



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

***COUNCIL CHAMBER***  
**October 4, 2021**

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

**MEMBERS OF COUNCIL**

Glenn Gurney  
Ric Asplundh  
Jeffrey Elsing  
Duane D. Hyatt

Brent McCurdy  
Mark Pennink  
Aurelle Genzlinger

ALSO: Victoria S. Trost, Bradley E. Cranch, Mayor Ken Schauder, Solicitor R. Rex Herder.

**EXECUTIVE SESSION**

President Jeffrey Elsing announced that an Executive Session of Borough Council would be held immediately following this meeting.

**MINUTES**

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

**TREASURER’S REPORT**

Treasurer Vikki Trost reported General Fund Revenue for September was \$38,775.34. General Fund Expenses were \$138,545.92. Net Income was -\$99,770.58.

Sewer Fund Revenue for September was \$4,723.77. Sewer Fund Expenses were \$30,906.06. Net Income was -\$26,182.29.

Today PLGIT paid .01%. PLGIT PRIME paid .04%.

Included in the General Fund cash receipts were:

\$	6,256.84	in Earned Income Tax receipts
\$	10,535.00	in Transfer Tax receipts
\$	2,629.72	in Fines
\$	125.00	in Zoning Permits
\$	35.00	in Fireworks Contributions
\$	975.00	in Zoning Hearing Application Fees
\$	7,529.50	in Building Permit Fees
\$	50.00	in Grading Permit Fees
\$	75.00	in Police Report Fees
\$	200.00	in Contributions to the Police Department
\$	10,337.28	in Volunteer Fire Relief Funds

Included in the Sewer Fund Cash Receipts were:

\$	25.00	in Sewer Certification
\$	5.77	Interest Income
\$	377.00	in Category 2 Usage Fees
\$	4,316.00	in Masons Mill Sewer Usage Fees

**TAX COLLECTOR - None**

**BILLS**

GENERAL FUND BILLS

Bryn Athyn Fire Company	\$34,163.33
Bryn Athyn volunteer Fire Relief Assn.	10,337.28
Building Inspection Underwriters Inc.	1,024.00
Davidheiser’s Inc	43.00
DeLage Landen	\$424.00
Doug Hotchkiss	43.17

Eastburn & Gray	1,357.50
Independence Blue Cross	5,795.46
Kenneth J Schauder Inc	315.00
Lower Moreland Township	13,862.65
Peco Energy	1,056.07
Petty Cash – Steve Gray	130.00
Petty Cash – Victoria Trost	100.09
ProTract Engineering Inc	884.00
The Vanguard Group	2,443.97
USA Payroll	332.10
VE Ralph & Son Inc	156.80
Verizon Wireless	158.48
Victoria Trost	50.00
Wawa – Wright Express	<u>720.74</u>
TOTAL	\$73,397.64

SEWER FUND BILLS

Academy of the New Church	\$467.34
EEMA	850.00
Home Depot	430.24
Independence Blue Cross	551.32
Kenneth J Schauder Inc	270.00
MJ Reider & Associates Inc	741.00
PA Dept of Environmental Protection	1,000.00
Postmaster	174.00
USA Payroll	126.60
Verizon	82.97
Verizon Wireless	202.27
Wawa – Wright Express	239.79
Wind River Environmental LLC	<u>1,281.25</u>
TOTAL	\$6,416.78

BMO MASTERCARD

General Fund

Axon	\$375.00
Adobe AcroPro	14.99
Amazon.com	104.88
Wix.com	<u>139.92</u>
TOTAL	\$634.79

Sewer Fund

Level7chemi	\$1,469.66
In King Steel Inc	750.00
Wawa	<u>33.46</u>
TOTAL	\$2,253.12

*On a motion by Duane Hyatt, seconded by Brent McCurdy, 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**

President Jeff Elsing announced that an Executive Session would be held immediately following this meeting to discuss a personnel matter. An Executive Session was held after the September meeting to discuss a personnel matter.

**MAYOR’S REPORT - None**

**POLICE CHIEF’S REPORT**

In the absence of Chief Gray, President Jeff Elsing reported the following activity for September:

Alarms	09
Assist Bryn Athyn Fire / Ambulance	11
Assist Other Police Agencies	48
Miscellaneous Activity	70
Public Service Calls / Assist Citizens	04
Special Traffic Details	19
Suspicious Circumstance Investigations	10
Traffic Citations	50
Vehicle Accidents	05
Vehicle Investigations	68

On Wednesday September 1<sup>st</sup> at 10:09am, police responded to the Cairnwood Village Apartments to take a report involving the theft of a catalytic converter from a resident’s vehicle.

