



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

COUNCIL CHAMBER
June 5, 2023

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
Mark Pennink
Aurelle Genzlinger

ALSO: Mayor Ken Schauder, Solicitor R. Rex Herder. Councilman Brent McCurdy and Secretary Victoria S. Trost were excused.

MINUTES

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

TREASURER’S REPORT

General Fund Revenue for May was \$113,614.85. General Fund Expenses were \$70,409.98. Net Income was \$43,204.87.

Sewer Fund Revenue for May was \$89,931.10. Sewer Fund Expenses were \$13,050.55. Net Income was \$76,880.55.

Today PLGIT paid 4.89%. PLGIT Prime paid 5.18%.

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

\$	6,941.71	in Real Estate Tax receipts
\$	78,044.79	in Earned Income Tax receipts
\$	11,221.00	in Real Estate Transfer Tax receipts
\$	10,055.74	in Local Services Tax receipts
\$	50.00	in Fireworks Contributions
\$	2,588.34	in Verizon FIOS Franchise Fees
\$	2,321.77	in Fines
\$	30.00	in Police Report fees
\$	687.50	in Zoning Hearing Board Fees
\$	1,647.00	in Building Permit Fees

Included in the Sewer Fund Cash Receipts were:

\$	41,384.10	in Category 2 Sewer Usage receipts
\$	39,778.00	in Category 3 Sewer Usage receipts
\$	8,681.00	in Category 4 Sewer Usage receipts
\$	88.00	in Lower Moreland Pass-thru receipts

TAX COLLECTOR

Tax Collector, Bradley Cranch reported \$16,379.27 in Real Estate Taxes collected in May; \$62,937.70 remains uncollected.

BILLS

GENERAL FUND BILLS

A&T Auto & Truck Repair, Inc.	\$1,289.15
Academy of the New Church	448.15
Armour & Sons Electric, Inc.	120.00
Auto Spa Xpress	55.00
Bruce S. Morrison	475.53
Cranch Landscapers, LLC	425.00
Davidheiser's Inc.	50.00
DeLage Landen	175.00
Doug Hotchkiss	128.00
HA Thomson Company	2,962.00
Independence Blue Cross	6,840.29
Joseph Bresnan, Esquire	300.00
Kenneth J. Schauder, Incorporated	295.00
Kimberly A. Bursner	372.00

LOCALiQ	7.12
McDonald Uniform Company	252.93
Mira Yardumian	76.32
Nobre Computer Services, LLC	159.00
Paul M. DiKun, CAC, Ed.D, Ph.D	415.00
Paychex of New York LLC	1,155.63
Peco Energy Company	1,331.38
Petty Cash – Steve Gray	396.76
Petty Cash – Victoria Trost	27.22
Pioneer Auto Body & Repair	141.41
ProTract Engineering, Inc.	1,890.00
PSAB	25.00
S2Verify, LLC	25.00
Standard Insurance Company	1,875.55
Staples	179.12
T&G Industries Inc.	279.00
TCCI Excavation	13,179.60
TGI Office Automation	21.17
The Harrison Group Inc.	150.00
The Vanguard Group	1,368.68
Township of Upper Moreland	500.00
Verizon Wireless	242.04
Victoria Trost	744.70
<u>Woodrow & Associates</u>	<u>1,251.50</u>
TOTAL	\$39,629.25

SEWER FUND BILLS

Academy of the New Church	\$101.97
EEMA	810.00
George Allen Wastewater Management	4,380.00
Home Depot	171.26
Independence Blue Cross	658.51
Kenneth J. Schauder, Incorporated	300.00
MJ Reider Associates, Inc.	565.90
Mac Medical Gases, Inc.	3.50
McGovern Environmental LLC	490.50
Paychex of New York LLC	412.22
Peco Energy Company	484.28
SCP Distributors LLC	2,405.90
The Harrison Group	30.00
UMHJSA	6,656.87
Verizon	82.25
Verizon Wireless	42.09
Verizon Internet	29.56
<u>Wawa – Wright Express</u>	<u>131.22</u>
TOTAL	\$17,726.03

BMO MASTERCARD

General Fund

Adobe AcroPro	\$19.99
Google Workspace	54.97
Ring Yearly Plan	39.99
<u>USPS</u>	<u>197.13</u>
TOTAL	\$312.08

Sewer Fund

Google Workspace	\$3.03
Ebay.com	104.43
Harbor Freight Tools	280.18
Amazon.com	300.14
<u>ACME</u>	<u>15.48</u>
TOTAL	\$703.26

On a motion by Duane Hyatt, seconded by Glenn Gurney, Council unanimously voted to authorize payment of the bills as listed.

