



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

COUNCIL CHAMBER
February 5, 2018

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: Victoria S. Trost, Bradley E. Cranch, Stephen Gray, Reid Heinrichs, Derek Zecher, R. Scott Cooper, Solicitor R. Rex Herder. Councilman Brent McCurdy and Mayor Ken Schauder were excused.

MINUTES

On a motion by Glenn Gurney, seconded by Aurelle Genzlinger, Council voted unanimous approval of the December 2, 2017 minutes.

On a motion by Glenn Gurney, seconded by Jeffrey Elsing, Council voted unanimous approval of the January 2, 2018 minutes.

TREASURER'S REPORT

Treasurer Vikki Trost reported General Fund Revenue for January was \$68,983.80. General Fund Expenses were \$111,705.56. Net Income was - \$42,721.76.

Sewer Fund Revenue for January was \$173.13. Sewer Fund Expenses were \$21,020.00. Net Income was -\$20,846.87.

Today PLGIT paid 1.18%. PLGIT I-Class paid 1.33%.

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

\$	36,124.22	in 2017 Real Estate Tax receipts
\$	8,903.15	in Earned Income Tax receipts
\$	19,600.00	in Transfer Tax receipts
\$	506.93	in Local Services Tax receipts
\$	1,045.00	in Building Permit receipts
\$	691.14	in Fines
\$	504.44	in Interest Income
\$	45.00	in Police Report receipts
\$	50.00	in Contributions to Fireworks
\$	1,375.92	in Insurance Dividends
\$	120.00	in Road Opening Permit receipts

Included in the Sewer Fund Cash Receipts were:

\$	7.58	in Finance charge assessments
\$	8.60	in Late Fee assessments
\$	156.95	in Lower Moreland Usage pass-through receipts

TAX COLLECTOR

Tax Collector, Bradley Cranch reported that 2018 Tax Bills were mailed on February 1, 2018.

BILLS

On a motion by Duane Hyatt, seconded by Eric Asplundh, 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

Appoint Administrative Corporal

Mr. Elsing reported that Officer Ken Johnson would be appointed Administrative Corporal to assist the Chief in routine administrative duties.

Notary Vikki Trost administered the oath of office to R. Kenneth Johnson who was sworn-in as Administrative Corporal for the Bryn Athyn Police Department.

Bryn Athyn College Student Union Center

President Elsing introduced Brian Horner of ProTract Engineering to make a brief presentation for a new Student Union Center on the Bryn Athyn College campus. Mr. Horner introduced Gabe Canuso (D3 Developers) and Matt Kennedy (BA College), who are involved in the project. The building will be located between Pendleton Hall and the Suites residences. The building will have three levels. The lower level will house fitness and wellness centers, as well as mechanical facilities. The middle level will be a café and lounge for students. The upper level will hold conference rooms.

Mr. Horner stated that the existing stormwater basin is adequate for the project, and an infiltration basin will be added. A new parking lot (32 spaces) will be built with a plan for expansion (32 spaces) if funds permit. Forty-two (42) parking spaces is the minimum parking spaces required per the current Zoning Ordinance. Mr. Horner explained that an additional ten (10) spaces would be added along Campus Drive to comply with the required 42 spaces. *A parking utilization report will be provided to Council.*

In response to Mr. Hyatt's question regarding sewer impact, Mr. Horner responded that a letter was sent to Reid Heinrichs requesting confirmation that this building would have no additional impact on sewers. Mr. Pennink stated that the Sewer Committee recommends that all new construction projects install holding tanks to assist with the ongoing flow equalization project. Mr. Gurney stated that calculations would be needed to determine if one or two holding tanks would be required. When questioned about outside rentals of the conference rooms, Mr. Horner responded that rentals would most likely happen during the summer and that the additional flows would be 2 edu's. Clarification is needed regarding the use of Student Center restrooms by attendees of events at the Athletic Field when rented to outside organizations.

Fire Chief Derek Zecher had some input for the fire company connections.

Mr. Canuso stated that a formal submission would be made to the Borough tomorrow. Construction is anticipated to commence in September 2018 and be completed in one year.