On Wednesday September 1<sup>st</sup> at 7:00pm, police responded to the area of Byberry and Pioneer Roads to investigate a vehicle that was submerged under water due to flooding across the roadway. Upon arrival, police found that the both the driver and passenger had gotten out of the vehicle safely and neither were injured.

On Friday September 3<sup>rd</sup> at 4:55pm, police responded to the Stuart Hall parking lot for a report of a vehicle fire. The Bryn Athyn Fire Company was able to extinguish the engine fire without it spreading any further than the engine compartment. No one was injured in the incident.

On Friday September 3<sup>rd</sup> at 8pm, police responded to the 700 block of Campus Drive for a report of a Domestic Incident in-progress. Upon arrival, police met with a 19-year-old male student and a 20-year-old female student who had been arguing. The argument was verbal only. All appeared to be resolved and police resumed patrol.

On Thursday September 9<sup>th</sup> at 2:31pm, police responded to the 1000 block of Carriage Lane to take a report of Fraud. The resident told police that she was informed that someone filed an unemployment claim in her name. This case is currently under investigation.

On Friday September 10<sup>th</sup> at 12:55pm, police stopped a vehicle for driving recklessly in the 500 block of Tomlinson Road. The vehicle was observed by police driving into the opposing lane of traffic causing multiple vehicles to have to take evasive action from being struck by the vehicle. The driver, a 72-year-old resident of Warminster, was not driving while DUI, however, a request has been submitted by our department to the Department of Motor Vehicles for the driver to be retested due to her unsafe driving.

On Friday September 10<sup>th</sup> at 2:48pm, police stopped a vehicle in the 1800 block of Byberry Road to investigate counterfeit inspections stickers that were displayed on the vehicle. Further investigation resulted in the driver, a 23-year-old resident of Philadelphia, being charged with possession of drugs, driving with no vehicle insurance and driving with counterfeit inspection stickers displayed on the vehicle.

On Wednesday September 15<sup>th</sup> at 12:19pm, police responded to the area of Huntingdon Pike and Tomlinson Road for a report of a disturbance. The complainant, a construction worker who was working in that area, reported that a white male jumped out of his vehicle and began yelling at him due to the traffic conditions. The only information provided was that the white male was driving a black sports utility vehicle, with no tag information. The vehicle was last seen driving Eastbound on Tomlinson Road. Police checked the area with negative results.

On Thursday September 16<sup>th</sup> at 9:41pm, police responded to Cooper Hall at 822 Campus Drive to assist Bryn Athyn Ambulance personnel and the Bryn Athyn Fire Company to investigate a report of an allergic reaction by a resident which may have been caused by something that had been burned in the microwave. Also, there was concern by the resident that an open bottle of dish detergent may have been causing her breathing issues and with having a sore throat. Three dorm residents were transported to Abington Memorial Hospital to be treated for similar symptoms. Once the odor of whatever had been burned in the microwave had dissipated, the Fire Company was able to determine that the quality of air was safe. Also, a Montgomery County Hazmat Team Member deemed the bottle of dish detergent as being safe.

On Friday September 17<sup>th</sup> at 7:10pm, a local resident observed an elderly male walking dangerously close to traffic at Huntingdon Pike and Carriage Lane, so he offered the man a ride. The male was non-verbal and possibly suffering from a medical condition. At 7:15pm, the resident brought the man to police headquarters for assistance. The male had no identification on him and appeared to be unable to speak at the time. Bryn Athyn Ambulance responded to police headquarters and transported the man to Holy Redeemer Hospital. A check of the man's fingerprints showed no record found. Police contacted the local news stations and also placed the man's picture on social media. Philadelphia Police were able to identify the male from the picture that our department posted. The male's wife responded to the hospital where she was reunited with her husband. The woman advised police that her husband has dementia and that he left their Feasterville home earlier in the day to go for a walk and had never returned.

On Tuesday September 21<sup>st</sup> at 2:13am, police conducted a vehicle stop at 1800 Byberry Road which resulted in several citations being issued and the vehicle being towed to the impound lot until ownership of the vehicle could be determined.