PRESIDENT’S REPORT

Swear-In Part-Time Police Officer

Mayor Ken Schauder administered the Oath of Office to Nicholas Bianchini for the position of Part-Time Police Officer.

Crossing Guard Award Presentation

Chief Steve Gray presented awards for years of service to Janice Roscoe (25 years) and Stephanie Doman (35 years).

Application for Subdivision and Land Development – New Thrift Shop

President Jeff Elsing noted that this application will be discussed and considered for approval. The Bryn Athyn Planning Commission and the Montgomery County Planning Commission have reviewed the application and submitted their recommendations. Tim Woodrow, PE has reviewed the application as the Borough Conflict Engineer.

Nick Rose, PC represented the applicant, The Academy of the New Church. Mr. Rose noted that the entire parcel is 39.72 acres and the applicant wishes to carve out 1.9 acres. Mr. Rose reported that the applicant was granted variance relief last year from the Bryn Athyn Zoning Hearing Board for Use, Building Height, and Sewerage. The applicant hopes to obtain conditional final approval this evening. Mr. Rose noted that the Bryn Athyn and Montgomery County Planning Commission recommended approval of the subdivision and land development plan. Comments made by Tim Woodrow will be addressed.

One significant request is the requirement of the Borough ordinances to dedicate a Right-of-Way from both frontages (the entirety of Byberry Road and the entire Buck Road stretch). The applicant believes it makes more sense to dedicate the right-of-way at the time the entire property is developed. The Academy of the New Church requests a waiver for dedication of the required right-of-way along Byberry Road and Buck Road, as well as required improvements in those rights-of way.

The applicant also requested a waiver for landscaping improvements. The Borough may require improvements for the entire parcel. It was noted that the neighbors indicated that they would prefer to maintain the current pastoral view.

The applicant additionally requested a waiver for parking lot lighting. It was noted that the business hours for the proposed thrift shop will be during the day, except in winter. Security lights will be installed on the building.

Jim Adams, representing the applicant, explained that he has met several times with neighbors and that the Academy has agreed to install a split rail fence around the entire 1.9-acre parcel with a locking gate. The proposed operating hours for the thrift shop are: Tuesday through Saturday 11:00am to 4:00pm; On Mondays, volunteers will process and set up donations; Drop off will be limited to Monday through Saturday from 9:00am to 4:00pm, with no after-hours donations. All lights will be turned off when the last volunteer leaves the building. The Academy will grant a twenty-five (25) year lease with the Bryn Athyn Church for the thrift shop use of the property. Mr. Adams noted that screening will be installed if requested. Everything will be stored inside the building and the dumpster will be located in the back, out of sight. A sand mound will be located on the site for sewage treatment. Solicitor Herder requested that a note be added to the plan indicating the property is for Bryn Athyn Thrift Shop use only.

Mr. Elsing expressed concern about the thrift shop use compliance with zoning. Mr. Herder explained that the variance relief granted by the Bryn Athyn Zoning Hearing Board for use pertains only to the thrift shop use, though the Academy may apply for additional variance relief later. Mr. Gurney asked which section of the zoning ordinance will apply to this project since the property is zoned MD-Mixed Dwelling. Solicitor Herder responded that the building must comply with the MD zoning requirements, not E-Commercial requirements, although Commercial requirements can be applied to parking for the site. It was agreed that 42 parking spaces were enough.

Mayor Ken Schauder noted that the Bryn Athyn Fire Company has not reviewed the plan and would appreciate the opportunity to do so. Mr. Rose noted that a condition regarding fire company review can be added to the plan. Mr. Elsing expressed concern that the building will not be sprinklered.

Mark Pennink expressed concern about stormwater on Buck Road at Woodward Road. Nick Rose will show on the plan the drain leading to a culvert under the road. Tim

Woodrow suggested that he, Mr. Pennink and Mr. Rose meet at the site to review the stormwater issues.

