/2023      | Joe Lorusso       | Provide all contracts over the prior 3 year period beginning January 1, 2020 that did not require advertising in one newspaper in general circulation and executed by the Borough and signed by the Borough Manager and/or the council president. Including all email or other correspondence before and after the contract was signed with the company.<br>Provide all records related to the above described contracts as to the requirement that the Borough Manager and council reward contracts to the the lowest qualified and responsible bidder. | Tiffany Loomis    | 2/24/2023 | Y         |
| RTK-2023-013 | 2/3/2023     | 2/3/2023      | Joe Lorusso       | All documents describing the purchasing system established under Section 25-19 of the Malvern Administrative Code, including all regulations, policies and procedures covering the acquisition of goods and services by the Borough. It is not necessary to produce portions of the Home Rule Charter, the Administrative Code, or any Pennsylvania statutes.  | Tiffany Loomis    | 3/10/2023 | y         |
| RTK-2023-014 | 2/8/2023     | 2/8/2023      | Kenneth Graham    | All police reports filed between 5/2019 and 8/2021 by Jane Graham 1012 Charleston Greene   | Corinne Badman    | 2/10/2023 | N         |
| RTK-2023-015 | 2/12/2023    | 2/15/2023     | Jojo Miller       | Body Camera Footage of 5/19/2022 shooting that involved MBPD at Charleston Greene  | Tiffany Loomis    | 2/23/2023 | N         |
| RTK-2023-016 | 2/15/2023    | 2/15/2023     | Frank Ortner      | Tidewater SALDO File   | Tiffany Loomis    | 2/15/2023 | N         |
| RTK-2023-017 | 2/21/2023    | 2/21/2023     | Chris Buckley     | The total amount the Borough has spent on the Pump Track and Bike Trail concepts, from when the idea was first spoke about/brought up through Feruary 2023. This should include all and any expenses incurred by the Borough (internal expenses and third party/contractors/vendors/etc).<br>Asked in the form of a question.  | Tiffany Loomis    | 2/24/2023 | N         |
| RTK-2023-018 | 2/21/2023    | 2/21/2023     | Timothy J. Browne | Copies of all Commercial and Residential electrical permits issue from 1/1/2023 to 1/31/2023 in electronic format.   | Tiffany Loomis    | 2/24/2023 | N         |
| RTK-2023-019 | 2/24/2023    | 2/24/2023     | Chris Buckley     | A copy of all invoices received and/or paid by Malvern Borough from 2015 until February 24, 2023 related to the Pump Park and/or Bike Trail Project.   | Tiffany Loomis    | 3/31/2023 | Y         |
| RTK-2023-020 | 3/8/2023     | 3/8/2023      | Danny Fruchter    | For the Year 2023: The accounting including all sources of income and receivers of all expenditures, for each Charity campaign in which the Malvern Police participated.   | Corinne Badman    | 4/13/2023 | Y         |
|              |              |               |                   |  |                   |           |           |

# RTKL LOG

| Case #           | Request Date | Date Received | Requestor      | Records Requested   | Borough Responder | Response Date | Extension |
|------------------|--------------|---------------|----------------|---|-------------------|---------------|-----------|
| RTK-2023-021     | 3/8/2023     | 3/8/2023      | Joe Lorusso    | All emails and documented communications between SHELLY GEORGOPULOS and Members of the Malvern Borough Council including Malvern Borough Employees and the Malvern Borough Manager (Tiffany Loomis) and the time period requested is from January 1, 2019 to March 6, 2023.   | Corinne Badman    | 4/14/2023     | Y         |
| RTK-2023-022     | 3/20/2023    | 3/20/2023     | Michael Romano | Residential building permits filed for February 2023  | Tiffany Loomis    | 3/27/2023     | N         |
| RTK-2023-023     | 3/21/2023    | 3/21/2023     | Danny Fruchter | All documents, affidavits and attachments filed with the Borough during 2022 and 2023 regarding or connected to the appointment and nomination for election of Lynne Frederick for Borough Councilor.   | Tiffany Loomis    | 4/24/2023     | Y         |
| RTK-2023-024     | 3/23/2023    | 3/23/2023     | Danny Fruchter | Commonwealth of PA Ethics Commission's Official Statement of Financial Interests filed in 2022 and 2021 by Lentz, Cantor, the Borough's Appointed Solicitor.  | Tiffany Loomis    | 3/28/2023     | N         |
| RTK-2023-025     | 3/29/2023    | 3/29/2023     | Janis Faris    | An electronic file (ie Excel, PDF, Word) of any and all employees including part-time, temporary, seasonal employees and elected officials for year of 2022 (fiscal or calendar year). Each employee record should contain the year of compensation, first name, middle initial, last name, hire date (mm-dd-yyyy), base salary amount, bonus amount, overtime amount, gross annual wages and position title.   | Corinne Badman    | 5/2/2023      | Y         |
| OOR AP 2022-2803 | 3/6/2023     | 3/6/2023      | OOR            | Breuer appeal granted in part for all grant information to be provided digitally on a thumb drive   | Tiffany Loomis    | 4/5/2023      | N/A       |
| RTK-2023-027     | 3/31/2023    | 3/31/2023     | Joseph Lorusso | 2023 pertinent to and solely about the "subject matter" of the Pump Park and/or Bike Path proposed to be built on the parcel 2-4-316 also known as the First Avenue Pump Park or Bike Trail Park (name used by the Malvern Borough Council in numerous Agendas). Requesting Email communications between Amy Finkbinder, Mark Niemiec, Brendan Phillips, Manager Tiffany Loomis and Assistant Manager Corinne Badman and the following individuals and or group: Dan Daley, Shelly Georgopolos, Mark Hinckley, Keri Hinckley, Amanda Snyder, Erika Gross, Bob O'Neil, Melissa Kiely, Jonathan Georgopolos, Scott Snyder, Suzanne Lowe, Suzanne Clancy, Chris Scott, Samuel Song, Soo Park, GV Mountain Bike Team, Wendy Dembrak, Matthew McGuire. | Corinne Badman    | 5/5/2023      | Yes       |
| OOR AP 2023-0442 | 3/31/2023    | 3/31/2023     | OOR            | Lorusso appeal granted in part to provide all professional services contracts from January 2020 onward.<br><b>Borough filed Appeal.</b>   | Tiffany Loomis    | 4/30/2023     | N/A       |
| RTK-2023-028     | 4/1/2023     | 4/3/2023      | Danny Fruchter | Body Camera Footage of 5/19/2022 shooting that involved MBPD at Charleston Greene   | Tiffany Loomis    | 4/10/2023     | N         |
| RTK-2023-029     | 4/4/2023     | 4/4/2023      | Reva Alderman  | Any and All property records for 3 Pennsylvania Avenue identified as UPI# 2-3-8.1A consisting of 1.3 acres of land, including but no limited to building permits, license and inspection records, U&O records, storage tank permits, emergency spill response records, and any building diagrams.   | Corinne Badman    | 4/20/2023     | Yes       |
| RTK-2023-030     | 4/14/2023    | 4/14/2023     | Danny Fruchter | For the Year 2022: The accounting, including all sources of income and receivers of all expenditures, for each Charity campaign in which the Malvern Police participated  | Corinne Badman    | 4/20/2023     | No        |
| RTK-2023-031     | 4/24/2023    | 4/24/2023     | Allium Data    | A copy of the last property and casualty renewal summary for all lines of insurance purchased by the city (general liability, auto, workers comp, professional, directors and officers, etc). This document summarizes the insurance terms, limits, deductibles, premiums, and exclusions. 2. A copy of the last employee benefits insurance renewal summary for health, dental, and vision plans sponsored by the city. This document shows plan options available to the city's employees and the pricing for employee, employee plus spouse, and employee plus family.   | Corinne Badman    | DUE 5/31/2023 | Yes       |
| RTK-2023-032     | 5/8/2023     | 5/9/2023      | Janis Faris    | An electronic copy of all payment transactions for fiscal year 2022. This could be considered one of the following reports: Vendor Payment Checkbook Report, Checkbook Register, Expenditure Data, Transactional Detail Payments, Online Checkbook, or Disbursements. We would accept any existing report which contains a minimum of the Payee Name, Amount and Date of each transaction.  | Corinne Badman    | DUE 5/15/2023 | No        |
|                  |              |               |                |   |                   |               |           |
|                  |              |               |                |   |                   |               |           |
|                  |              |               |                |   |                   |               |           |
|                  |              |               |                |   |                   |               |           |
|                  |              |               |                |   |                   |               |           |

