



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

***COUNCIL CHAMBER***  
**December 6, 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, Stephen Gray, Derek Zecher, Mayor Ken Schauder, Solicitor R. Rex Herder. Councilman was excused.

**EXECUTIVE SESSION**

President Jeff Elsing reported that an Executive Session was held at 6:00pm this evening to discuss a personnel matter.

**MINUTES**

***On a motion by Mark Pennink, seconded by Glenn Gurney, Council voted unanimous approval of the November minutes.***

**TREASURER’S REPORT**

Vikki Trost reported General Fund Revenue for November was \$79,758.33. General Fund Expenses were \$72,654.29. Net Income was \$7,104.04.

Sewer Fund Revenue for November was \$92,962.61. Sewer Fund Expenses were \$23,165.51. Net Income was \$69,799.46.

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

Included in the General Fund cash receipts were:

\$	26,264.00	in Transfer Tax receipts
\$	35,548.06	in Earned Income Tax receipts
\$	8,945.98	in Local Services Tax receipts
\$	1,421.14	in Fines
\$	1,720.05	in Comcast Franchise Fees
\$	2,854.21	in Verizon Franchise Fees
\$	840.00	in Road Opening Permit Fees
\$	2,048.75	in Building Permit Fees
\$	20.00	in Fireworks Contributions

Included in the Sewer Fund Cash Receipts were:

\$	2.36	Interest Income
\$	39,413.22	in Category 2 Usage Fees
\$	38,031.00	in Category 3 Usage Fees
\$	15,355.00	in Category 4 Usage Fees
\$	163.39	in Lower Moreland Pass-through User Fees

**TAX COLLECTOR**

Tax Collector, Bradley Cranch reported \$44,386.39 remains uncollected.

Mr. Cranch reported that a resident did not receive their Real Estate Tax bill in February because the Huntingdon Valley Post Office returned the bill to the Tax Collector as undeliverable. Since the property is owned by a Limited Liability Company (LLC), there was no other address for the property, so the bill was not resent. Last month, the property owner contacted Mr. Cranch to request the tax bill which had been in the penalty period since June. The owner sent payment for the face amount and did not include the penalty. The Montgomery County Treasurer’s Office told Mr. Cranch that the penalty could be waived at his discretion. Mr. Cranch asked Borough Council for a decision on waiving the penalty. The tax bill amount is \$18,000 and the late penalty is \$1,800.

*Following a discussion by members of Council, Ric Asplundh made a motion to direct the tax collector the collect the penalty assessed to the Real Estate Tax bill for 3080*

*Paper Mill Road, Bryn Athyn, PA, Parcel #03-00-0058951-5. The motion was seconded by Aurelle Genzlinger and the vote was unanimous in favor.*

## **BILLS**

### GENERAL FUND BILLS

Alderfer Glass Co.	\$447.40
Aqua PA	19.19
Armour & Sons Electric Inc.	354.97
Building Inspection Underwriters Inc.	726.20
Cargill, Incorporated	1,368.79
Chuck's Service Center Inc.	2,468.96
Davidheiser's Inc.	40.00
DeLage Landen	424.00
Eastburn & Gray PC	1,755.00
Independence Blue Cross	9,870.56
Joseph Bresnan, Esquire	930.00
Kenneth J. Schauder, Incorporated	1,145.00
Kimberly A. Bursner	568.00
Petty Cash – Steve Gray	153.25
ProTract Engineering Inc.	776.00
PSAB	130.00
Standard Insurance Company	1,475.05
Staples	99.50
TW Reiss Inc.	258.82
The Vanguard Group	50,962.83
USA Payroll	369.43
Verizon Wireless	156.88
Victoria Trost	50.00
Wawa – Wright Express	1,002.23
Wilmington Trust	<u>520.00</u>
TOTAL	<u>\$76,072.06</u>

### SEWER FUND BILLS

Academy of the New Church	\$1,059.42
Clayton Walsh	225.00
Home Depot	270.69
Independence Blue Cross	1,707.66
Ken's Distributing Company	448.00
Kenneth J. Schauder Incorporated	675.00
MJ Reider Associates, Inc.	494.00
Mac Medical Gases Inc.	3.50
McGovern Environmental LLC	243.00
Peco Energy	7.81