Mr. Gurney and Mr. Pennink raised concern for the alternate site for the septic system which is required by the Borough. Nick Rose reported that the system design is in progress as part of the proposed sewer module. It was noted that the Sewer Module approval will be another condition to be added to the plan.

Councilman Gurney asked about the procedure to make sure that all of the conditions are met. Mr. Herder responded that Mr. Woodrow will send a letter to Borough Council acknowledging when the notes to the plan have been addressed. The current list of conditions include:

- Fabric under the gravel parking lot
- Address Stormwater on Buck Road
- Sewer Module to include Alternate Site and Holding Tanks for Equalization
- Fire Department review
- Lighting Waiver
- Landscaping Waiver
- ROW Improvement Waiver for Buck Road and Byberry Road
- Reduce Speed and Line of Sight at entrance
- Hours of Operation
- Zoning Hearing Board Conditions
- Tim Woodrow Recommendations
- Crosswalk – placement of parking lot should not affect ability to install sidewalk later

Solicitor Herder noted that the plan will be recorded with Montgomery County.

Councilman Hyatt expressed concern that any improvement outside of the 1.9 acres will affect the Clean & Green status of the remaining parcel.

Mr. Herder asked Nick Rose to submit a letter to Borough Council formally requesting the proposed waivers.

Motion by Aurelle Genzlinger, seconded by Mark Pennink, to approve the subdivision and land development application submitted by the Academy of the New Church received by the Borough on April 17, 2023. The applicant seeks preliminary as final approval. The application is for the construction of a building of approximately 8,600 square feet to be utilized as a thrift shop, and 42-car parking lot, driveways and stormwater management system, and for the subdivision of approximately 1.9 acres of land upon which the building is to be located from a larger parcel of 39.72 acres. The applicant seeks waivers for the following provisions of the Subdivision and Land Development Ordinance:

1. *Sections 500.H and 502.B.: Requiring the widening of Byberry Road and Buck Road rights-of-way, the widening of Byberry Road and Buck Road cartways, and the placement of curbing or sidewalks along Byberry and Buck Roads. Widening and other facilities are to be deferred to the time if and when the entire tract is developed.*
2. *Sections 504.B4 and B.5: Requiring the provision of landscaping and buffers. This waiver is to maintain the existing view shed as requested by neighbors.*
3. *Section 512: Requiring the planting of street trees. This waiver is also requested to maintain the existing view shed as requested by the neighbors.*

These waivers are granted.

Approval is further conditioned upon the following:

1. *That the hours of operation of the thrift shop shall be added to the plan, said hours of operation to be as set forth in the decision and order of the Bryn Athyn Zoning Hearing Board, or as presented by the applicant to the Zoning Hearing Board.*
2. *That the applicant shall consult with the Bryn Athyn Fire Company and emergency services concerning access of emergency vehicles and other matters pertaining to the provision of firefighting and emergency services to the thrift shop and thrift shop parcel.*
3. *That the applicant receives PA DEP Sewage Facilities Planning approval.*
4. *That the applicant receives a Water Services Agreement with Aqua Pennsylvania.*
5. *That the applicant executes a Post-Construction Stormwater Management Agreement.*
6. *That the Borough receives a letter from its alternate consulting engineer, Timothy P. Woodrow, P.E., stating that the outstanding concerns in his review letter dated May 1, 2023, have been addressed to his satisfaction.*

In addition, the approval is conditioned on successful completion of the following actions:

- 7. *Applicant shall install the appropriate drainage improvements to Buck Road as deemed necessary by the Borough Public Works director and the Borough’s conflict engineer. A site meeting is to be convened in order to evaluate potential adverse impacts to public safety due to flooding and icing due to the new driveway construction.*
- 8. *Applicant shall install a pedestrian crosswalk at the intersection of Buck Road and Woodward Drive, and shall extend a pedestrian trail north along the west (Bryn Athyn) side of Buck Road to provide access to the new building. The appropriate location of the trail extension shall be evaluated during the site meeting described above. The evaluation will be mindful of pedestrian safety, preservation of important trees and other vegetation, and reasonable topography.*

The motion was approved, with Councilman Duane Hyatt abstaining.

Glenn Field Lighting

President Elsing reported that the request for temporary lighting at Glenn Field for a period of five (5) years was discussed by Council at the May meeting and that a resolution had been prepared.

