



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

COUNCIL CHAMBER
June 7, 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, Nick Rose, Mayor Ken Schauder, Solicitor R. Rex Herder.

MINUTES

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

TREASURER'S REPORT

Treasurer Vikki Trost reported General Fund Revenue for May was \$104,428.97. General Fund Expenses were \$88,973.12. Net Income was \$15,455.85.

Sewer Fund Revenue for May was \$98,503.88. Sewer Fund Expenses were \$23,697.84. Net Income was \$74,823.04.

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

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

\$	23,034.67	in Current Year Real Estate Taxes
\$	50,485.06	in Earned Income Tax receipts
\$	8,008.74	in Local Services Tax receipts
\$	5,126.46	in Transfer Tax receipts
\$	1,264.07	in Fines
\$	50.00	in Zoning Permits
\$	500.00	in Insurance Deductible Reimbursement
\$	45.00	in Police Report Fees
\$	2,244.00	in Building Permit Fees
\$	6,900.00	in Sale of Fixed Assets – 2013 Ford Police Interceptor
\$	500.00	in Fireworks Contributions

Included in the Sewer Fund Cash Receipts were:

\$	39,736.00	in Category 2 Usage Fees
\$	38,031.00	in Category 3 Usage Fees
\$	15,355.00	in Category 4 Usage Fees
\$	5,381.87	in Masons Mill Pass-through Usage Fees
\$	25.42	Interest Income
\$	17.01	in Finance Charges

Mrs. Trost reported that there were no sewer delinquencies that are 90 days past due.

TAX COLLECTOR

Tax Collector, Bradley Cranch reported \$41,583.08 in Real Estate Taxes collected in May; \$50,310.22 remains uncollected.

BILLS

GENERAL FUND BILLS

AquaPA	\$18.79
Best Line Equipment	793.10
Bryn Athyn Fire Company	406.46
Building Inspection Underwriters	1,707.90
Calebe Nobre	100.00
DeLage Landen	261.45
DeLage Landen	166.25
Eastburn & Gray	1,500.00

Frank A. Malizia, Jr. Inc.	1,600.00
George Allen Portable Toilets	465.00
Independence Blue Cross	5,795.46
LexisNexis Matthew Bender Inc.	105.88
Lower Moreland Township	14,017.32
McDonald Uniform Company	134.99
Peco Energy	956.10
Peco Energy	89.62
Petty Cash - Steve Gray	229.17
Petty Cash – Victoria Trost	102.87
Pioneer Auto Body & Repair	550.26
ProTract Engineering Inc.	2,884.00
PSAB	45.00
Riverside Construction Materials, Inc.	1,207.75
Standard Insurance Company	1,375.95
Staples	107.85
TGI Office Automation	112.08
The Harrison Group	150.00
The Vanguard Group	942.97
USA Payroll	321.84
Verizon Wireless	158.74
Victoria Trost	50.00
WatchGuard Video	120.00
Wawa – Wright Express	896.12
TOTAL	<u>\$37,342.92</u>

SEWER FUND BILLS

Academy of the New Church	\$874.56
AquaPA	402.19
Eastburn & Gray	765.00
Home Depot	452.93
Independence Blue Cross	551.32
MJ Reider Associates Inc.	247.00
Mac Medical Gases Inc.	3.50
McGovern Environmental LLC	270.00
Peco Energy	394.04
Peco Energy	118.42
Pennsylvania Rural Water Association	110.00
Robert Genzlinger	247.46
SCP Distributors LLC	1,925.00
The Harrison Group	30.00
UMHJSA	5,381.87
USA Payroll	124.07
Verizon	42.43
Verizon Internet	242.62
Verizon Wireless	42.34

Verizon	38.71
Wawa – Wright Express	493.28
Wind River Environmental LLC	1,325.78
TOTAL	<u>\$14,082.52</u>

BMO MASTERCARD

General Fund

Adobe AcroPro	\$14.99
Zoom Teleconferencing	158.89
DispenserKeys.com	11.20
Amazon.com	285.82
LogmeinGoToMyPC.com	420.00
Ring Yearly Plan	30.00
Ribbons Unlimited	25.99
Microsoft	105.99
TOTAL	<u>\$1,052.88</u>

Sewer Fund

GlobalPak Inc.	\$874.06
Paypal Nanfanghuif EB	13.77
eBay O 17-07059-49932	26.40
eBay O 09-07060-35672	294.67
Amazon.com	148.59
TOTAL	<u>\$1,357.49</u>

On a motion by Duane Hyatt, seconded by Aurelle Genzlinger, 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 of Borough Council will be held immediately after this meeting tonight.