Zoning Ordinance Update

Mr. Elsing reported that there are three articles that need to be addressed so that the updated zoning ordinance can move forward to the next step in the process: Article 2, Definitions; Article 12 "IN"- Institutional District; and Article 16 General Provisions relating to chickens.

Article 2 – Farm Animals

Chicken hens were specifically excluded from the definition of farm animals. Mr. Hyatt asked that the definition of farm animals exclude all chickens including roosters. Council agreed to specifically exclude chickens, both hens and roosters, from the definition of Farm Animals in Article 2, Section 200.17.

Article 12 – Institutional District

Section 1200.4 relating to homes for the aged and children was reinserted.

Section 1200.5 relating to charitable uses was reinserted with modifications.

Section 1200.8 relating to accessory uses was modified to include medical facilities, but not surgical facilities or emergency care.

Mrs. Genzlinger was not in favor of including medical facilities, particularly since it was not included in the College's recent presentation of future growth. Mr. Hyatt thought the change was a reasonable compromise since a right had been taken away from the college. Mrs. Genzlinger expressed concern for the rights of Borough residents if a medical facility were to be located on the campus. Mr. Bill Buick noted that the current zoning ordinance is too broad relating to medical facilities. Mrs. Genzlinger was in favor of being stricter now, but allowing the College to apply to Council for permission at a later time. Solicitor Herder explained that the College could apply for a variance, but must prove a hardship at that time. Mr. Hyatt again protested that Council would take away a right that currently exists. Mr. Asplundh stated that he understood Mr. Hyatt's argument that the Academy would lose current privileges, but it is necessary to upgrade the ordinance to provide protection to the Borough as well. Mr. Asplundh stated that it is better to provide a mechanism to allow a change, rather than allowing anything at all.

Mr. Elsing asked members of Council to show their support for removing the surgical services. Mr. Elsing, Mr. Pennink, Mr. Gurney, Mr. Hyatt and Mr. Asplundh supported removing surgical services. Mrs. Genzlinger supported a stricter change to the section.

Article 16 – General Provisions

Section 1601.4 – Keeping of Chicken Hens 1601.4(e) was changed to require a forty (40) foot setback from any property line for chicken coops. Section 1601.4(k) requires a permit for chickens in any district.

Mrs. Genzlinger questioned why Section 1601.4.e required a chicken coop to be affixed to the principal building on a lot. Mr. Gurney suggested that the coop should be a minimum of forty (40) feet from any property line. Mr. Gurney in general opposed chickens on quarter (1/4) acre lots, noting that is too small for this use. Section 1601.4(i) will also be amended to require a forty (40) foot setback for chicken runs.

Mr. Elsing asked members of Council to show their support for the changes to Article 16, Sections 1601.4(e) and 1601.4(k). Mr. Elsing, Mr. Pennink, Mr. Hyatt, Mr. Asplundh, and Mrs. Genzlinger supported the changes. Mr. Gurney does not support permitting chickens in high density residential areas.

Mr. Elsing stated that with these issues resolved, the proposed zoning ordinance can move forward with final edits and submission to the County. Solicitor Herder will

circulate the final edits to Council and will handle the submission to the Montgomery County Planning Commission.

Junge Stormwater Agreement- 3196 Buck Road

Mr. Elsing introduced the stormwater maintenance agreement for Lot #2 of the subdivision approved by Council on September 12, 2016. Alternate Borough Engineer recommended that a Stormwater Controls and Best Management Practices Operations and Maintenance Agreement be executed between the landowner and the Borough. Nick Rose prepared the form using standard language, noting that all new construction in the future will be to execute this document. Solicitor Herder noted that Nick Rose did a good job with the document which is required by the state and county, but will probably never be used.

On a motion by Aurelle Genzlinger, seconded by Mark Pennink, Council voted in favor to approve the Stormwater Controls and Best Management Practices Operations and Maintenance Agreement for Lot #2, 3196 Buck Road with Mr. Pennink, Mrs. Genzlinger, Mr. Asplundh, Mr. Elsing and Mr. Hyatt voting for, and Mr. Gurney abstaining since he will be entering into a construction contract with the landowner. Abstention form is attached to these minutes.