On a motion by Ric Asplundh, seconded by Aurelle Genzlinger, Council voted unanimously in favor to approve Resolution No. 2023-04 approving the application of the Academy of the New Church for the placement of temporary lighting units at Glenn Field for a period of five years.

**BOROUGH OF BRYN ATHYN
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2023-04

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF BRYN ATHYN APPROVING THE APPLICATION OF THE ACADEMY OF THE NEW CHURCH FOR THE PLACEMENT OF TEMPORARY LIGHTING UNITS AT GLENN FIELD

WHEREAS, Section 1205 of the Borough of Bryn Athyn Zoning Ordinance requires the submission of an application to the Borough zoning official, the Borough Planning Commission and Borough Council for certain activities in the IN – Institutional district, including the placement of exterior lighting fixtures and standards; and

WHEREAS, under cover letter dated April 3, 2023, the Academy of the New Church (“Academy”) submitted to Borough Council a zoning permit application for the placement of six (6) temporary lighting units at Glenn Field on Tomlinson Road in the Borough (the “Permit Application”), which is in the IN – Institutional District; and

WHEREAS, Kimberley P. Adams, Asplundh Field House Community Coordinator for the Academy, appeared before Borough Council at its regularly scheduled meeting held on May 1, 2023, and further explained and supplemented the Permit Application.

NOW, THEREFORE, the Borough Council of the Borough of Bryn Athyn does hereby **RESOLVE** as follows:

1. The Permit Application submitted by the Academy of the New Church for the placement of temporary lighting units at Glenn Field on Tomlinson Road is hereby approved, subject to the following:

- a. This permit shall be valid from the date of the adoption of this Resolution through March 31, 2028, and shall expire on April 1, 2028.
 - b. The temporary lighting units may be operated only from October 1 through March 31, and shall not be operated from April 1 through September 30.
 - c. The number of temporary lighting units for events involving athletic teams of the Academy shall be limited to eight (8); for all other events, the number of temporary lighting units shall be limited to six (6).
 - d. The Academy shall ensure, for all events, that glare from the temporary lighting units is confined to Glenn Field to the extent possible, and shall under no circumstances reach any residence or residential property.
 - e. The Academy shall keep on file with the Borough Manager the name, title and contact information of a person who will be available during the times the temporary lighting units are in operation to promptly address and correct issues relating to their use.
2. This Resolution shall be effective as of the date of its adoption.

RESOLVED and ADOPTED this fifth day of June, 2023.

BOROUGH OF BRYN ATHYN

Application for Land Development – New Elementary School

President Jeff Elsing noted that this application will be discussed and considered for approval. The Bryn Athyn Planning Commission and the Montgomery County Planning Commission have reviewed the application and submitted their recommendations. Tim Woodrow, PE has reviewed the application as the Borough Conflict Engineer.

Nick Rose, PC represented the applicant, the Bryn Athyn Church. Mr. Rose noted that this application is more complicated, however, Borough Council has seen the proposed plan before tonight. He noted that the Bryn Athyn Zoning Hearing Board granted variance relief for parking and building setbacks on May 30, 2023. Mr. Rose added that the NPDES permit application has been submitted to PA DEP.

The Bryn Athyn Church requests a waiver for dedication of the required right-of-way along Tomlinson Road. Widening and curbing on the school side to Marlin Road is included in this plan. Mr. Pennink asked if the entrances to the school property will be wide enough with the new curbing; Mr. Rose responded in the affirmative.

Mr. Rose noted that the stormwater from the property is directed behind the building towards the existing wetlands. Mr. Woodrow noted the numerous parcels for this property and recommended consolidation. Mr. Rose responded that consolidation is a possibility for later.

Nick Rose stated that the applicant requests conditional approval and addressed the review of Conflict Engineer Tim Woodrow dated April 21, 2023, noting that the applicant is prepared to comply with the recommendations. Rae Munroe, representing Metcalfe Architecture & Design explained that the applicant is working with a landscape designer. The design will include new street trees, parking lot trees and trees in the back of the school. Flowers and shrubs near the building will keep trees away from the building. Site Lighting will be addressed in the design plan as down lighting to avoid light shooting out. There will be various height light poles. Tim Woodrow noted that the Borough has the right to require additional shielding of lights.