Petty Cash – Reid Heinrichs	204.55
SCP Distributors LLC	1,905.20
UMHJSA	\$5,933.06
USA Blue Book	397.24
USA Payroll	153.31
Verizon	79.81
Verizon Internet	187.67
Verizon Wireless	42.24
Wawa – Wright Express	368.04
Wind River Environmental LLC	<u>1,281.35</u>
TOTAL	<u>\$15,686.55</u>

POLICE PENSION BILLS

Duda Actuarial Consulting, Inc.	\$2,125.00
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BMO MASTERCARD

General Fund

Amazon.com	\$15.96
Adobe AcroPro	14.99
US Postal System	58.00
Sam’s Club	<u>158.58</u>
TOTAL	<u>\$247.53</u>

Sewer Fund

Ebay.com	122.90
Amazon.com	<u>129.95</u>
TOTAL	<u>\$252.85</u>

*On a motion by Duane Hyatt, seconded by Jeffrey Elsing, 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**

Hardwick Benfer, LLC

President Jeffrey Elsing proposed that Council consider hiring Hardwick Benfer, LLC to handle labor matters.

*On a motion by Brent McCurdy, seconded by Duane Hyatt, Council voted unanimously in favor to retain Hardwick Benfer, LLC, a labor attorney.*

**POLICE CHIEF'S REPORT**

Public Safety Chair, Jeff Elsing ready the following report for November:

Alarms	11
Assist Bryn Athyn Fire / Ambulance	02
Assist Other Police Agencies	42
Miscellaneous Activity	68
Public Service Calls / Assist Citizens	01
Special Traffic Details	19
Suspicious Circumstance Investigations	09
Traffic Citations	38
Vehicle Accidents	07
Vehicle Investigations	52

On Thursday November 4<sup>th</sup> at 4:58pm, police responded to the 500 block of Waverly Lane to take a report of identity theft. The resident learned that two fraudulent accounts had been opened at Chase Bank, one in her name and one in her husband's name. Prior to calling police, the resident called Chase Bank who immediately froze the fraudulent accounts and took the appropriate measures to protect the complainant and her husband's identities. This case remains under investigation.

On Sunday November 7<sup>th</sup> at 10:29am, police responded to the 600 block of Dale Road to take a report of threatening texts that the resident received in Spanish. The phone number that the text was sent from was listed to the Houston, Texas area and appeared to have been sent to him randomly. The resident has not received any further texts from the number, which appeared to have been sent from a phone that was bought over the counter with no owner information listed to the phone.

On Monday November 8<sup>th</sup> at 11:16am, police were dispatched to the Huntingdon Valley Surgery Center at 1800 Byberry Road for a report of a disturbance. Upon arrival, police met with a male who was refusing to put his mask on, which was a requirement by the healthcare facility (due to COVID) for anyone who was inside of their facility per CDC guidelines. The 60-year-old male resident of Philadelphia, who was not a patient, but was waiting to pick someone up, was advised that he would have to wait outside of the facility if he refused to comply with the rules and regulations of the Surgery Center. The gentleman complied and there were no further issues.

On Monday November 8<sup>th</sup> at 1:07pm, Upper Moreland Police advised our department that they had a 34-year-old male (with no fixed address) in their custody who admitted to burglarizing one of the buildings on the property of the Lord's New Church in the 1700 block of Huntingdon Road in Bryn Athyn sometime overnight. The male had also burglarized the Offices at the Pennypack Trust at 2955 Edgehill Road in Upper Moreland. The subject was charged by our department for Burglary, Theft, Receiving Stolen Property and Criminal Mischief. He was unable to post bail and was remanded to the Montgomery County Prison.

On Wednesday November 10<sup>th</sup> at 12:40pm, police responded to the 3300 block of Buck Road to assist a Game Commission Officer with freeing an owl that was stuck in a fence. The owl was unharmed and was set free.