# RTKL LOG

| Case #       | Request Date | Date Received | Requestor      | Records Requested  | Borough Responder | Response      |           |
|--------------|--------------|---------------|----------------|--|-------------------|---------------|-----------|
|              |              |               |                |  |                   | Date          | Extension |
| RTK-2023-033 | 5/11/2023    | 5/11/2023     | Richard Breuer | 1) All reports of the Finance & Administration Committee/Subcommittee, Public Safety Committee/Subcommittee, and Public Works Committee/Subcommittee as approved by Borough Council from April 19, 2022 through the present date.  | Tiffany Loomis    | DUE 5/18/2023 | TBD       |
|              |              |               |                | 2) All written materials provided to members of the Finance & Administration Committee/Subcommittee, Public Safety Committee/Subcommittee, and Public Works Committee/Subcommittee with respect to matters coming before those committees/subcommittees from January 1, 2021 through the present date.   |                   |               |           |
|              |              |               |                | 3) All written communications to or from members of the Finance & Administration Committee/Subcommittee, Public Safety Committee/Subcommittee, and Public Works Committee/Subcommittee with respect to matters coming before those committees/subcommittees from January 1, 2021 through the present date.   |                   |               |           |
|              |              |               |                | 4) The following documents, with respect to any litigation matter in which the Borough was a party at any time from January 1, 2016 to the present date. For 2 the purposes of this request, "litigation matter" shall mean any case in any court or any administrative or quasi-judicial body. (a) All papers filed as of record with the court or administrative or quasi-judicial body. |                   |               |           |
|              |              |               |                | (b) All papers whereby the matter was settled or terminated.   |                   |               |           |



## **PUBLIC NOTICE**

Notice is hereby given that a public hearing will be held before the Malvern Borough Council on May 16, 2023, at 7:30 P.M., prevailing time, to consider the conditional use application of Rockhill Real Estate Enterprises XIX, LLC ("Applicant"), for conditional use approval pursuant to Section 220-2001.B.(8) of the Borough of Malvern Zoning Ordinance of 2003, as amended, which permits motor vehicle sales, including used motor vehicle sales, on the property located at 160 Quaker Lane, Malvern, Pennsylvania 19355 ("Property"). The Applicant is proposing to operate a car dealership at the Property including storage and servicing of automobiles in connection the Applicant's dealerships.

The public hearing will be held in person and virtually via Zoom video conference. Members of the public may access via computer or phone. To participate via phone, please call please call **1-877-853-5247 (US Toll Free) and enter the meeting ID # 841 9701 9623**. The video portion may be accessed through the following link: <https://us02web.zoom.us/j/84197019623>. Once you join the meeting, you will be placed into the waiting room and admitted by the host. All participants will be asked to identify themselves upon being admitted into the meeting. Any persons needing assistance are asked to notify Borough Administration at 610-644-2602 prior to the meeting.

Any person who wishes to review the application may do so by contacting the Borough Manager, Tiffany Loomis, at 610-644-2602 or [malvern@malvern.org](mailto:malvern@malvern.org). The application is available for public inspection by calling Borough Hall from 9:00 a.m. to 5:00 p.m. and is also available on the Borough website at [www.malvern.org](http://www.malvern.org) in the "News and Notices" section.

Tiffany M. Loomis  
Borough Manager/Secretary



**Fox Rothschild** LLP  
ATTORNEYS AT LAW

Stone Manor Corporate Ctr.  
2800 Kelly Road Suite 200  
Warrington, PA 18976  
Tel 215.345.7500 Fax 215.345.7507  
WWW.FOXROTHSCHILD.COM

ANDREW R. STOLL  
Direct No: 215.918.3589  
Email: [ASToll@FoxRothschild.com](mailto:ASToll@FoxRothschild.com)

March 17, 2023

**VIA HAND DELIVERY AND EMAIL**

Tiffany M. Loomis  
Malvern Borough Manager and Zoning Officer  
1 E. First Ave.  
Malvern, PA 19355  
[tloomis@malvern.org](mailto:tloomis@malvern.org)

**Re: Conditional Use Application of Rockhill Real Estate Enterprises XIX LLC for  
Property located at 160 Quaker Lane, Malvern Borough, and identified as Parcel  
ID 0203 000301A0 (the “Property”)**

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Dear Tiffany:

This office represents Rockhill Real Estate Enterprises XIX, LLC (the “**Applicant**”), which is the equitable owner of the above-stated Property. The Property is situated in Malvern Borough’s LI1 – Limited Industrial Zoning District. The Applicant owns and operates car dealerships, and desires to use the Property for, in pertinent part, storage and service of automobiles in connection with the Applicant’s dealerships.

