



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

COUNCIL CHAMBER
April 2, 2018

The meeting was called to order by Vice President Duane Hyatt at 7:00p.m. The following were present:

MEMBERS OF COUNCIL

Glenn Gurney

Brent McCurdy

Ric Asplundh

Mark Pennink

Aurette Genzlinger

Duane D. Hyatt

ALSO: Victoria S. Trost, Bradley E. Cranch, Mayor Ken Schauder, Solicitor R. Rex Herder. Councilman Jeffrey Elsing was excused.

MINUTES

On a motion by Brent McCurdy, seconded by Ric Asplundh, Council voted unanimous approval of the March minutes.

TREASURER'S REPORT

Treasurer Vikki Trost reported General Fund Revenue for March was \$45,910.95. General Fund Expenses were \$76,643.15. Net Income was -\$30,732.20.

Sewer Fund Revenue for March was \$963.38. Sewer Fund Expenses were \$12,847.02. Net Income was -\$11,883.64.

Today PLGIT paid 1.30%. PLGIT I-Class paid 1.49%.

Included in the General Fund cash receipts were:

\$	37,786.15	in Real Estate Tax receipts
\$	7,026.29	in Earned Income Tax receipts
\$	88.00	in Building Permit receipts
\$	926.25	in Fines
\$	75.00	in Police Report receipts
\$	4.76	in Interest Income

Included in the Sewer Fund Cash Receipts were:

\$	-119.93	in Category 2 Usage receipts (REFUND)
\$	527.90	in Finance Charges
\$	480.41	in Late Fees
\$	75.00	in Sewer Certification receipts

TAX COLLECTOR

Tax Collector, Bradley Cranch reported that today was the last day for the discount on Real Estate Taxes.

BILLS

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

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

PRESIDENT’S REPORT

Zoning Ordinance Update

Vice President Duane Hyatt reported that the Zoning Ordinance will not be discussed further until a clean copy can be reviewed by Council members. The Zoning Committee will meet for a final review on April 9, 2018. The final draft will be ready for the May 7, 2018 meeting.

ANC/Bryn Athyn College Land Development Application – Student Union Building

Solicitor Rex Herder stated that the Pennsylvania Public Officials/Public Employee Ethics Act which states that employees, directors or officers of a corporation cannot vote on a matter that brings benefit to a company will apply to this land development application. Councilman Duane Hyatt holds the position of Treasurer of the Academy of the New Church; Councilman Brent McCurdy holds a position on the board of directors of the Academy of the New Church. Mr. Herder advised Mr. Hyatt and Mr. McCurdy to abstain from both the deliberation and vote on this application, noting that the penalty is draconian – prison, fines, etc.

Representing the Academy and Bryn Athyn College were: Gabe Canuso (D3 Developers), Brian Horner (ProTract Engineering) and Matt Kennedy (ANC Vice President of Operations and Business Development).

Reports and recommendations received from: Alternate Borough Engineer Timothy Woodrow, Montgomery County Planning Commission and Bryn Athyn Planning Commission.

Alternate Borough Engineer Timothy Woodrow submitted eleven (11) comments.

1. NPDES Permit – Mr. Horner reported that ANC has applied to the Montgomery County Conservation District (MCCD) for the NPDES Permit. This permit is incomplete at this time.
2. Sewage Facilities Planning – Mr. Horner reported that a holding tank to comply with the Borough's Act 537 Plan is shown on the plan.
3. Parking – Mr. Horner reported that all 62 proposed parking spaces in two parking lots will be built. It was noted that students will have access to parking until 4:00pm.
4. Zoning – Mr. Woodrow noted that the project appears to comply with all aspects of the requirements in the current Zoning Ordinance.
5. Roof Drains and Drainage Path – Mr. Horner stated that the stormwater calculations have been revised and are noted on the updated plan.
6. Landscaping and Lighting – Mr. Woodrow recommended that the Borough is made aware of plans and impacts of the site amenities. Mr. Horner stated that this is not included in the plan presented to Council.
7. Utility Profiles – Mr. Horner reported that the recommended profiles for sanitary and storm sewer systems designed will be included in the plan.
8. Trash Enclosure – Mr. Horner reported that the trash enclosure is shown on the plan with screening.
9. Lower Level Access – Mr. Woodrow noted that the stairs on the westerly side of the building accessing the lower level are not clear in how the stairs relate to retaining walls and trash loading areas. Mr. Horner stated that the area will be clarified.
10. Storm Sewer Detention System - Mr. Woodrow recommended that additional cleanouts be included to provide for ease of maintenance.
11. Recording – Mr. Woodrow requested signature blocks and acknowledgements for execution by Borough Council and the Borough Planning Commission for recording with the Montgomery County Recorder of Deeds. The post-construction stormwater management plan must be signed by the owner and recorded with the County.

