



**REGULAR MEETING
OF THE
BRYN ATHYN BOROUGH COUNCIL**

COUNCIL CHAMBER
May 7, 2018

The meeting was called to order by President Jeffrey Elsing at 7:00p.m. The following were present:

MEMBERS OF COUNCIL

Glenn Gurney
Mark Pennink
Jeffrey Elsing

Brent McCurdy
Duane D. Hyatt
Aurelle Genzlinger

ALSO: Victoria S. Trost, Stephen Gray, Reid Heinrichs, R. Scott Cooper, Mayor Ken Schauder, Solicitor R. Rex Herder. Councilman Ric Asplundh was excused.

MINUTES

On a motion by Glenn Gurney, seconded by Brent McCurdy, Council voted unanimous approval of the April minutes.

TREASURER'S REPORT

Treasurer Vikki Trost reported General Fund Revenue for April was \$659,318.49. General Fund Expenses were \$119,247.65. Net Income was \$540,070.84.

Sewer Fund Revenue for April was \$160.27. Sewer Fund Expenses were \$24,686.20. Net Income was -\$24,525.93.

Today PLGIT paid 1.49%. PLGIT I-Class paid 1.66%.

The second page of this report shows the cash balances to date. Included in the General Fund cash receipts were:

\$	582,700.91	in Real Estate Tax receipts
\$	10,747.82	in Earned Income Tax receipts
\$	6,291.21	in Transfer Tax receipts
\$	809.17	in Local Services Tax receipts
\$	3,814.50	in Building Permit receipts
\$	1,182.02	in Fines
\$	525.00	in Zoning Permit receipts
\$	487.50	in Zoning Hearing Board Application receipts
\$	49,900.84	in State Highway Aid receipts (Liquid Fuels)
\$	30.00	in Police Report receipts
\$	1,175.00	in Grading Permit receipts
\$	12.66	in Interest Income
\$	1,432.08	in Insurance Dividends

Included in the Sewer Fund Cash Receipts were:

\$	160.27	in Lower Moreland Usage Pass-through receipts
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TAX COLLECTOR - None

BILLS

On a motion by Mark Pennink, seconded by Glenn Gurney, Council unanimously voted to authorize payment of the bills as shown on the attached list, which is made a part of these minutes.

PRESIDENT’S REPORT

Zoning Ordinance Update

President Jeff Elsing reported that Council has received the final copy of the Zoning Ordinance which was revised as per Borough Council’s comments. Mr. Elsing stated that this ordinance has been under review for quite some time and all questions and concerns have been addressed.

Solicitor Rex Herder outlined the process to move the proposed ordinance forward towards adoption.

- Copies must be forwarded to the Montgomery County Planning Commission for formal review. Although the Bryn Athyn Planning Commission has already reviewed the plan, Mr. Herder recommends that the Planning Commission again review and comment since minor changes were made. The Planning Commissions have 30 days to review. The Borough is under no obligation to act on the comments or wait for the comments to proceed to the next steps.
- A Public Hearing must be scheduled and advertised in a newspaper of general circulation for two consecutive weeks, not more than 30 days or less than 7 days before the hearing.
- After adoption, a copy must be sent to the Montgomery County Planning Commission and the PA Department of Community and Economic Development.

Mr. Herder recommended a motion by Council to forward the proposed Ordinance to the Montgomery County Planning Commission and the Bryn Athyn Planning Commission.

It was noted that if any changes are made along the way to adoption, this procedure must restart with reviews by Borough Council and planning commissions.

The updated zoning map will be inserted in the final document.

On a motion by Jeffrey Elsing, seconded by Mark Pennink, Council voted unanimously in favor to forward the proposed Zoning Ordinance and Map dated May 8, 2018 to the Montgomery County Planning Commission and the Bryn Athyn Planning Commission for review and comments.

July 4th Fireworks

Mr. Elsing has been working with Mr. McCurdy to continue the July 4th Fireworks. The contract has been signed with the vendor, approval has been received from the Academy to use the fields and security plans are progressing. Mr. Elsing noted that there is no price increase for the fireworks show this year.