The Borough’s Zoning Ordinance defines “Motor Vehicle Sales (Agency)” as: “Any land or structure used or occupied for the buying, leasing and/or the storing of three or more motor vehicles prior to sale or lease.” My understanding is that the Applicant’s proposed use would qualify as “Motor Vehicle Sales (Agency),” which, pursuant to Section 220-2001A.B(8) of the Zoning Ordinance, permits “Motor vehicle sales including used motor vehicle sales” on the Property by conditional use. Importantly, my client does not propose any improvements to the Property at this time, rather just a change in the use of the Property.



Fox Rothschild <sup>LLP</sup>  
ATTORNEYS AT LAW

January 20, 2023

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Thus, the Applicant hereby requests conditional use approval for its proposed use (the “**Application**”) and, in connection therewith, submits the following:

1. Five (5) copies of the Applicant’s Conditional Use Application;
2. Seventeen (17) copies of a plan entitled “Conditional Use Plan,” prepared by T&M Associates, dated March 15, 2023;
3. Five (5) copies of the Addendum to the Application;
4. Five (5) copies of the Applicant’s “Zoning Review Letter” to the Borough, dated January 20, 2023, for the Applicant’s proposed use at the Property;
5. Five (5) copies of a response letter from the Borough’s Assistant Borough Manager and Assistant Zoning Officer, dated February 24, 2023;
6. Five (5) copies of the deed to the Property;
7. Five (5) copies of the first and last page of the Agreement of Sale for the Property, showing that the Applicant is the equitable owner of the Property; and
8. A check made payable to “Malvern Borough,” in the amount of \$1,000.00, representing the fee for submitting this Application.

Kindly provide me with notice of any meetings and/or hearings in which this Application will be reviewed or otherwise discussed, including any meetings of the Borough’s Planning Commission or Borough Council.

Please note that the Applicant reserves the right to present additional exhibits at the hearing on this Application.

Please let me know if you need any additional information to review and process this Application.

Sincerely,

Andrew R. Stoll

Enclosures





January 20, 2023

Page 3

cc: Corinne Badman, Malvern Borough Assistant Zoning Officer  
Scott E. Yaw, Esquire, Solicitor for Malvern Borough  
Applicant  
Michael G. Menkowitz, *Counsel for Applicant*



## CONDITIONAL USE APPLICATION

Permit shall be submitted to:  
**Malvern Borough Administration**

**1 East First Avenue, Suite 3, Malvern, PA 19355**  
(Mon-Fri; 9:00AM – 12:00PM, 1:00PM – 5:00PM)

**Five (5) copies of the completed application and seventeen (17) copies of associated site plans, complying with Article XXIX, Section 2910.B.2.b of the Zoning Ordinance as well as any other exhibits shall be provided.**

**Fee(s): Residential Application = \$750.00 Non-Residential Application = \$1,000.00**

### I. APPLICANT INFORMATION

**Applicant Name:** Rockhill Real Estate Enterprises XIX LLC Please contact Andrew R. Stoll, Esq.,  
First Last Counsel for Applicant

**Contact Information:** (215) 918-3589  
Business Phone Home or Mobile (Circle)  
astoll@foxrothschild.com  
Email

**Mailing Address:** 2800 Kelly Road, Suite 200  
Street  
Warrington, PA 18976  
City Zip Code

### II. PROPERTY INFORMATION

**Property Location (If different):** 160 Quaker Lane  
Street

**Tax Parcel Number:** UPI 2-3-3.1A **Zoning District:** LI1- Limited Industrial Zoning District  
Parcel ID 0203 000301A0

**Property Owner's Name:** Frank D. Kuch, George H. McLaughlin, Patricia A. Taylor and Lester L. Moore,  
co-partners trading as H.K. Double-M Partnership (see enclosed deed)  
First Last

**Use Type:** ☐ Residential ☐ Commercial ☒ Industrial ☐ Nonconforming

**This application is part of a Land Development Project:** ☐ YES ☒ NO

### III. CONDITIONAL USE DESCRIPTION

Describe in detail the proposed conditional use, including specific Zoning Ordinance references related to the use:

Conditional use is sought pursuant to Section 220-2001A.B(8) of the Zoning Ordinance. See Addendum for details of the proposed use.

### IV. REQUIRED DOCUMENTS

The following documentation must accompany all applications in accordance with section 220-2910.B. of the Malvern Borough Zoning Ordinance:

- X A site plan containing the following information:
  - X A site plan depicting the size and location of the proposed use.
  - X Documentation of all proposed buildings and all proposed accessory facilities, including location, dimensions, use, coverage, height, and any proposed improvements where applicable, in relation to the property and street lines.
  - N/A If requesting Conditional Use approval related to increased building coverage or building height as provided in any base residential zoning district, site plans, and architectural renderings shall be provided to demonstrate to the satisfaction of Borough Council that building mass, scale, proportions, and form of new construction, including rooflines, reflect those generally characteristic of Malvern Borough. Information on the interpretation of "general characteristic" has been attached.
  - X Features that present compliance with all applicable area, width, coverage, yard, and design standards.
  - X The location, dimension, and arrangements of proposed facilities including sidewalks, roads, access drives, off-street parking loading and unloading, and parking areas.



X The location, dimensions, and arrangement of any areas devoted to open space, buffer areas, landscaping, or recreation.

N/A Provisions for handling of stormwater drainage, disposal of wastewater, and supply of water.

X A narrative outlining how the application meets the standards for review of a Conditional Use application found in section 220-2910.D. of the Malvern Borough Zoning Ordinance.

## V. SIGNATURE(S)

I declare that this application has been examined by me and to the best of my knowledge believe is a true, correct and complete application. I hereby apply for a Conditional Use, as described below, in accordance with Article XXIX, Section 2910 of the 2003 Malvern Borough Zoning Ordinance.