Mr. Pennink noted that water from the existing stormwater basin has been overflowing and asked if the basin is being maintained. Brian Horner noted that it takes three days for the water to infiltrate in the basin. It was noted that the upper basin should have water and drain out faster than it does. It was only designed for a two-year storm and overflows. Nick Rose, representing the Applicant, noted that it was redesigned to take water further down Buck Road.

Mr. Pennink stated that the Academy and Borough Public Works must meet annually to make sure that the basin is maintained. Brian Horner noted that the NPDES Permit requires maintenance and inspection. Nick Rose added that the Academy is responsible to maintain and inspect the basins. The Borough will request an annual inspection report from the Academy. Mr. Woodrow will be consulted on the policy and procedure for the inspection report. Mr. Pennink added that it is more important to conduct inspections with more buildings being built.

Mr. Gurney requested clarification on who will use the restroom facilities, noting the buildings are open late and the turf field rentals. Matt Kennedy reported that those calculations are coming, noting that the holding tank will help.

Mr. Gurney asked Mr. Horner if the plans will be revised to include Tim Woodrow's recommendations. It was noted that the plans have been updated per recommendations.

Solicitor Herder noted that the Pennsylvania Law is clear that if a land development application meets all ordinance requirements then Borough Council must approve the plan.

On a motion by Ric Asplundh, seconded by Glenn Gurney, Council vote in favor to approve the Academy of the New Church/Bryn Athyn College Student Union Building Land Development Plan as revised. Voting in favor: Mark Pennink, Aurelle Genzlinger, Ric Asplundh, Glenn Gurney. Abstaining: Duane Hyatt and Brent McCurdy.

MAYOR'S REPORT

Mayor Ken Schauder reported that he represented the Borough at the Pennypack Ecological Restoration Trust meeting, adding that Lower Moreland Township now has a representative at the PERT meetings. Mayor Schauder added that the Trust received a two million dollar bequest from a person who was never a member of PERT.

POLICE CHIEF'S REPORT

In the absence of Chief Steve Gray, Stephanie Doman read the Police Report for March.

Citations Issued: Traffic: 40 Non-Traffic: 00	40
Alarms	16
Animal complaints	04
Assist Bryn Athyn Fire / Ambulance	10
Assist other Police Agencies	29
Assist Citizens / Public Service calls	08
Miscellaneous Complaints	95
Special Traffic Details	18
Suspicious Circumstance Investigations	10
Vehicle Accidents	04
Vehicle Investigations / Warnings Issued	66

On Monday March 12th at 3:45pm, police responded to Huntingdon Pike and Tomlinson Road to take a report of a hit & run vehicle accident. The driver (victim) that was still on-scene suffered no injuries. A witness provided police with the registration for the vehicle that fled from the scene. Police were able to locate the offender (identified as a 63 year old female resident of Philadelphia). The defendant was cited for Careless Driving, Driving with no Insurance, Leaving the scene of an accident without providing their information or rendering first aid and Driving with a Suspended License.

On Tuesday March 13th at 7:58am, Bryn Athyn Police and Abington Police responded to the 2300 block of Packard Avenue to handle a physical domestic in Lower Moreland Township due to all LMPD units being unavailable. Charges are still pending with LMPD.

On Saturday March 17th at 1:17am, police received a call for a report of loud music coming from a vehicle that was parked in the 2600 block of South Avenue. Upon arrival, Police spoke with the two occupants inside of the vehicle. Further investigation led to charges being filed on the two local residents for possession of drugs and drug paraphernalia.

On Monday March 19th at 3:21pm, police responded to Cooper Hall at 824 Campus drive to take a theft report. The theft consisted of clothing and cash that were inside of a student's room, which had been left unlocked.