Discussion included construction phases, ADA accessibility per the MCPC review and Orchard Artworks building access. It was noted that the access road gate to the Orchard Artworks building is locked and that this is the only access to that building now. The building is currently being used for storage; there are no future plans for the building. Mr. Gurney asked about space for a holding/equalization tank. Nick Rose indicated that the location of the tank will be shown on the plan. The crosswalks across Tomlinson Road will be discussed in conjunction with the Borough sidewalk project on Tomlinson Road. Pedestrian access during construction has been discussed. Mr. Gurney noted that the new internet line and gas line to the Sewage Treatment Plant are not shown on the plan. Tim Woodrow noted that utilities should be relocated prior to new construction.

The discussion led to questions concerning stormwater from the property and College Park streets. Solicitor Herder reminded all that offsite water cannot be sent to the applicant's property. The applicant is responsible only for stormwater on the applicant's property. Nick Rose noted that the same amount of water will run along Tomlinson Road and will now have curbs to guide it. Mark Pennink expressed concerns about water from Tomlinson Road that flows down Marlin Road and between residential properties which is a problem. He is concerned that the new school will make it worse. Nick Rose said that the school is not averse to doing something to help the situation. It was agreed that

Nick Rose and Tim Woodrow will review plans for stormwater management in the Tomlinson Road area.

Motion by Jeffrey Elsing, seconded by Glenn Gurney, to approve the land development application submitted by the Bryn Athyn Church received by the Borough on or about March 28, 2023. The applicant seeks preliminary as final approval. The application is for the construction of a school building of approximately 121,144 square feet, new parking lots and driveways, and a stormwater management system. Following construction of the new building, the applicant will demolish the existing buildings on the site and construct new athletic fields in their place. The approval is conditioned upon the following:

- 1. This application is subject to relief granted by the Bryn Athyn Zoning Hearing Board, and this approval is subject to all requirements and conditions contained in the decision and order of the Zoning Hearing Board. All building setback lines derived from the applicable provisions of the Bryn Athyn Zoning Ordinance will be added to the plans. For the purposes of this application, the separate lots involved are to be considered as consolidated.*
- 2. A construction phasing plan will be added to the plans, and will address, among other things, ensuring that one sidewalk on one side or the other of Tomlinson Road will be open at all times.*
- 3. The plans will be amended to show how changes to Tomlinson Road and the shoulder abutting applicant's property will impact current stormwater drainage from Tomlinson Road. The applicant commits to maintaining a cooperative partnership with the Borough regarding improvements to Tomlinson Road, with particular emphasis on coordination of sidewalk design, engineering and construction, and on improved stormwater management.*
- 4. The plans shall be amended to show all improvements proposed along Tomlinson Road frontage, including, as applicable:*
 - a. Replacement of concrete curbing.*
 - b. Milling and overlay of the road surface to remediate anticipated damage caused by construction traffic.*
 - c. Implementation of additional stormwater collection and conveyance measures.*
 - d. Removal of old vegetation and the placement of new street trees.*

- e. Formalizing the pedestrian connections with sidewalks and trails.*
 - f. Formalizing and enhancing safety for pedestrian crosswalks that would link Ashley Road, Orchard Lane, King Road and Cherry Lane to the school and athletic fields.*
- 4. The location of all crosswalks across Tomlinson Road will be added to the plans, and are to be coordinated with input from the Borough Public Safety Committee.*
- 5. A note will be added to the plans stating the location of all crossing guards, with the number of crossing guards to be determined by the Borough Public Safety Committee.*
- 6. All exterior lighting on the site must be designed to minimize light and glare beyond the site boundaries. Following construction, the applicant will meet on-site with Borough Public Safety representatives to assess impacts from light and glare on neighboring residential properties, and the applicant will make adjustments to the lighting as necessary to minimize such impacts.*
- 7. The location of an easement for the Borough's use for the placement of utilities over and across the applicant's property to the Borough wastewater treatment plant will be added to the plans.*
- 8. The location of additional on-lot sewage facilities, to be constructed if and when the need arises, will be added to the plans.*

The motion was approved unanimously.