Mr. Elsing reported that he met with Chris Mendel, Executive Director of the Pennypack Ecological Restoration Trust (PERT). They discussed the meadows along Quarry Road and Cathedral Road that is the subject of a warm grassland review. They would like to begin a project adding winter grasses to the meadow next April. Mr. Hyatt reminded Council that the area is a public park. Council had a positive response to the proposal.

MAYOR’S REPORT

Mayor Ken Schauder introduced Boy Scout Kent Fuller, who was in attendance at the meeting to earn his Communications badge.

POLICE CHIEF'S REPORT

Mr. Elsing read the May Activity report in the absence of Chief Gray.

Alarms	09
Assist Bryn Athyn Fire / Ambulance	06
Assist Other Police Agencies	25
Miscellaneous Activity	71
Public Service Calls / Assist Citizens	01
Special Traffic Details	22
Suspicious Circumstance Investigations	09
Traffic Citations	48
Vehicle Accidents	02
Vehicle Investigations	82

On Sunday May 2nd at 3:25pm, police took a theft report in the 2600 block of Alden Road that involved a sign that had been taken from the resident's front yard. A 48-year-old female resident of Glenside posted on social media that she was the one responsible for stealing the sign. The sign owner said that they only wanted their sign put back in place on their front lawn, but did not wish to press charges as long as the sign was not damaged. The sign was returned undamaged to the resident's front yard.

On Saturday May 8th at 10:12am, police took a report of vandalism that occurred in the 3100 block of Mason Mills Road. The complainant advised police that sometime overnight, someone had tried to remove two poles that were holding a chain in his driveway in an attempt to gain access to his property. The two poles were partially pulled out of the ground, but the offender(s) were unable to gain entry and nothing was reported stolen.

On Monday May 10th at 2:55pm, police responded to the Bryn Athyn Swim Club to take a report of vandalism. Upon arrival, police observed a small concrete statue that had been written on with a red marker.

On Saturday May 22nd at 3:09pm, police responded to Benade Circle to investigate a report of a white Dodge Ram, parked and running in the middle of the traffic lane while the driver was sleeping. Upon arrival, police were able to wake the driver up after repeatedly knocking on the driver-side window. While speaking with the driver, police detected the strong odor of an alcoholic beverage on his breath, his speech was slurred and his eyes were glassy. After performing field sobriety tests, the driver, a 27-year-old resident of Southampton, was taken into custody. The driver was then transported to the Lower Moreland Police Station where he agreed to have his blood drawn for testing. The results of the blood tests are pending.

FIRE CHIEF'S REPORT

Mayor Schauder read the May Activity report in the absence of Chief Zecher.

There were 32 Fire Dispatches in May, 3 in Bryn Athyn; 148 EMS Dispatches, 6 in Bryn Athyn. 94 Patients were transported.

Chief Zecher expressed concerns in an email about licensing for the new Bed & Breakfast on Fetters Mill Road. Mr. Elsing responded that the B&B was approved by the Bryn Athyn Zoning Hearing Board. There was a discussion about fire suppression standards. The owner of the B&B will be sent a copy of the appropriate building code section relating to fire suppression standards.

EMERGENCY MANAGEMENT REPORT

Mayor Ken Schauder reported that the EM team will meet on Wednesday, June 9 at 10:00am to finalize plans for the Fourth of July events.

SOLICITOR'S REPORT - None

BOROUGH MANAGER'S REPORT

Borough Park

Mrs. Trost reported that there have been more inquiries from residents into use of the Borough Park for weddings. If they are permitted, Council should set up a policy for the use.

Fee Schedule

The current Zoning Ordinance has included provisions for a permit for Chicken Coops, Runs and Chickens, as well as annual permits for Two-Family Dwellings and Relative Quarters. These fees need to be added to the current Borough Fee Schedule.

Mrs. Trost reported that she has been using the current zoning permit form, but is working on separate application forms for Chickens, Apartments and In-Law Suites.