On Tuesday March 20th at 7:03am, police took a report of a theft from an unlocked vehicle that was parked in a driveway overnight in the 700 block of Feters Mill Road. The items that were reported missing from the vehicle consisted of approximately \$3.00 in change. Nothing else was reported missing.

On Thursday March 22nd at 7pm, police responded to the 2500 block of South Avenue for a report of a physical altercation inside of a residence. Charges are pending.

On Friday March 23rd at 6:12pm, Police responded to Cairncrest Offices at 1100 Cathedral Road to take a report of a vehicle that was stuck in the mud. Upon arrival, it was determined that the driver (18 year old Philadelphia resident) intentionally drove off the roadway

approximately 30 to 40 feet while damaging the grass. The vehicle had to be towed out of the mud. The driver paid the \$200 tow bill and was cited for Trespass by Motor Vehicle / Damage to Real Property which totaled \$594.50 - The driver will also have to pay for the damages to the property.

FIRE CHIEF'S REPORT

A record number of 37 Fire Calls in March due to wires down and generators as a result of weather was reported. Crews slept in the station 24 – 36 hours during the storms.

EMERGENCY MANAGEMENT REPORT

Last month Emergency Management Coordinator Scott Cooper stated his intention to retire soon. Deputy Emergency Management Coordinator Ken Schauder agreed to assume the position held by Mr. Cooper.

On a motion by Ric Asplundh, seconded by Glenn Gurney, Council voted unanimously in favor to appoint Kenneth Schauder to the position of Bryn Athyn Emergency Management Coordinator and to appoint Scott Cooper to the position of Deputy Emergency Management Coordinator.

Mr. Schauder reported that a meeting was held in March.

SOLICITOR'S REPORT - None

BOROUGH MANAGER'S REPORT

Municipal Building Lease

Borough Manager Vikki Trost reported that the current lease for the Municipal Building expires on October 15, 2020. The Fire Company is considering additional improvements to the building and has asked to be involved in the lease negotiations with the Academy. President Elsing plans to appoint a committee to meet with the Academy to renew the Municipal Building Lease.

Byberry Road Bridge Rehabilitation

PA DOT has informed me that the Byberry Road Stone Arch Bridge rehabilitation will begin in late 2019. The contractor has 108 days to complete the project, with stiff penalties for non-compliance.

Philmont Avenue Bridge Rehabilitation

Philmont Avenue bridge construction in Lower Moreland Township will begin this month. One way traffic will be permitted on Philmont Avenue during construction. The other direction of traffic will be detoured up to Byberry Road, down Huntingdon Pike through Bryn Athyn to Red Lion Road. The project should be completed by Thanksgiving 2018.

Fetters Mill Bridge Rehabilitation

The project is heading into final design stage. The County and PA DOT are expediting the ROW acquisition needed for the project. They are looking at a late 2019 start on the bridge rehabilitation.

PUBLIC SAFETY COMMITTEE - None

PUBLIC WORKS COMMITTEE

Chairman Mark Pennink reported the crews handled several snow events during March.

Mr. Pennink reported that he is working with Lower Moreland Public Works on the 2018 paving bid for work on sections of Tomlinson Road and Buck Road.

Mr. Pennink plans to restore the edges along Buck Road.

A grant program is available for traffic signal light upgrades. The Borough would be responsible for a 20% match of funds. Mr. Pennink will investigate the cost of the pre-emption system allowing emergency vehicles to safely continue through an intersection.

FINANCE COMMITTEE - None

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 two (2) Zoning Permit applications approved in February. Nine (9) Building Permits were issued. Two (2) Grading Permits were issued.

There were no Zoning Permit applications approved in March. One (1) Building Permit was issued. No Grading Permits were issued.

SEWER COMMITTEE

Glenn Gurney reported that the committee is waiting for the PA DEP to approve the Part II Permit Application.

BOROUGH ENGINEER

Borough Engineer Nick Rose reported that the MS-4 Permit Renewal Application was filed on time.

OLD BUSINESS - None

NEW BUSINESS - None

QUESTIONS OR COMMENTS FROM THE FLOOR

It was reported that the 35 MPH sign in the southbound lane of Huntingdon Pike is missing. Chief Gray will be notified.

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

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

Victoria S. Trost
Secretary