MAYOR'S REPORT - None

POLICE CHIEF'S REPORT

Chief Steve Gray reported the following activity for April:

Citations Issued: Traffic: 33 Non-Traffic: 00	33
Alarms	10
Animal complaints	00
Assist Bryn Athyn Fire / Ambulance	07
Assist other Police Agencies	29
Assist Citizens / Public Service calls	17
Miscellaneous Complaints	93
Special Traffic Details	28
Suspicious Circumstance Investigations	11
Vehicle Accidents	04
Vehicle Investigations / Warnings Issued	73

On Monday April 2nd, Bryn Athyn Part-time Police Officer Sean Perry was sworn-in as the Chief of Police for Pennel Borough in Bucks County, PA.

On Wednesday April 4th, Chief Gray joined his fellow Chiefs of Police from Montgomery County at the State Capitol building for a hearing to show support for a proposed bill which would allow municipal police to use radar for speed enforcement. Currently, municipal police are only allowed to use a certified/calibrated stop watch that measures an estimated speed between two points of reference. Pennsylvania is the only state in the country that does not allow municipal police to use radar. The House of Representatives assured us that there will be a vote on this topic sometime later this year.

On Saturday April 7th at 6:10pm, a Good Samaritan responded to police headquarters to drop off a wallet that was found at the Brickman Center. The contents of the wallet included over \$70.00 in cash, credit cards and personal identification. The wallet and its contents were returned to the owner.

On Friday April 13th at 9:47pm, police were dispatched to the 2400 block of Woodland Road to investigate a suspicious, occupied vehicle that was parked at the dead end portion of the road. Further investigation led to both occupants being charged for possession of drugs and drug paraphernalia.

On Saturday April 28th at 6:16pm, police responded to the Brickman Center (2945 College Drive) to investigate a report of a disturbance involving a 44 year old Philadelphia resident who was being verbally abusive towards an ANC Security Officer. Police calmed the situation and all parties left the area without further incident.

FIRE CHIEF’S REPORT

Mayor Ken Schauder reported in the absence of the Fire Chief 19 Fire Calls in April, 15 in Lower Moreland, 2 in Bucks County and 2 in Bryn Athyn. There were 3 water rescues. Mr. Schauder urged people to not drive around barricades.

EMERGENCY MANAGEMENT REPORT

Ken Schauder reported that he and Scott Cooper have switched roles. The EM Team participated in an Active Shooter Tabletop Exercise at Pine Road School in Lower Moreland Township.

SOLICITOR’S REPORT - None

BOROUGH MANAGER’S REPORT

July 4th Fireworks

Vikki Trost reported that July 4th is a Wednesday this year. Options for a rain date are Saturday, July 7 and Saturday, July 14. Council agreed that the rain date would be Saturday, July 7th.

Liquor License

Vikki Trost received a notice from the PA LCB acknowledging receipt of an application for transfer of a liquor license to Cairn Club LLC.

Solicitor Herder explained that Cairn Club LLC was formed in January 2018 to hold and operate a liquor license. PA Liquor Code provides for moving a license into a municipality. That municipality must hold a hearing and adopt a resolution acknowledging the transfer. Mr. Herder has been unable to reach the attorney handling the transfer for Cairnwood. Mr. Herder has prepared a memo to Council members explaining the law and the process. He will also prepare the legal advertisement and resolution for the hearing.

Duane Hyatt explained that a “Club License” will allow Cairnwood to sell liquor at scheduled events, rather than the caterers who are contracted for Cairnwood events. Cairnwood can make money at events. There are restrictions for the “Club License” in that the event must be planned one week in advance. Cairnwood will be able to make money in conjunction with organized events (weddings), as well as Cairnwood special events.

Rex Herder will verify the resolution/application process with the PA LCB and the attorney hired to file the application on behalf of Cairnwood.

Liquid Fuels Audit

The Auditor General's Office conducted an audit of the Liquid Fuels Fund for the year 2017 on April 9, 2018. There were no findings.

Operations List

Deborah McDevitt has moved out of the Borough, leaving a vacancy on the Public Relations Committee.

PUBLIC SAFETY COMMITTEE

Ashley Road Safety Issues

Chairman Jeff Elsing reported that in response to a citizen's concern for children walking along Ashley Road to and from the elementary school, Borough Engineer Nick Rose has prepared another memo outlining alternatives and costs.