Members of Council responded that they did not recall that the above permit requirements were in the updated Zoning Ordinance. Solicitor Herder reminded Council that there was a review of the ordinance section by section prior to adoption. The Relative Quarters and Two-Family annual permit program will begin in January 2022.

On a motion by Aurelle Genzlinger, seconded by Brent McCurdy, Council voted unanimously in favor to amend the 2021 Borough Fee Schedule by adding the Chicken

Coop, Run & Chickens Fee in the amount of \$75 and to amend the Relative Quarters and Two-Family Annual Permit amount to zero dollars effective immediately.

NOISE COMPLAINT

A complaint was received from a neighbor (Upper Moreland resident) near the Lord's New Church about the noise from concerts being held on that property. The neighbors plan to present a petition to Borough Council.

COVID ARPA FUNDS

The federal government has allocated funds for all municipalities through the American Rescue Plan Act. The Borough's allocation is between \$139,000 and \$146,000. The allocation will be made in two payments in June 2021 and June 2022. An application must be made through the PA DCED grant portal. There are limitations for the use of funds. Eligible projects include public health expenditures, addressing negative impacts caused by the public health emergency, replacing lost public sector revenue, providing premium pay for essential workers and investing in water, sewer and broadband infrastructure. PA DCED recommends applying as soon as possible.

On a motion by Ric Asplundh, seconded by Jeffrey Elsing, Council voted to proceed with the application for ARPA funds and will determine projects for the funding at a later date. Mr. Elsing, Mr. McCurdy, Mr. Gurney, Mrs. Genzlinger and Mr. Asplundh voted in the affirmative. Mr. Pennink and Mr. Hyatt voted against the motion. The motion carried.

Mr. McCurdy reopened the noise complaint report. Mr. Herder noted that a neighbor can take a neighbor to court for a private nuisance complaint if they are deprived of the peaceable enjoyment of their home.

PUBLIC SAFETY COMMITTEE

Borough Park Summer Concerts

Chairman Jeff Elsing reported that the group organizing the summer concerts in Borough Park have received instructions for attendee parking. Mr. Elsing noted that parking is not permitted on sidewalks and that warnings will be given for violations.

School Crossing Lights

Mr. Elsing reported that he is looking into the extension of the school crossing zone on Tomlinson Road. Currently, the zone is half the size of the allowed length for a school crossing zone. Extending the zone may reduce speeding on Tomlinson Road. Mr. Elsing and Vikki Trost are working with PA DOT to extend the zone. Mr. Elsing noted that additional signs may be required on side streets entering Tomlinson Road in the extended zone.

Fourth of July Events

Chairman Elsing reported that he is working with the Academy and the Emergency Management Committee to organize the parade and races, along with the fireworks on July 3.

PUBLIC WORKS COMMITTEETomlinson Road

Chairman Mark Pennink reported that the committee has worked with Borough Engineer Nick Rose on the plans for curbing and sidewalks along Tomlinson Road, noting that a school crossing light may need to be moved for the project. The Committee plans to put the project out to bid very soon.

Alden Road Project

Alden Road and Rose Lane residents were thanked for their input, along with Mr. Pennink, Mrs. Genzlinger and Mr. Rose. After reviewing responses from two surveys, comments, meeting notes and a petition it was recommended that Council approve the project as presented last month. It was noted that there is a large difference between homes at the top and the bottom and the north and south sides of the road, with a Lower Moreland Township boundary in between. Driveways, parking and drainage have also been taken into consideration. Mr. Rose provided a basic rough estimate in April for concrete work, milling and paving, driveway access modifications and pedestrian improvements. The Finance Committee reviewed the estimated budget and reported that the Borough can finance the project. The current scope of the project includes: repairs to the road within the original footprint. The road will not be widened and sidewalks will not be installed so that the project will not encroach onto private property. On-street parking will be preserved with the low-profile concrete gutters/curbs. Two-way traffic will continue as opposed to one-way. The crown of the road will be decreased as much as possible and driveway accessibility will be improved as needed. It was noted that a contingency will be included for any unknown underground drainage issues.

On a motion by Aurelle Genzlinger, seconded by Duane Hyatt, Council voted unanimously in favor to authorize the Borough Engineer to prepare Bid Specifications for Alden Road as outlined by the Public Works Committee at a cost not to exceed \$5,000.