On Wednesday November 10<sup>th</sup> at 8:37pm, police conducted a vehicle stop in the area of 1800 Byberry Road to investigate expired inspection and registration violations. Further investigation resulted in the vehicle being impounded due to drugs being detected in the vehicle. After a search warrant was obtained, the vehicle was searched, which resulted in charging the 26-year-old male resident of Glenside with Possession with the intent to deliver marijuana, Possession of a controlled substance, Possession of Drug Paraphernalia, Required Financial Responsibility and Operating a Vehicle without an Official Certificate of Inspection.

On Tuesday November 16<sup>th</sup> at 1:44am, police conducted a vehicle stop at 1800 Byberry Road due to the registration showing that the owner of the vehicle was on parole and wanted for multiple warrants. The 62-year-old male resident of Philadelphia was taken into custody due to the warrants from other jurisdictions and was also charged by our department for Possession with Intent to Distribute Drugs, three counts of Possessing a Controlled Substance, Possession of a Controlled Substance that was misbranded, Possession of Drug Paraphernalia, Receiving Stolen Property and Flight to Avoid Apprehension, Trial or Punishment.

On Monday November 22<sup>nd</sup> at 1:42am, police conducted a vehicle stop at Huntingdon Pike and Cathedral Road due to an expired vehicle registration and for the right-side headlight not operating. Further investigation resulted in the arrest of the driver, a 36-year-old resident of Sharon Hill, PA, who was wanted on a warrant that was issued by the Maryland State Police. The Maryland State Police confirmed that they would respond to pick-up the wanted subject. The subject was arraigned later that morning and then transported to the Montgomery County Correctional Facility where he was housed until the Maryland State Police could respond to pick him up.

On Saturday November 27<sup>th</sup> at 10:13am, police responded to the Cairnwood Village Apartments to take a report of a theft of a catalytic converter that was cut from a vehicle sometime overnight.

## **FIRE CHIEF'S REPORT**

Chief Derek Zecher reported 33 Fire Calls in September, 40 Fire Calls in October and 27 Fire Calls in November. There were 172 EMS Calls in September, 181 EMS Calls in October and 172 EMS Calls in November. Chief Zecher noted that the number of hospital transports is steady though the number of dispatches has increased. Bryn Athyn is now receiving Abington Township and Upper Moreland Township EMS dispatches due to an EMS shortage with Second Alarmers Ambulance. Second Alarmers and Bryn

Athyn Ambulance will notify each other when short staffing occurs to better prepare for reliable service. There is no mutual aid with Philadelphia.

Chief Zecher reported that the merger discussions with Huntingdon Valley Fire Company are on hold. Huntingdon Valley Fire Company is not interested in merging. The focus is now being shifted to providing the best service to residents.

The Bryn Athyn Fire Company Board of Directors has requested funding from Lower Moreland and Bryn Athyn to add a third career staff member. Chief Zecher reported that BAFC has three new volunteers. BAFC is applying for a federal SAFER Grant to add career staff. The grant will pay for five years starting at 100% of cost of staff and decreasing over the five years.

Chief Zecher reported the following activity for Bryn Athyn Fire Company:

- Grass fire on Terwood Road 20' x 80' area with very windy conditions
- Active Shooter Drill at Masons Mill Business Park
- Car Fire Live Burn at Montgomery County Fire Academy
- Rescue at car wash – employee's foot stuck in conveyor
- Multiple Gas Leaks – Aqua PA Water Main Replacement project on Huntingdon Pike

## **EMERGENCY MANAGEMENT REPORT**

Ken Schauder reported that Bryn Athyn Police Department, Lower Moreland Police Department, Huntingdon Valley Emergency Management and Bryn Athyn Emergency Management participated in an active shooter drill at the Huntingdon Valley Surgery Center at Masons Mill Business Park.

## **MAYOR'S REPORT**

Mayor Ken Schauder reported that he held two Cub Scout presentations in Borough Hall last month.

## **SOLICITOR'S REPORT - None**

## **BOROUGH MANAGER'S REPORT**

### 2022 Operations List

Russ Cooper and Steve Huntzinger have agreed to continue in their positions on the Planning Commission and Zoning Hearing Board, respectively.