Mr. Elsing reported that the police department has patrolled the area during school opening and closing hours, but reported no stops made, no speeding vehicles, but a large volume of traffic. Currently, police presence has increased and the school administration is encouraging parents to discharge and pickup children in the school lot.

The plan presented by Nick Rose provides for sidewalk construction and drainage work on the Northwest side of Ashley Road. The rough cost estimate for the project is \$58,450. Mr. Pennink noted that it is a very good price. Councilman Pennink stated that the project could be done this year if he reduces the amount of paving work, adding that the Borough will ultimately need to install curb along Tomlinson Road. A decision would need to be made soon, so that Mr. Pennink can coordinate paving with Lower Moreland. The project could be budgeted for next year.

Part-Time Police Officer

The search for part-time police officers has resulted in a few outstanding candidates. All of the part-timers have other commitments and that has and will continue to affect offers of employment that are made.

Kevin Green, a local graduate of Arcadia University, has worked as a part-time police officer in Newtown Township. His hours are very flexible, making him a good candidate to fit into the BAPD schedule.

On a motion by Glenn Gurney, seconded by Brent McCurdy, Council voted unanimously in favor to make a conditional offer of employment to Kevin Green for the position of Part-Time Police Officer, subject to the results of both psychological and physical evaluations.

Note – “Coffee with a Cop” will be scheduled soon at the All Aboard Café across from the Post Office.

PUBLIC WORKS COMMITTEE

Chairman Mark Pennink reported that he and Chief Gray have looked further into the “Green Light-Go” program sponsored by PA Department of Transportation. Mr. Pennink reported that the cost to upgrade one traffic signal intersection would be \$200,000; a 20% fund match is required if we are approved. Mayor Schauder stated that a traffic signal pre-emption feature is a good safety feature allowing emergency vehicles to control an intersection. Although new technology upgrades would be nice to have, Mr. Pennink noted that the intersection upgrades are not a good use of current funds with so many other priorities. Mr. McCurdy added that he likes to save money, but also likes keeping up with the times. Mr. Pennink will seek additional quotes.

FINANCE COMMITTEE

Chairman Duane Hyatt reported that the Finance Committee did not meet in April.

LAND USE AND NATURAL RESOURCES/ SHADE TREE COMMITTEE - None

PUBLIC RELATIONS COMMITTEE - None

ADMINISTRATIVE COMMITTEE - None

PLANNING COMMISSION REPORT - None

ZONING OFFICER

Vikki Trost reported that there were four (4) Zoning Permit applications approved in April. Thirteen (13) Building Permits were issued. Five (5) Grading Permits were issued.

SEWER ADMINISTRATOR

Sycamore Road Pump Station

Reid Heinrichs reported that Mrs. Nash reported an odor from the pump station on Sycamore Road to which Mr. Heinrichs responded immediately. The odor came from the control panel. Mr. Heinrichs sealed the conduit, which did not work. He is still troubleshooting the problem. He is confident that the shed which will be installed this year will resolve the issue. Mr. Gurney added that the shed will be installed soon.

Mr. Heinrichs reported that a discrepancy with the Academy of the New Church sewer usage billing has been referred to the Finance Committee for review.

BOROUGH ENGINEER - None

OLD BUSINESS - None

NEW BUSINESS - None

QUESTIONS OR COMMENTS FROM THE FLOOR

Lach Brown reminded President Elsing that a committee needs to be appointed to negotiate a lease renewal for the municipal building. The Committee as appointed will be Jeff Elsing, Mark Pennink, Aurelle Genzlinger, Lach Brown and Ken Schauder. Duane Hyatt will represent the Academy of the New Church in the negotiations.

Vikki Trost repeated the report given last month on the upcoming bridge closings on Philmont Avenue, Byberry Road and Fetters Mill Road.

Karina Kraus apologized to Borough Council and the community for a disturbance that she caused on April 13, 2018.

There being no further business presented, the meeting was adjourned at 8:09pm.

Council's next regular meeting will be held on Monday, June 4, 2018 at 7:00pm in the Borough Hall.

Victoria S. Trost
Secretary