POLICE CHIEF'S REPORT

Chief Gray reported the following activity for May:

Alarms	05
Assist Bryn Athyn Fire / Ambulance	09
Assist Other Police Agencies	23
Miscellaneous Activity	72
Public Service Calls / Assist Citizens	02
Special Traffic Details	20
Suspicious Circumstance Investigations	19
Traffic Citations	48
Vehicle Accidents	02
Vehicle Investigations	78

On Monday May 1st at 12:25am, County Dispatch advised police that there was a white BMW traveling North on Huntingdon Pike from Welsh Road in Lower Moreland Township that had front end damage and was driving without headlights. Shortly after receiving the call, Bryn Athyn Police observed the vehicle driving in the 1800 block of Byberry Road. The vehicle was then stopped at Byberry and Pioneer Road. While speaking with the driver, police detected a strong odor of an alcoholic beverage coming from the driver, whose speech was slurred. Field Sobriety Tests were performed by the 29-year-old male resident of Warminster who was then taken into custody for suspected DUI. The blood test results showed that the driver had a Blood Alcohol Content of 0.21% in his system.

On Thursday May 4th at 10:20am, a local resident responded to police headquarters to turn over found property. The 67-year-old male said that he had just been out for a walk on the Lord's New Church Property at 1725 Huntingdon Road where he found a wallet lying in the grass. The wallet contained a driver's license for a 47-year-old male resident of Willow Grove, along with three credit cards and \$48 in cash. Police contacted the owner of the wallet who said that he had recently lost his wallet.

On Thursday May 4th at 2:01pm, police served a Protection from Abuse (PFA) order on a 63-year-old male resident of Lower Moreland Township who is currently staying with a friend in Bryn Athyn Borough.

On Friday May 5th at 8:11am, Bryn Athyn Police assisted Lower Moreland Police with searching for a male who fled from a stolen vehicle at Welsh and Pine Road. The three occupants from the vehicle stayed with the vehicle and were taken into custody. The driver who fled on foot was a 15-year-old juvenile from Warminster who rammed an Upper Moreland Police vehicle and several other vehicles while fleeing from their Township before entering Lower Moreland Township. A search of the area ended with the driver being taken into custody after a short foot pursuit had ensued.

On Sunday May 7th at 1:50am, police were dispatched to the area of Buck and Byberry Road for a report of a vehicle parked in the field. Upon arrival, police found the driver asleep in the driver seat with the vehicle still running. Police woke up the driver, who

was not sure of where he was. The driver also had a 9mm handgun in a holster on this belt. Further investigation led to the driver being taken into custody on suspicion of DUI. Blood test results showed that the 54-year-old resident of Philadelphia had a Blood Alcohol Content of 0.24% in his system. The driver was charged with DUI and for carrying a concealed firearm without a license.

On Monday May 8th at 2:30pm, police responded to the 1000 block of Cathedral for a report of a stolen Giant brand bicycle that was taken from the homeowner's shed. The bicycle was tan with orange lettering and black shocks. It was valued at \$300.

On Tuesday May 9th at 7:53pm, police were dispatched to the 1700 block of Huntingdon Road to take a report of a burglary. The house sitter was away from the property from 2:00pm until returning home at 7:45pm at which time she saw that the glass had been broken to the rear door and the house had been ransacked. The case is currently under investigation.

On Friday May 12th at 7:52am, police were dispatched to 3396 Masons Mill Road for a pick-up truck that was smoldering. Employees arrived at that location to start their workday at 6:30am where they observed the vehicle, which had been dumped there overnight in the field was on fire. They advised their supervisor when he arrived for work at 7:50am, at which time police and fire were dispatched. Also dispatched by our department was a Fire Marshall from the State Police to assist in an arson investigation. The case is currently under investigation.

On Wednesday May 24th at 3:54pm, police were dispatched to 1800 Byberry Road to investigate a report of a suspicious person at Premier Home Care. Upon arrival, police spoke with an employee who said that a white male had entered their offices and then quickly left the business when the employee asked the man if he needed assistance. The unknown man yelled obscenities at the employee and told the employee that she was being a stalker by following him outside. The man then left the area in a white Acura prior to police arrival.

On Friday May 26th at 3:00pm, police took a report from a 93-year-old female resident who was concerned that she may have been a victim of an internet fraud. The complainant said that on Monday May 22nd, she opened an email from what she believed to be from Geek Squad saying that she owed them \$799 dollars. The complainant called the number that was provided in the email and allowed the person to take over her computer remotely, including allowing the person to access her bank account. Once the complainant determined that she was being scammed, she went to her bank and cancelled her accounts. As of this date, she does not believe that any money has been removed from her bank accounts. This case is currently under investigation.