Safety Committee

The Borough has been granted a renewal of the workplace safety committee certification for 2022 which provides a 5% discount on the Borough Worker's Compensation Insurance Premium. Thank you to Robert Genzlinger, Chair, Stephanie Doman, Vice Chair and committee members Doug Hotchkiss, Bradley Cranch, Lach Brown and Reid Heinrichs for participating in monthly meetings and annual training for the Committee.

Year End 2021

Committee Heads - Please submit all approved invoices for payment from the 2021 Budgets by December 21.

January 2020 Reorganization Meeting

Borough Council must reorganize at the January meeting. All newly elected members were asked to bring November 2021 election certificates to the January meeting in order to be sworn in.

Affidavits of Residency

Affidavits of Residency were distributed for members of Council who will be sworn in at the January meeting.

**PUBLIC SAFETY COMMITTEE**

Chairman Jeff Elsing reported that he, Lach Brown, Derek Zecher and Vikki Trost will meet to discuss needs of the Bryn Athyn Fire Company prior to Mr. Elsing and Mrs. Trost meeting with representatives of Lower Moreland Township on December 22.

**PUBLIC WORKS COMMITTEE**

Chairman Mark Pennink reported:

- Work was completed on two storm drains on Waverly Lane.
- The Tomlinson Road Sidewalk bids will be sent out shortly.
- Public Works Department is ready for snow.
- Nick Rose is preparing bid specs to get started on Alden Road work.
- Rex Herder is working with utility companies on cleaning up double utility poles located throughout the Borough.
- It was noted that the road patch at the fire hydrant at Ashley Road on Tomlinson Road is very high.

**FINANCE COMMITTEE**

Chairman Duane Hyatt reported that the 2022 Budgets for General Fund, Sewer Fund and Debt Service Fund are ready for Council approval.



Debt Service Fund Budget \$131,973

Debt Service is funded by the General Fund. Mr. Hyatt noted that the final payment on the General Obligation Bonds (2002, 2010) for the Sewer Collection System will be paid in 2022.

***On a motion by Brent McCurdy, seconded by Aurelle Genzlinger, Council voted unanimously in favor to adopt the 2022 Debt Service Fund Budget in the amount of \$131,973.***

*BOROUGH OF BRYN ATHYN  
2022 Debt Service Budget*

<i>REVENUE</i>	
<i>Taxes Received (from General Fund)</i>	<i>\$131,973</i>
<i>EXEPNDITURES</i>	
<i>GO Bond Principal Payment</i>	<i>\$110,000</i>
<i>GO Bond Interest Payment</i>	<i>3,685</i>
<i>TD Load Principal Payment</i>	<i>15,000</i>
<i>TD Load Interest Payment</i>	<i>2,288</i>
<i>Paying Agent Fee</i>	<i><u>1,000</u></i>
<i>TOTAL</i>	<i>\$131,973</i>

Sewer Fund Budget \$401,927

Mr. Hyatt noted that the sewage usage rates for 2022 are lower due to Covid. The rates will be set by ordinance in January.

	<u>2022</u>	<u>2021</u>
Category 2	\$1.291	\$1.325
Category 3	\$2.250	\$4.239
Category 4	\$2.250	\$4.239

***On a motion by Glenn Gurney, seconded by Brent McCurdy, Council voted unanimously in favor to adopt the 2022 Sewer Fund Budget in the amount of \$401,927.***

*BOROUGH OF BRYN ATHYN  
Sewer Fund Budget 2022*

<i>Income</i>	
<i>Sewer Usage Receipts</i>	<i>\$401,927</i>
 <i>Expenses</i>	
<i>Sewage Treatment Plant</i>	<i>\$89,158</i>

<i>Capital Upgrade</i>	55,602
<i>Sycamore Pump Station</i>	4,655
<i>Fetters Mill Pump Station</i>	8,360
<i>Collection System Expense</i>	23,171
<i>On-Lot System Maintenance</i>	15,000
<i>Administrative Expenses</i>	70,107
<i>Payroll</i>	<u>111,224</u>
<i>Total Expenses</i>	\$401,927

General Fund Budget \$1,652,519

Chairman Hyatt reported that the General Fund Budget is down from 2021.