Applicant Signature: \_\_\_\_\_

*Andrew Stoll, Esq. Counsel for Applicant*

Date: \_\_\_\_\_

*March 16, 2023*

Property Owner Signature: \_\_\_\_\_

*Stephen / Kuzh*

Date: \_\_\_\_\_

*4/16/2023*

## VI. BOROUGH OFFICIAL USE

Fee Amount Paid: \$ \_\_\_\_\_ Check No.: \_\_\_\_\_ Date: \_\_\_\_\_

DATE APPLICATION DEEMED COMPLETE: \_\_\_\_\_ CU Application No: \_\_\_\_\_

DATE APPLICATION DEEMED NOT COMPLETE: \_\_\_\_\_

Reason for NOT being Complete: \_\_\_\_\_

Date correspondence provided to applicant detailing deficiencies: \_\_\_\_\_

Signature of Borough Official: \_\_\_\_\_

Title: \_\_\_\_\_

**I. “GENERALLY CHARACTERISTIC” – SECTION 220-2910.B.(2)(b)[2]**

- Window size and placement should minimize direct views onto neighboring properties bordering on any side yard to respect privacy
- Where overall building mass or scale, or proportions of component parts, including dormer or shed roofs, bays, or overhangs, are larger than the average mass, scale, or proportions exhibited in residences within 500 feet and that fall within the same zoning district as the proposed construction, building mass and roof lines should be broken so that the constituent parts more closely reflect traditional residential construction
- Buildings should include pedestrian scale elements such as porches and porticos
- Box-like straight facades and flat roofs should be avoided
- Peaked roofs at approximately 8/12 rise-over-run ratio are encouraged
- Gables should be broken where necessary such that the rise in a peaked roof does not exceed 12 feet
- Building height should not impose upon residential buildings on adjacent properties by being more than 10 feet higher at or near the minimum side yard
- Garage doors should be designed to recede from view due to greater prominence of other architectural features
- Attached garages with more than two bays should be accessed from the side or rear of the residence where feasible; detached garages at the rear of the lot are encouraged.

**II. STANDARDS FOR REVIEW OF PROPOSED CONDITIONAL USE – SECTION 220-2910.D.**

- (1) The proposed use shall meet all of the specific standards and regulations for eligibility which appear in the sections of this chapter authorizing and governing the proposed conditional use.
- (2) The proposed use is consistent with the purpose of the article whereby it is permitted, the overall purpose of the zoning as contained in Article I, and Borough Comprehensive Plan policies. The proposed use will satisfy all of the relevant provisions and requirements of the Malvern Borough Subdivision and Land Development Ordinance and any other applicable ordinance, code and/or regulations.



- (3) The proposed use shall be limited to those authorized as conditional uses within the zoning district in which the lot or parcel is located.
- (4) Consideration of the character and the type of development in the area surrounding the location for which the request is made, and a determination that the proposed change will constitute an appropriate use in the area and will not injure or detract from the use or value of the surrounding properties or from the character of the neighborhood.
- (5) If the development is to be carried out in successive stages, each stage shall be so planned that the condition and intent of this chapter shall be fully complied with at the completion stage.
- (6) The development, if more than one building, will consist of a harmonious grouping of buildings or other structures.
- (7) The proposed use will be in the public interest and serve the health, safety, and general welfare of the Borough.
- (8) The proposed use is consistent with, and will have no adverse effect upon, the logical extension of public services and utilities, such as public water, public sewer, police, fire protection, recreational opportunities, open space, and public schools.
- (9) Proposed new construction and proposed change in use of existing buildings will be compatible with and in keeping with the existing character of the neighborhood.
- (10) The proposed use reflects an environmentally sensitive approach to land planning and design, and will be sited in a manner sensitive to existing site conditions including streams, vegetation, and other natural resources.
- (11) The proposed use will provide safe and adequate access to roads, existing or proposed, and will not result in excessive traffic volumes or will make any improvements needed to guarantee compatibility with adjacent streets and public services.
- (12) The interior traffic circulation for the proposed use shall provide safe and convenient circulation for all users including vehicular and pedestrian modes. Emergency design considerations will be addressed in the proposed plan.
- (13) The adequacy of sanitation and public safety provisions shall be adequate and a certificate of adequacy of sewage and water facilities from a governmental health agency shall be provided where required or deemed necessary.

(14) The proposed use will be developed using effective stormwater management techniques and soil erosion and sedimentation control techniques.

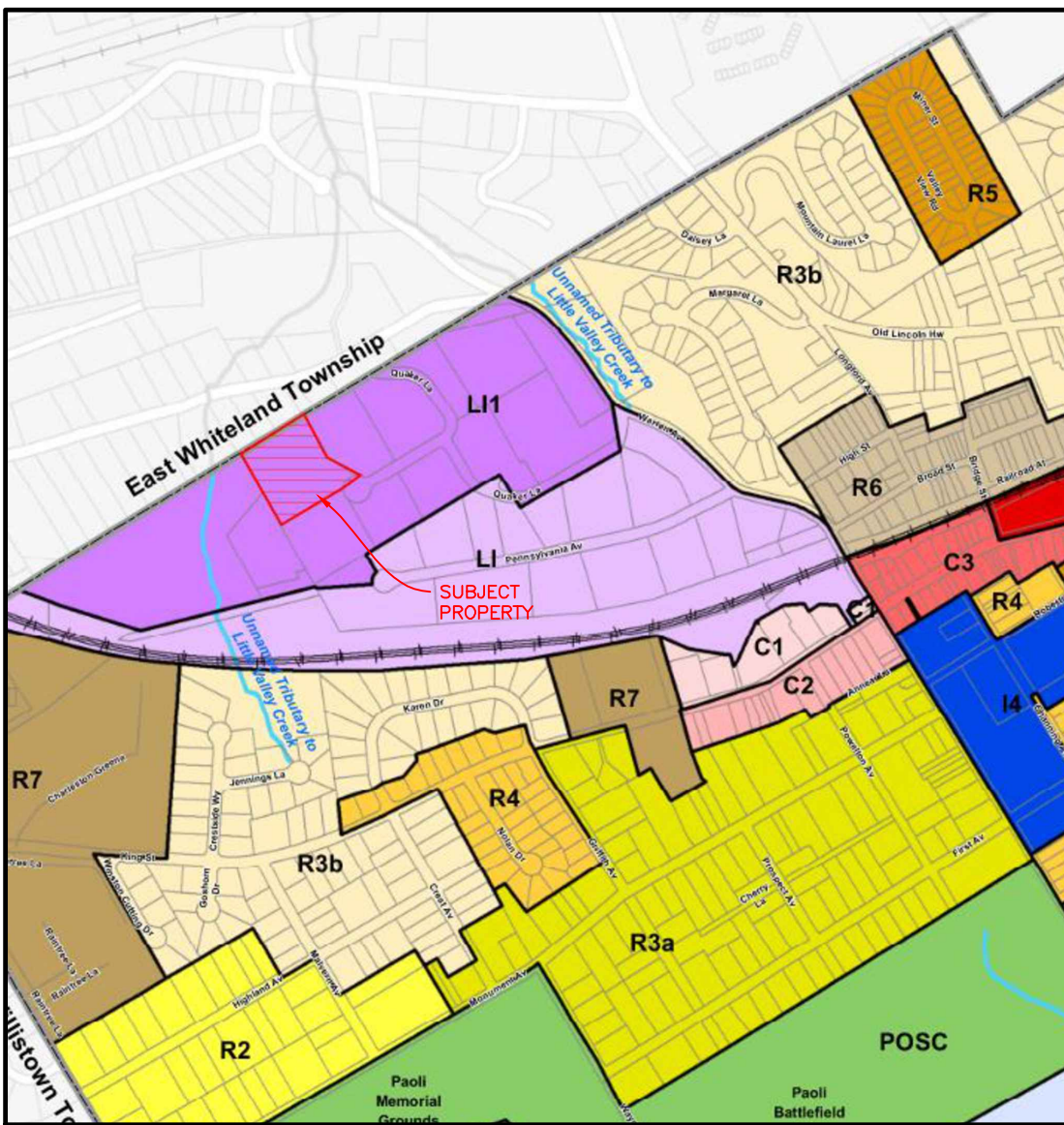
(15) Sufficient land area is available to effectively screen the proposed conditional use from adjoining different uses if required by Borough Council.