On Sunday September 26<sup>th</sup> at 1:44am, Bryn Athyn Police were requested to assist Lower Moreland Police on a traffic stop. While enroute to assist LMPD, the Bryn Athyn Police Officer observed a vehicle driving well over the painted fog line several times on Philmont Avenue. At the request of LMPD, the Bryn Athyn Officer stopped the vehicle at Welsh Road and Valley Road. Further investigation resulted in the driver being arrested for DUI. The 36-year-old male resident of Philadelphia was transported to the Lower Moreland Police Station where he agreed to provide a blood sample. The results of the blood tests are still pending.

On Monday September 27<sup>th</sup> at 1:27am, police conducted a vehicle stop at Huntingdon Pike and Cathedral Road which resulted in the driver being arrested for an active warrant out of Springfield Township, Montgomery County for a false statement that he had made regarding the purchase of a firearm. The 30-year-old resident of Philadelphia was turned over to the Springfield Township Police Department.

On Thursday September 30<sup>th</sup> at 6:50pm, police responded to the 2000 block of Buttonwood Lane for a 911 Hang-up call. Upon arrival, police were advised by the resident that a black female wearing a green shirt and brown pants knocked on her front door asking if she could stay with her for 24 hours. The resident told the unknown person that she could not stay at her house, at which time the female left the property in a grey colored SUV (no tag info) towards Masons Mill Road. Police checked the area but could not locate the vehicle.

**FIRE CHIEF'S REPORT**

Mayor Ken Schauder read the activity report for September. There were 33 Fire Calls in September, 17 in Lower Moreland, 8 in Bryn Athyn and 7 in other municipalities. There were 172 EMS Calls in September, 95 in Lower Moreland, 12 in Bryn Athyn and 37 in Abington Township. It was noted that the Second Alarmers Ambulance Company is experiencing staffing problems. There were 63 Transports to hospital in Lower Moreland, 7 in Bryn Athyn, 18 in Abington, 5 in Upper Moreland and 4 in other municipalities. The Southeast PA DUI Taskforce has set up DUE checkpoints, which resulted in 20 Blood Draws performed by Bryn Athyn Fire Company.

**EMERGENCY MANAGEMENT REPORT**

Emergency Management Coordinator Ken Schauder reported that the County has continued conducting damage assessments resulting from the remnants of Hurricane Ida. EMC Schauder is a certified Damage Assessor who is authorized to assess damage costs. It was noted that there was no reported damage in Bryn Athyn Borough except for the flooding in Borough Hall and the Fire House.

Mr. Schauder reported that there were communication issues during the September 1 storm and that Bryn Athyn and Lower Moreland will coordinate services for future emergency events.

**SOLICITOR'S REPORT**

Solicitor Rex Herder reported on the newly enacted Act 50 of 2021 with regard to Small Wireless Facilities (SWF). Mr. Herder outlined the requirements of the act, noting that the Borough has no say in the location of and small wireless facilities on existing poles. The Act provides for the addition of new poles for SWF installations, with new pole heights to fifty (50) feet. Existing poles may be extended by five (5) feet in height. The Borough can require SWF provider to submit an application and charge a one-time application fee. An annual fee of \$270 per antenna can be charged. Requiring an application will assist the Borough in keeping track of the units located in the Borough. The Borough may also create design standards for the SWF, including "disguising" poles to blend in with trees.

Mr. Herder noted that he was able to obtain an ordinance from another Borough to use in developing an ordinance for Borough Council to review. Mr. Herder recommended that Borough Council adopt an ordinance and he will distribute the draft ordinance to members of Council for review. The proposed ordinance will also include a provision for restoration of property disturbed and removal of no longer used or abandoned equipment.

Mr. Pennink noted that there are currently 27 abandoned poles owned by Peco and Verizon in the Borough which need to be removed.

*On a motion by Brent McCurdy, seconded by Aurelle Genzlinger, Council voted unanimously in favor to instruct the Borough Secretary to advertise a Public Hearing at the November 1, 2021 meeting of Borough Council for the purpose of considering an ordinance to regulate Small Wireless Facilities per Act 50 of 2021.*

## **BOROUGH MANAGER'S REPORT**

### 2022 MMO

Manager Vikki Trost reported that the 2022 Minimum Municipal Obligation of the Borough for the Police Pension Fund is zero dollars. The fund is currently overfunded by \$710,000. No state aid will be received next year as a result. The MMO was reported to Council via email on September 23, 2021.