Mr. Hyatt noted that the Bryn Athyn School Board will vote on lowering their share of the Earned Income Tax (EIT) Rate in January, adding that they have been running significant surpluses. The School Board will reduce their share of the one percent (1%) tax to .25%, which will increase the Borough EIT revenue to .75% from .50%. This will result in a one-time windfall and will not be budgeted permanently.

Mr. Hyatt reported that no Real Estate Tax increase is needed for the third year in a row. The Finance Committee has worked hard to find ways to reduce expenses. \$130,000 will be freed up in the next budget after the final debt service payment is made in 2022.

It was noted that the American Rescue Plan Act funds expected in 2022 are not part of this budget. Those funds will be part of the Capital Budget and Council plans to use those funds to purchase a new generator for the sewage treatment plant and to make storm drainage improvements to the municipal building.

Mr. Hyatt added that the Borough will not purchase a new police vehicle in 2022; a vehicle will be ordered in 2023.

Mr. Hyatt thanked Vikki Trost for putting the 2022 budgets together.

***On a motion by Aurelle Genzlinger, seconded by Jeffrey Elsing, Council voted unanimously in favor to adopt the 2022 General Fund Budget in the amount of \$1,652.519.***

*BOROUGH OF BRYN ATHYN  
General Fund Budget 2022*

<u>Revenue</u>	
<i>Real Estate Tax Income</i>	\$1,103,414
<i>Other Tax Income</i>	300,000
<i>Franchise Fee</i>	18,000
<i>Fines</i>	14,000
<i>Interest Income</i>	3,650

<i>State Highway Aid</i>	45,454
<i>Shared Revenue</i>	16,500
<i>Charges for Service</i>	25,200
<i>Sewer Administrative Support</i>	9,000
<i>Contributions</i>	77,720
<i>Unclassified Operating Income</i>	<u>39,581</u>
<i>Total Revenue</i>	\$1,652,519

<u><i>Expenses</i></u>	
<i>General Government/Financial Administration/ Tax Collection/Borough Hall</i>	\$228,960
<i>Police</i>	722,626
<i>Fire</i>	189,334
<i>Code Enforcement/Planning &amp; Zoning</i>	34,200
<i>Trash Collection &amp; Disposal</i>	86,400
<i>Public Works</i>	250,064
<i>Culture &amp; Recreation</i>	22,050
<i>Intergovernmental Expenditures</i>	4,200
<i>Other Financing Uses/Debt Service</i>	<u>114,985</u>
<i>Total Expenses</i>	\$1,652,519

**LAND USE AND NATURAL RESOURCES/ SHADE TREE COMMITTEE - None**

**PUBLIC RELATIONS COMMITTEE - None**

**ADMINISTRATIVE COMMITTEE - None**

**PLANNING COMMISSION REPORT - None**

**ZONING OFFICER**

There were no (0) Zoning Permit applications approved in November. Five (5) Building Permits were issued. No (0) Grading Permits were issued.

**SEWER ADMINISTRATOR**

Chairman Glenn Gurney reported that maintenance pumping of septic tanks scheduled in 2021 has been completed. Maintenance has been completed on the Godwin pump at the Loop Pump Station.

**BOROUGH ENGINEER - None**

**OLD BUSINESS**

Bradley Cranch asked if there was information on the Police Chief. There was no information.

**NEW BUSINESS**

Residents would like to find out how to get mail delivery by US Postal Service.

**QUESTIONS OR COMMENTS FROM THE FLOOR**

Lee Moorhead asked if there was an update on the Fetters Mill Bridge replacement project. Lach Brown offered that Montgomery County has budgeted \$1.6 million in their 2022 Budget for the bridge project.

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

Council's next regular meeting will be held on Monday, January 3, 2022 at 7:00pm in the Borough Hall.

Victoria S. Trost  
Secretary