**PLEASE REFER TO THE MALVERN BOROUGH ZONING ORDINANCE FOR APPLICABLE REQUIREMENTS FOR CERTAIN USES PERMITTED BY CONDITIONAL USE IN EACH ZONING DISTRICT.**



GENERAL NOTES:

1. THE CONDITIONAL USE PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TOPOGRAPHIC AND BOUNDARY SURVEY.
2. ALL SHOWN PROPERTY BOUNDARIES ARE APPROXIMATED FROM DATA GATHERED FROM CHESCOVIEWS.



LOCATION / ZONING MAP

SCALE: 1"=800'

SITE STATISTICS

1. APPLICANT: ROCKHILL REAL ESTATE ENTERPRISES XIX, LLC  
4005 WEST CHESTER PIKE  
NEWTOWN SQUARE, PA 19073
2. OWNER: FRANK D. KUCH  
356 FRIENDSHIP DR  
PAOLI, PA 19301
3. EXISTING PROPERTY IDENTIFICATION:  
LOT 1: UPI #: 2-3-3.1A  
PARCEL ID #: 0203 000301A0  
TRACT LOCATION: 160 QUAKER LANE, MALVERN, PA 19355  
MALVERN BOROUGH, CHESTER COUNTY, PA  
DEED BOOK: 8339 PAGE: 1737
4. GROSS TRACT AREA SUMMARY:  
LOT 1 = ±121,968 SF (2.8 AC.)
5. ZONING DISTRICT: LI1 - LIMITED INDUSTRIAL DISTRICT

ZONING DATA

1. ZONING DISTRICT CLASSIFICATION:  
LI1 LIMITED INDUSTRIAL DISTRICT
2. PROPOSED USE:  
§220-2001A.B.(8) VEHICLE SALES INCLUDING USED MOTOR VEHICLE SALES
3. ZONING REQUIREMENTS TABLE:

|                           | REQUIRED       | EXISTING/<br>PROPOSED* |
|---------------------------|----------------|------------------------|
| MINIMUM LOT AREA          | 1 AC.          | ±2.8 AC.               |
| MINIMUM LOT WIDTH         | 150 FT         | ±113 FEET              |
| MAXIMUM BUILDING COVERAGE | 50%            | ±16%                   |
| MAXIMUM LOT COVERAGE      | 75%            | ±34%                   |
| MINIMUM FRONT YARD        | 40 FT          | ±108 FEET              |
| MINIMUM SIDE YARD         | 20 FT          | ±44 FEET               |
|                           | (≥50 FT TOTAL) | (±122 FT TOTAL)        |
| MINIMUM REAR YARD         | 30 FT          | ±83 FEET               |
| MAXIMUM BUILDING HEIGHT   | 50 FT          | <50 FEET               |

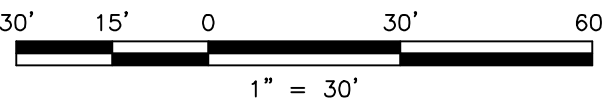
\* THERE ARE NO PROPOSED SITE IMPROVEMENTS TO THE PROPERTY.

NOTE: ZONING DATA IS APPROXIMATED BASED ON PUBLICALLY AVAILABLE DATA AND AERIAL IMAGERY.

4. REQUIRED PARKING:  
PROPOSED USE: MOTOR VEHICLE SALES INCLUDING USED MOTOR VEHICLE SALES  
REQUIRED PARKING FOR PROPOSED USE:  
WAREHOUSE/STORAGE = 1 SPACE PER 1,000 SQUARE FEET GROSS FLOOR AREA  
±19,465 SF / 1,000 SF = 19.465 OR 20 PARKING SPACES REQUIRED  
27 EXISTING PARKING SPACES TO REMAIN

PROPOSED USE

THE APPLICANT REQUESTS CONDITIONAL USE APPROVAL PURSUANT TO SECTION 220-2001A.B.(8) OF THE ZONING ORDINANCE TO UTILIZE THE PROPERTY FOR "VEHICLE SALES INCLUDING USED MOTOR VEHICLE SALES."



ROCKHILL REAL ESTATE ENTERPRISES XIX, LLC

160 QUAKER LANE

MALVERN BOROUGH, CHESTER COUNTY, PENNSYLVANIA

CONDITIONAL USE PLAN



1700 MARKET STREET, SUITE 3110  
PHILADELPHIA, PA 19103  
TEL 215-282-7850  
FAX 215-627-3459

OFFICES LOCATED IN:  
CALIFORNIA, INDIANA, KENTUCKY,  
MASSACHUSETTS, MICHIGAN, NEW JERSEY,  
OHIO AND PENNSYLVANIA

|             |            |
|-------------|------------|
| DESIGNED BY | CKS        |
| CHECKED BY  | KAL        |
| DRAWN BY    | CKS        |
| DATE        | 03/15/2023 |
| SCALE       | AS SHOWN   |
| PROJ. NO.   |            |

|         |     |
|---------|-----|
| DRAWING | CUP |
| SHEET   | 1   |
| OF      | 1   |

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**ADDENDUM TO CONDITIONAL USE APPLICATION OF  
ROCKHILL REAL ESTATE ENTERPRISES XIX LLC FOR PROPERTY  
LOCATED AT 160 QUAKER LANE, MALVERN BOROUGH**

Rockhill Real Estate Enterprises XIX, LLC (the “**Applicant**”) is the equitable owner of the real property located at 160 Quaker Lane, Malvern Borough, and identified as Parcel ID 0203 000301A0 (the “**Property**”). The Property is situated in the Borough’s LI1 – Limited Industrial Zoning District, and is improved with, among other things, an existing building and associated parking that is used for industrial purposes.