### Delinquent Sewer Accounts

The two delinquent accounts reported last month were paid in full and were not turned over to collections. There are no accounts past due over 90 days.

### Cairnwood Village Art Fair

Mrs. Trost reported that Cairnwood Village will hold an Art Fair this month. Cairnwood Village President Sarah Elsing provided details on the event. It was noted that ANC Security and the Public Safety Committee have been informed of the date of the event.

## **PUBLIC SAFETY COMMITTEE**

Chairman Jeffrey Elsing reported that the Coffee with a Cop event is scheduled for Saturday, October 16 at the All Aboard Café.

Mr. Elsing reported that the new part-time officers have started their 160 hours of training.

## **PUBLIC WORKS COMMITTEE**

### Aqua PA Water Main Replacement Project

Chairman Mark Pennink reported that Aqua PA is three-quarters of the way down Cathedral Road and that the work there may be completed next week. Mr. Pennink noted that he may request funding from Aqua PA to restore the roads as opposed to permitting



Aqua to pave. Mr. Pennink added that Buck Road will also be torn up during this Aqua PA project.

Tomlinson Road Project

Mr. Pennink reported that borough Engineer Nick Rose may send the bids out next week, but that the work may not be done until next year.

Alden Road Project

Mr. Pennink reported that Nick Rose is working on preliminary estimates and that specs and bids will be ready following that. The project may not be done until 2023.

Road Line Painting

Public Works manager Bradley Cranch reported that he asked the line painter, Quick Lots to put down thermal plastic lines instead of paint, but due to a miscommunication some lines were painted. The school crossing lines on Huntingdon Pike were completed with the thermal plastic. Mr. Pennink will review the Quick Lots invoice with Mr. Cranch. It was noted that Lower Moreland Township had leftover yellow paint which they used to paint the double yellow lines down Buck Road from Byberry Road to the Junge driveway. Mr. Pennink added that Cathedral Road below Cairnrun Circle needs to be painted.

**FINANCE COMMITTEE**

Chairman Duane Hyatt reported that the Committee met in September with the Police Pension Actuary, Joe Duda. Mr. Hyatt reported that although the MMO for 2022 is zero dollars, the Finance Committee plans to keep the budgeted \$50,000 in the 2022 Budget as it would be difficult to put the funding back in the budget if it was removed.

Mr. Hyatt announced that the Budget Committee will schedule department budget presentations for October 19 beginning at 6pm. Department heads will be notified of the time slot for presentations. Mr. Hyatt noted that the Committee's goal is to balance the budget and keep taxes low.

**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 was one (1) Zoning Permit application approved in September. Six (6) Building Permits were issued. One (1) Grading Permit was issued.

The Zoning Hearing Board will meet on Tuesday, October 26, 2021 at 7:00pm to address two applications.

**SEWER ADMINISTRATOR**

Sewer Administrator Reid Heinrichs reported that the Sewage Treatment Plant and the Pump Stations are running well. There were no issues during the September 1 storm flooding, noting that the inflow to the plant was double the normal flow, and that the additional flows were handled by the equalization tanks.

Mr. Heinrichs is working on a proposal for a new generator at the treatment plant.

**BOROUGH ENGINEER - None**

**OLD BUSINESS - None**

**NEW BUSINESS - None**

**QUESTIONS OR COMMENTS FROM THE FLOOR**

Janice Roscoe commented that the new paint on the Huntingdon Pike crosswalk is extremely slippery. Mrs. Roscoe noted that the speed limit signs on Huntingdon Pike are not correct. Mr. Elsing noted that Lower Moreland Township installed and was supposed to correct the signs. They will be contacted.

Lee Moorhead reported that a FEMA representative informed him that a damage claim had been submitted for his property on Feters Mill Road. Mr. Elsing asked Mr. Moorhead to report the fraudulent claim to the BA Police Department.

Reid Heinrichs asked about the Fetters Mill Bridge status. Mr. Elsing replied that the County has been obtaining additional rights-of-way for utilities and that no one knows when the bridge work will begin.

There being no further business presented, the meeting was adjourned at 7:58pm.

Council's next regular meeting will be held on Monday, November 1, 2021 at 7:00pm in the Borough Hall.

Victoria S. Trost  
Secretary