On Friday May 26th at 7:39pm, police were requested to respond to the Lord's New Church to document a large concert that they were having at that location which had been listed on Facebook as being the "Splintered Sunlight Camping and Laser Light Show". While on location, police noted that although it appeared to be the largest crowd that's

been seen at any event on that property, that the crowd was acting in an orderly manner and that the noise level was not excessive.

On Sunday May 28th at 7:45am, police conducted a routine foot patrol to check the exterior of the Bryn Athyn Post Office. While checking the property, the officer found that an employee had left the keys to the locked dumpster in the lock. The keys were placed inside of police headquarters until they could be returned to the Postmaster.

FIRE CHIEF’S REPORT

Fire Chief Ken Schauder reported that activity for fire and ambulance calls was almost identical to last month.

EMERGENCY MANAGEMENT REPORT

Emergency Management Coordinator Ken Schauder reported that a proposed update of the Borough’s Emergency Operations Plan was distributed to members of Council for review. The update is required by the County every year. This plan was last updated in 2018. Mr. Schauder noted that there are no significant changes to the plan which is the basis for declaring an emergency, operations, and resources available during an emergency.

On a motion by Duane Hyatt, seconded by Glenn Gurney, Council voted unanimously in favor to adopt Resolution #2023-05 updating the Bryn Athyn Emergency Operations Plan.

***Borough of Bryn Athyn
RESOLUTION***

No. 2023-05

THIS RESOLUTION was approved by the Borough Council of the Borough of Bryn Athyn, Montgomery County, Pennsylvania, on the date hereinafter set forth.

WITNESSETH:

WHEREAS, Section 7503 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S.A. Section 7101 et seq. mandates that Bryn Athyn Borough prepare, maintain and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within this Borough; and

***WHEREAS**, in response to the mandate stated above, this Borough has prepared an emergency operations plan to provide prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster; and*

***WHEREAS**, this Borough has also prepared an emergency operations plan in order to reduce the potential effects of a major emergency or disaster and to protect the health, safety and welfare of the residents of this Borough;*

***NOW, THEREFORE**, we, the undersigned Borough officials do hereby approve, adopt and place into immediate effect the Emergency Operations Plan of Bryn Athyn Borough. This Plan shall be reviewed on an annual basis to make certain that it conforms to the requirements of the Montgomery County Emergency Operations Plan.*

BRYN ATHYN BOROUGH COUNCIL

Independence Day

The Emergency Management Team will meet with the Public Safety Committee to finalize plans for the July 4th events on June 7, 2023.

MAYOR’S REPORT - None

SOLICITOR’S REPORT - None

BOROUGH MANAGER’S REPORT

Buck Road Traffic Counting

The Delaware Valley Regional Planning Commission has notified the Borough that they will be collecting traffic count data on Buck Road between Waverly Lane and Byberry Road in the upcoming months. This involves laying a rubber tube across the road for approximately 48 hours, mounting video cameras or manually recording traffic from a vehicle parked near an intersection.

PUBLIC SAFETY COMMITTEE

Chairman Jeff Elsing reported that the committee will meet on Wednesday, June 7 at 10:00am.

PUBLIC WORKS COMMITTEE

Municipal Building Stormwater Project

Chairman Mark Pennink reported that Twining Construction has begun the project and has presented Change Order #2 to revise the old prevailing wage sheet that was in our bid specs. The change order increases the project cost \$6,183.80.

On a motion by Aurelle Genzlinger, seconded by Jeffrey Elsing, Council voted unanimously in favor to approve Change Order #2 updating the Prevailing Wages for the project and a resulting in cost increase of \$6,183.80.

Mr. Pennink reported that Twining Construction has submitted Change Order #3 for modifications to the design as a result of the previously unknown underground utilities owned by the Academy of the New Church. Mr. Pennink noted that the design is a better design creating two systems around the building. He also noted that Twining Construction is doing a very good job.

On a motion by Duane Hyatt, seconded by Aurelle Genzlinger, Council voted unanimously in favor to approve Change Order #3 to modify the design resulting in a cost increase of \$34,856.50.

Mr. Pennink reported more bad news. Today, Twining Construction hit a 4-inch gas main which was 14 feet away from the PA One Call marking. The gas main was not broken. Peco responded and located the rest of the line. Twining workers had to stop work until Peco was finished. This will result in additional costs to the Borough.