The Applicant owns and operates car dealerships and desires to use the Property for, in pertinent part, storage and service of automobiles in connection with the Applicant’s dealerships. The Applicant is not proposing any new improvements to the Property at this time. The Applicant only proposes a new use for the Property.

The Borough’s Zoning Ordinance defines “Motor Vehicle Sales (Agency)” as: “Any land or structure used or occupied for the buying, leasing and/or the storing of three or more motor vehicles prior to sale or lease.” My understanding is that the Applicant’s proposed use would qualify as “Motor Vehicle Sales (Agency),” which, pursuant to Section 220-2001A.B(8) of the Zoning Ordinance, permits “Motor vehicle sales including used motor vehicle sales” on the Property by conditional use.

As will be presented at the hearing on this Application, no customers will be visiting the Property. Rather, the Applicant’s employees will drive the cars to and from the Property for service and/or storage. Lastly, as will be presented at the hearing on this Application, the Applicant’s proposed use satisfies all of the criteria for conditional use approval under the Borough’s Zoning Ordinance.



Stone Manor Corporate Ctr.  
2800 Kelly Road Suite 200  
Warrington, PA 18976  
Tel 215.345.7500 Fax 215.345.7507  
WWW.FOXROTHSCHILD.COM

ANDREW R. STOLL  
Direct No: 215.918.3589  
Email: AStoll@FoxRothschild.com

January 20, 2023

**VIA EMAIL AND FEDEX**

Tiffany M. Loomis  
Malvern Borough Manager and Zoning Officer  
1 E. First Ave.  
Malvern, PA 19355  
[tloomis@malvern.org](mailto:tloomis@malvern.org)

**Re: Zoning Review of Property located at 160 Quaker Lane, Malvern Borough, and  
identified as Parcel ID 0203 000301A0**

Dear Tiffany:

I am writing to request confirmation of a property's zoning designation, and classification of a potential use.

The subject property is located at 160 Quaker Lane, Malvern Borough, and identified as Parcel ID 0203 000301A0 (the "Property"). My understanding is that the Property is situated in Malvern Borough's LI1 – Limited Industrial Zoning District. My client owns car dealerships, and desires to use the Property for, in pertinent part, storage and service of automobiles in connection with my client's business. Of note, no customers will be visiting the Property; rather, my client's employees will drive the cars to and from the Property for service and/or storage.

My understanding is that the Borough's Zoning Ordinance defines "Motor Vehicle Sales (Agency)" as: "Any land or structure used or occupied for the buying, leasing and/or the storing of three or more motor vehicles prior to sale or lease." I also see that Section 220-2001A.B(8) of the Zoning Ordinance allows "Motor vehicle sales including used motor vehicle sales" by conditional use on the Property.



Fox Rothschild LLP  
ATTORNEYS AT LAW

January 20, 2023

Page 2

My client does not propose any improvements to the Property at this time. Thus, can you please confirm that:

1. The property located at 160 Quaker Lane, Malvern Borough, and identified as Parcel ID 0203 000301A0, is situated in the Borough's LI1 Limited Industrial District;
2. My client's proposed use, as outlined above, would qualify as "Motor Vehicle Sales (Agency)" under the Township's Zoning Ordinance;
3. My client's proposed use, as outlined above, is permitted on the Property by conditional use, and
4. Advise as to any other approvals that would be necessary for the above-stated use on the Property.

Enclosed please find a check in the amount of \$75.00, representing the Borough's fee to provide a review and answer to the above-listed issues.

I am available for a call to discuss this matter should that be helpful. My phone number is provided above.

Sincerely,

Andrew R. Stoll

Enclosure

cc: Corinne Badman, Malvern Borough Assistant Zoning Officer  
Scott E. Yaw, Esquire, Solicitor for Malvern Borough



February 24, 2023

SENT VIA EMAIL

Mr. Andrew Stoll  
Stone Manor Corporate Center  
2800 Kelly Road Suite 200  
Warrington, PA 18976  
Email: [astoll@FoxRothschild.com](mailto:astoll@FoxRothschild.com)

Re: 160 Quaker Lane, Malvern Borough, Chester County, Pennsylvania

Dear Mr. Stoll,

As the duly appointed Assistant Zoning Officer for Malvern Borough, I have, at your request, prepared this zoning certification letter for the property located at 160 Quaker Lane, Malvern Borough (hereinafter the 'Property'). I offer the following comments:

The property is located in the LI1 – Limited Industrial Zoning District.

Section 220-2001.B of the Malvern Borough Zoning Ordinance provides that "Motor vehicle sales including used motor vehicles sales" are permitted by conditional use, only upon the grant of the conditional use by Borough Council, subject to the terms of Article XX and of Article XXIX.

Section 220-2910 of the Malvern Borough Zoning Code sets forth the conditional use process and has been enclosed for your reference.

Your letter dated January 20, 2023, requests for us to advise as to any other approvals that would be necessary for the suggested use(s) by your client at the Property. Please file with the Borough a conditional use application with the required submissions, and our office shall respond accordingly.

Please do not hesitate to contact our office at (610) 644-2602 Ext: 236, if you have any additional questions regarding the Property.

Respectfully,

A handwritten signature in blue ink that reads "Corinne J. Badman". The signature is fluid and cursive.

Corinne J. Badman  
Assistant Borough Manager & Assistant Zoning Officer

C: Tiffany Loomis, Borough Manager  
Scott E. Yaw, Esquire, Borough Solicitor  
File

6/12/04



## DEED OF CONFIRMATION

**This Indenture**, Made the 17th day of June 2004.

**Between** FRANK D. KUCH, GEORGE H. McLAUGHLIN, PATRICIA A. TAYLOR, formerly known as PATRICIA HARTLINE and LESTER L. MOORE, co-partners trading as H.K. DOUBLE-M PARTNERSHIP, formerly known as H.K. 3M PARTNERSHIP, a Pennsylvania general partnership (hereinafter called the Grantor), of the one part, and

FRANK D. KUCH, GEORGE H. McLAUGHLIN, PATRICIA A. TAYLOR and LESTER L. MOORE, co-partners trading as H.K. DOUBLE-M PARTNERSHIP, a Pennsylvania general partnership (hereinafter called the Grantee), of the other part.