FINANCE COMMITTEE

Chairman Duane Hyatt reported that the monthly Finance Committee minutes would be included in the monthly Borough Council packets. Mr. Hyatt reported that the 2013 Ford Police Interceptor SUV was sold on the MuniBid auction site for \$6,900.

Sewer Fund Due-To General

Mr. Hyatt explained that Sewer Fund owes the General Fund \$138,500. The General Fund loaned \$44,715 to the Sewer Fund at the time of the issuance of the General Obligation Bonds in 2002. Since that time, the General Fund has paid bills on behalf of the Sewer Fund for the operation of the sewage treatment plant and pump stations which has accumulated to the current \$138,500. The Finance Committee recommended three options to resolve this debt:

1. The Sewer Fund pays back the entire amount to the General Fund using a) current Sewer Fund Reserves or b) over a period of 5 or 10 years;
2. Forgive the entire amount, if permitted;
3. Compromise by forgiving the initial loan \$44,715 and the Sewer Fund budgets and repays the operation costs from a) current Sewer Fund Reserves or b) over a period of 5 or 10 years.

On a motion by Duane Hyatt, seconded by Brent McCurdy, Council voted to forgive the initial loan to the Sewer Fund in the amount of \$44,715 and pay back the balance of \$93,785 over six years beginning with the 2023 Sewer Budget. Mr. Hyatt and Mr. McCurdy voted in favor. Mr. Pennink, Mrs. Genzlinger, Mr. Asplundh, Mr. Elsing and Mr. Gurney were opposed. The motion failed.

Mrs. Genzlinger moved to forgive the entire \$138,500 Sewer Debt due to the General Fund, Mr. Asplundh seconded the motion. Mr. McCurdy was opposed to the motion forgiving the debt, noting that repaying will instill better discipline to be careful with monies. Mr. Pennink, Mrs. Genzlinger, Mr. Asplundh, Mr. Elsing and Mr. Gurney voted in favor. Mr. McCurdy and Mr. Hyatt were opposed. The motion carried.

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 one (1) Zoning Permit applications approved in May. Eleven (11) Building Permits were issued. No (0) Grading Permits were issued.

SEWER ADMINISTRATOR

Chairman Glenn Gurney reported that the reed beds were emptied in May; the wastewater treatment plant is running well; there are no current PA DEP violations; routine maintenance will be performed over the summer; a new pump is being tested; work will be performed at the Sycamore Road pump station; maintenance pumping is ongoing.

BOROUGH ENGINEER - None

OLD BUSINESS - None

NEW BUSINESS - None

QUESTIONS OR COMMENTS FROM THE FLOOR

Daric Smith, 2771 Alden Road (Lower Moreland resident), stated that he did not understand why major issues are not addressed by the proposed solutions for Alden Road. Mr. Pennink and Mr. Elsing responded that major issues are being addressed. Mr. Pennink noted that the proposed project will be discussed with Lower Moreland Board of Commissioners since a portion of Alden Road is in Lower Moreland Township.

Jane Bostock, 2752 Alden Road, expressed concern about water coming from Huntingdon Pike down Alden Road. Mr. Pennink responded that PA DOT will be consulted about any water from Huntingdon Pike. Mr. Pennink reassured Mrs. Bostock regarding her concerns about the concrete gutters and driveway access.

Lisa Knight, 833 Rose Lane, questioned concrete gutters versus asphalt gutters. Mr. Pennink explained that concrete will last longer than asphalt.

It was noted that center road lines are not necessary.

Mr. Pennink added that there are many utilities under the roadway and that the Borough will do the best it can sizing the concrete gutters.

CIVIL SERVICE COMMISSION

Mr. Elsing noted that the List of Eligible Police Officer Candidates should be updated as the Civil Service Commission last prepared the list in 2018.

Mr. Elsing made a motion to request that the Bryn Athyn Civil Service Commission prepare a list of eligible candidates for a full-time police officer position. Mr. Gurney seconded the motion. The vote was unanimous in favor, the motion carried.

There being no further business presented, the meeting was adjourned at 8:47pm.

Council's next regular meeting will be held on Monday, July12, 2020 at 7:00pm in the Borough Hall.

The Borough Council prepared for the Executive Session which followed the meeting.

Victoria S. Trost
Secretary