Mr. Elsing reported that a Peco pole is in the middle of the project area. Peco needs to hold the pole while Twining digs near the pole. Unfortunately, Peco could not schedule that until June 29. This creates a problem with the project completion date of July 1, 2023. Twining has requested an extension of the deadline from June 30, 2023 to July 31, 2023.

On a motion by Aurelle Genzlinger, seconded by Mark Pennink, Council voted unanimously in favor to approve Change Order #4 (BCO No. 4) extending the completion date to July 31, 2023.

Mr. Pennink reported that Buck Road will be closed beginning June 29 for up to a week, noting that schools will be closed and there will be access to the Swim Club. The road will be closed at Tomlinson Road, Huntingdon Pike and the Lower Moreland High School driveway. Equipment will be stored on the grass during the Academy of the New Church graduation on Saturday.

Mark Pennink expressed concern that there is so much buried there and that this is exactly what Alden Road will be like.

Alden Road Improvements

Mr. Pennink reported that Aqua PA is installing a big water pipe in Alden Road which will help everyone. He would like to get on Peco to find out how old the gas line under the road is. A Peco representative mentioned that it may have been installed in the 1970's. Mr. Elsing suggested meeting at the end of the week to discuss the gas main, noting that Vikki Trost has already reached out to Peco.

Mr. Pennink spoke with the Aqua PA supervisor who commented that they were having difficulty sanitizing the line. They still need to make connections to properties along the road which will take another 60 to 90 days. Mr. Pennink noted that the earliest that the Alden Road project could start is next spring.

Mark Pennink commented that delaying the Alden Road project has given a little time to re-think the project.

Mayor Schauder noted that he has been trying to contact Aqua PA to have an additional fire hydrant installed on the north side of Alden Road. He has not had a response from Aqua PA yet.

Alden Road Sidewalk Project

Chairman Pennink reported that the winning contractor, NJS Concrete, has not signed the contract yet, noting that the completion date is fast approaching.

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

There were no (0) Zoning Permit applications approved in May. Seven (7) Building Permits were issued. No (0) Grading Permits were issued.

The Bryn Athyn Zoning Hearing Board met on May 30, 2023 and granted a Special Exception for Relatives' Quarters for 2928 Cherry Lane.

The Zoning Hearing Board met on May 30, 2023, and granted Variance relief for the new Bryn Athyn Church Elementary School relating to building setbacks and parking spaces.

SEWER ADMINISTRATOR

Reid Heinrichs reported that the temporary internet is in place and working at the sewage treatment plant.

Sewer Committee Chairman Glenn Gurney reported that the committee is still working on the generator project, noting that the gas line to the plant is very important. He thanked the BAC Elementary School for helping with this.

BOROUGH ENGINEER

Nick Rose reported that he and Tim Woodrow have discussed the BA/LM boundary issue at the crosswalk for the County Trail on Byberry Road. It appears that the County may have put the crossing a little further away from the trail and a survey may be needed to get a final answer.

OLD BUSINESS

Fire Chief Schauder asked for an update to the search for a Chief of Emergency Services. President Jeff Elsing reported that the first round of preliminary interviews are scheduled for June 8 and 9. The Committee members, David Sirken, Chris Hoffman, Vikki Trost and Jeff Elsing have reviewed the recommendations and grading system of GovHR from a list of 24 candidates. The top 5 candidates, along with four others listed lower on the list have been selected for this first round.

Mr. Schauder expressed disappointment that the Bryn Athyn Fire Company has not been part of that initial process. They were told that they would be part of the interview process and believe it is paramount that both fire companies are part of the process. Mr.

Elsing said that he will share the information on the candidates with the fire companies. Chief Schauder added that we need to get the right person for the job.

NEW BUSINESS

Councilman Mark Pennink would like to open a discussion on part-time police officers. Mr. Pennink believes that the Borough needs to go back to five full-time officers, noting that things are different now than they were when the part-time program was instituted. It is more difficult to get part-time and full-time police officers now. Mr. Pennink does not think the program is working. Mr. Elsing offered to discuss the issue at another meeting.

QUESTIONS OR COMMENTS FROM THE FLOOR - None

There being no further business presented, the meeting was adjourned at 9:15pm.

Council's next regular meeting will be held on Monday, July 10, 2023 at 7:00pm in the Borough Hall.

Victoria S. Trost
Secretary