**Witnesseth**, That the said Grantor, for and in consideration of the sum of One (\$1.00) Dollar, lawful money of the United States of America, unto it well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has remised, released, and quit-claimed, and by these presents does remise, release and quit-claim unto the said Grantee, its successors and assigns, as partnership property;

ALL THAT CERTAIN lot or piece of ground, SITUATE in Malvern Borough, Chester County, Pennsylvania, described according to a Subdivision Plan for Malvern Business Park, made by Edward B. Walsh and Associates, Inc., C.E., dated August 18, 1988, last revised March 27, 1989, as recorded in the Office of the Recorder of Deeds of Chester County as Plan No. 9260, as follows, to wit:

BEGINNING at a point on the Southwesterly side of Quaker Lane, a corner of lands now or late of S.A. & R. Wasson; thence extending South 59 degrees, 25 minutes, 00 seconds West along same, 295.46 feet to a point in line of land now or late of Spencer M. & Virginia Sharpless; thence extending North 29 degrees, 41 minutes, 40 seconds West along same, 370.87 feet to a point in line of land now or late of R.H. Altemus and also at a point on the Township line dividing East Whiteland from Malvern Borough; thence extending North 59 degrees, 48 minutes, 50 seconds East along same 323.06 feet to a point, a corner of Lot No. 2 on said Plan; thence extending along same the two following courses and distances: (1) South 29 degrees, 52 minutes, 45 seconds East 240.00 feet to a point, and (2) South 02 degrees, 16 minutes, 39 seconds East 137.95 feet to a point of curve on the Northwesterly side of Quaker Lane; thence extending along the same the two (2) following courses and distances: (1) extending along an arc of a circle, curving to the left, having a radius of 60.00 feet, the arc distance of 113.58 feet to a point of tangent, and (2) South 86 degrees, 33 minutes, 32 seconds West 7.42 feet to the point of beginning. CONTAINING in area 2.818 Acres.

BEING Lot No. 1 on said Plan.

BEING Chester County UPI #2-3-3.1A



BEING the same premises which F. Brian Forcine, James Bradley Forcine, Jack R. Loew and Craig Hough, general partners trading as Valley Investments Partnership Group XII, by Deed dated September 25, 1989, as recorded in the Office of the Recorder of Deeds of Chester County in Record Book 1722 page 86 &c., granted and conveyed unto H.K. 3M Partnership, as partnership property, in fee.

AND by Amendment to Fictitious Name, filed in the Department of State of the Commonwealth of Pennsylvania on March 22, 2004, the said H.K. 3M Partnership changed its name to H.K. Double-M Partnership. The present Deed of Confirmation is being recorded solely for the purpose of changing the name of the registered owner of the above described premises in accordance therewith; THEREFORE, same is exempt from Realty Transfer Tax Assessment.

**Together** with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, as well in law as in equity, of the said Grantor, of, in or to the above described premises and any part and parcel thereof, with the appurtenances.

**To have and to hold** all and singular the above mentioned and described premises, together with the appurtenances, unto the said Grantee, its successors and assigns, forever, as partnership property.

**In Witness Whereof**, the Grantor has caused these presents to be duly executed, the day and year first above written.

H.K. Double-M Partnership, formerly  
known as H.K. 3M Partnership,  
a Pennsylvania general partnership

BY: Frank D. Kuch, Partner (SEAL)  
Frank D. Kuch, Partner

BY: George H. McLaughlin (SEAL)  
George H. McLaughlin, Partner

BY: Lester L. Moore (SEAL)  
Lester L. Moore, Partner

BY: Patricia A. Taylor (SEAL)  
Patricia A. Taylor, formerly known  
as Patricia Hartline, Partner



10440789  
Page 2 of 6  
B-6233 P-970

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CHESTER :

ON THIS, the 17th day of June, 2004, before me, a Notary Public, the undersigned officer, personally appeared Frank D. Kuch, who acknowledged himself to be a partner of H.K. Double-M Partnership, a Pennsylvania general partnership, and that he as such partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the partnership by himself as such partner.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Sandra L. Schneider  
Notary Public

Notarial Seal  
Sandra L. Schneider, Notary Public  
Malvern Boro, Chester County  
My Commission Expires Oct. 3, 2005

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CHESTER :

ON THIS, the 17th day of June, 2004, before me, a Notary Public, the undersigned officer, personally appeared Lester L. Moore, who acknowledged himself to be a partner of H.K. Double-M Partnership, a Pennsylvania general partnership, and that he as such partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the partnership by himself as such partner.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Sandra L. Schneider  
Notary Public

Notarial Seal  
Sandra L. Schneider, Notary Public  
Malvern Boro, Chester County  
My Commission Expires Oct. 3, 2005

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CHESTER :

ON THIS, the 18th day of June, 2004, before me, a Notary Public, the undersigned officer, personally appeared George H. McLaughlin, who acknowledged himself to be a partner of H.K. Double-M Partnership, a Pennsylvania general partnership, and that he as such partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the partnership by himself as such partner.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Sandra L. Schneider  
Notary Public

Notarial Seal  
Sandra L. Schneider, Notary Public  
Malvern Boro, Chester County  
My Commission Expires Oct. 3, 2005

176568 v1



FLAMM, BOROFF & BACINE

07/28/2004 02:11P

10440789

Page 3 of 6

B-6233 P-970

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CHESTER

ON THIS, the 17th day of June, 2004, before me, a Notary Public, the undersigned officer, personally appeared Patricia A. Taylor, who acknowledged herself to be a partner of H.K. Double-M Partnership, a Pennsylvania general partnership, and that she as such partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the partnership by herself as such partner.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Andrea L. Schneider  
Notary Public

The address of the  
Within named Grantee:

626 Llewelyn Road  
Berwyn, PA 19312

A PORTION OF THIS  
PAGE NOT LEGIBLE  
AT TIME OF IMAGING

Flamm, Boroff & Bacine  
925 Harvest Dr.  
Blue Bell Pa. 19422



FLAMM, BOROFF & BACINE

07/28/2004 02:11P

10440789

Page 4 of 6

B-6233 P-970

176568 v1



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE  
BUREAU OF INDIVIDUAL TAXES  
DEPT. 280603  
HARRISBURG, PA 17128-0603

# REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

| RECORDER'S USE ONLY |         |
|---------------------|---------|
| State Tax Paid      |         |
| Book Number         | 6233    |
| Page Number         | 970     |
| Date Recorded       | 7-28-04 |

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

## A CORRESPONDENT - All inquiries may be directed to the following person:

|                |                 |                   |          |
|----------------|-----------------|-------------------|----------|
| Name           | FRANK D. KUCH   | Telephone Number: |          |
| Street Address | 160 QUAKER LANE | Area Code ( 610 ) | 993-3450 |
| City           | MALVERN         | State             | PA       |
|                |                 | Zip Code          | 19355    |

## B TRANSFER DATA

|                      |                   |                                |                   |
|----------------------|-------------------|--------------------------------|-------------------|
| Grantor(s)/Lessor(s) | SEE ATTACHED      | Date of Acceptance of Document | 6/17/04           |
| Grantee(s)/Lessee(s) | SEE ATTACHED      |                                |                   |
| Street Address       | 626 LLEWELYN ROAD | Street Address                 | 626 LLEWELYN ROAD |
| City                 | BERWYN            | City                           | BERWYN            |
| State                | PA                | State                          | PA                |
| Zip Code             | 19312             | Zip Code                       | 19355 19312       |

## C PROPERTY LOCATION

|                |                 |                         |              |
|----------------|-----------------|-------------------------|--------------|
| Street Address | 160 QUAKER LANE | City, Township, Borough | MALVERN      |
| County         | CHESTER         | School District         | GREAT VALLEY |
|                |                 | Tax Parcel Number       | 2-3-3.1A     |

## D VALUATION DATA

|                              |              |                              |          |                        |                |
|------------------------------|--------------|------------------------------|----------|------------------------|----------------|
| 1. Actual Cash Consideration | \$1.00       | 2. Other Consideration       | + \$1.00 | 3. Total Consideration | = \$1.00       |
| 4. County Assessed Value     | \$730,260.00 | 5. Common Level Ratio Factor | x 1.35   | 6. Fair Market Value   | = \$985,851.00 |

## E EXEMPTION DATA

|                                 |      |                                     |      |
|---------------------------------|------|-------------------------------------|------|
| 1a. Amount of Exemption Claimed | 100% | 1b. Percentage of Interest Conveyed | 100% |
|---------------------------------|------|-------------------------------------|------|

### 2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession
- ☐ Transfer to Industrial Development Agency.
- ☐ Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number \_\_\_\_\_, Page Number \_\_\_\_\_
- ☒ Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed, if other than listed above.)



10440789

Page 5 of 6

B-6233 P-970

(Name of Decedent)

(Estate File Number)

(SEE ATTACHED)

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party

Date

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

REALTY TRANSFER TAX  
STATEMENT OF VALUE

RE: 160 QUAKER LANE, MALVERN, PA 19312

SECTION B. – TRANSFER DATA:

Grantors: Frank D. Kuch, George H. McLaughlin, Patricia A. Taylor formerly known as Patricia Hartline and Lester L. Moore co-partners trading as H.K. Double-M Partnership, formerly known as H.K. 3M Partnership, a Pennsylvania General Partnership

Grantees: Frank D. Kuch, George H. McLaughlin, Patricia A. Taylor and Lester L. Moore, co-partners trading as H.K. Double-M Partnership, a Pennsylvania General Partnership



## **AGREEMENT OF SALE**

THIS AGREEMENT OF SALE (this “**Agreement**”) is made this 14th day of March 2023, by and between HK Double-M Partnership (the “**Seller**”), and Rockhill Real Estate Enterprises XIX LLC, a Pennsylvania limited liability company or its assignee or nominee (“**Buyer**”).

### **WITNESSETH**

Intending to be legally bound hereby, the parties hereto agree as follows:

1. **Property**. Seller is the fee simple owner of those certain tracts or parcels of land being known as 160 Quaker Lane, Malvern, Chester County, Pennsylvania, 19355, parcel number 0203-000301A0 as more fully described on **Exhibit “A”** attached hereto and made a part hereof (the “**Real Estate**”). Seller hereby agrees to sell to Buyer, and Buyer hereby agrees to purchase from Seller the Real Estate, together with (a) the buildings and improvements located thereon (the “**Building**”), (b) any land lying in the bed of any street, road or alley, opened or proposed, abutting such land to the center line thereof, (c) any easement, privilege or right-of-way inuring to the benefit of said land, including those created pursuant hereto, (d) the appurtenances and hereditaments belonging or otherwise pertaining to said land; and (e) all fixtures situated on or located at or within the Real Estate (items (a)-(e) collectively, the “**Property**”).

2. **Purchase Price**. The aggregate purchase price (the “**Purchase Price**”) to be paid by Buyer to Seller for the Property is \_\_\_\_\_ which subject to the terms and conditions set forth herein, shall be paid by Buyer to Seller, plus or minus, any net cash adjustments made pursuant to the terms of this Agreement, by wire transfer of immediately available federal funds at Closing (hereinafter defined).

3. **Deposit**. Within five (5) business days after Buyer’s receipt of a fully-executed copy of this Agreement, together with all exhibits hereto, Buyer shall deposit with a title company selected by Buyer (“**Escrow Agent**” or “**Title Company**”) the sum of \_\_\_\_\_. The deposit together with all interest earned thereon is sometimes collectively referred to herein as the “**Deposit**”. If Seller shall fail to proceed to Closing when required to under this Agreement and Seller has not raised an issue of breach on the part of Buyer, the Deposit shall be delivered by Escrow Agent to Buyer within three (3) business days after Buyer’s delivery to Escrow Agent and Seller of a written agreement and release between Buyer and Seller providing that Buyer is entitled to the Deposit pursuant to the terms of this Agreement.


4. **Title**.

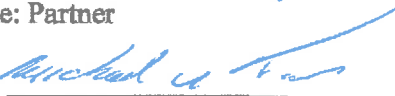
(a) Title to the Property shall be good and marketable, free and clear of all liens, encumbrances, easements, and restrictions, other than those items agreed to in writing (or deemed agreed to) by Buyer hereunder. In addition, such title shall be insurable as such under an ALTA form of owner’s policy of title insurance (as most recently revised) issued at regular rates by any reputable title insurance company, in an amount equal to the Purchase Price (the “**Title Policy**”) at Buyer’s expense.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

**SELLER**

HK DOUBLE-M PARTNERSHIP, a Pennsylvania  
general partnership

By:   
Name: Steven Kuch *Stephen*  
Title: Partner

By:   
Name: Michael Kuch  
Title: Partner

By:   
Name: Patricia Taylor  
Title: Partner

**BUYER**

Rockhill Real Estate Enterprises XIX LLC  
a Pennsylvania ~~limited~~ liability company

By:   
Name: Robert DiStasio  
Title: President