MAYOR’S REPORT - None

POLICE CHIEF’S REPORT

Citations Issued: Traffic: 29 Non-Traffic: 02	31
Alarms	18
Animal complaints	03
Assist Bryn Athyn Fire / Ambulance	13
Assist other Police Agencies	31
Assist Citizens / Public Service calls	06
Miscellaneous Complaints	80
Special Traffic Details	16
Suspicious Circumstance Investigations	12
Vehicle Accidents	05
Vehicle Investigations / Warnings Issued	63

On Thursday January 11th at 2:05pm, police took a report of a Hit & Run Vehicle Accident involving damage to a sign at Masons Mill Business Park I (3501 Masons Mill Road). The incident, including the registration plate on the vehicle, was captured on the Building #5 video cameras. The owner of the vehicle was cited for leaving the scene of an accident involving damage to property.

On Friday January 12th at 3:30pm, two 19 year old Huntingdon Valley residents were cited by police for Defiant Trespassing for refusing to leave the Masons Mill Business Park after being asked to do so by the Property Manager.

On Sunday January 14th at 5:59pm, police conducted a vehicle stop in the 3000 block of Huntingdon Pike, which resulted in a DUI Arrest of a 51 year old male resident of Warminster, PA. The Blood Alcohol Content (BAC) of the subject was .23%

On Monday January 15th at 1:58pm, police responded to a report of a fight in-progress at Alden Cottage, which is located at 755 Campus Drive. Upon arrival, police found that both female college students had already been separated. The one involved party suffered bite marks to her left forearm and her right hand and her eye glasses were broken in the scuffle. The other involved party suffered a swollen left eye, a bloody lip and a sore right shoulder. One party was transported by Second Alarmer's to Abington Memorial Hospital. The other party was transported to AMH by the College Director of Residence Life. Both parties refused to press charges against each other.

On Wednesday January 17th at 12:55am, police conducted a vehicle stop at Huntingdon Pike and Cathedral Road. The vehicle stop resulted in charging the 37 year old male driver and the 32 year old female passenger for possession of illegal drugs and drug paraphernalia.

On Friday January 19th at 8:30pm, police took a theft report at the Junge Pavilion locker rooms. Players had wallets and money stolen from their lockers during the hockey game.

On Monday January 22nd at 12:57am, police conducted a vehicle stop in the 600 block of Tomlinson Road that resulted in a DUI Arrest of a 31 year old Bryn Athyn Resident. The Blood Alcohol Content of the driver was .20%

On Tuesday January 30th at 12:57pm, police responded to the Masons Mill Business Park at 1800 Byberry Road for a report of a disturbance at Worknet Novacare. The disturbance was verbal only. Police resolved the issue between the patient and the office personnel. The patient was sent on his way and no charges were filed.

On Wednesday January 31st at 9:23am, police responded to a report of an assault on Rose Lane. The incident is still under investigation.

FIRE CHIEF'S REPORT

January 2018 Activity

Chief Derek Zecher reported 27 Fire Calls in January, 6 of those in Bryn Athyn. Mr. Schauder will provide the EMS report next month. Included in the calls were assists to: Abington Township for a fire on the Fairway; A vehicle struck by a train in Lower Moreland; A house fire in Hatboro; A house fire on Red Lion Road in Lower Moreland; and the Regency Park Towers fire in Willow Grove/Upper Moreland.

BAFC and HVFC Merger

Chief Zecher reported that the Fire Company Board has met with Huntingdon Valley Fire Company representatives to discuss a possible merger of the two fire companies. Fire Company President Lach Brown reported that PA DCED has grant money available to assist in the research necessary to determine if this is the right thing to do and the right time to do it. Vikki Trost has the letter of intent required to submit for the grant funds.

2017 Fire and Ambulance Statistics

Fire Calls: 242	158 Lower Moreland	65 Bryn Athyn
EMS Calls: 1,269	834 Transported	100 Bryn Athyn
DUI Draws: 139 from BAPD and LMPD, as well as DUI Checkpoints		

Mr. Brown reported that a discussion has begun with the Bryn Athyn schools regarding student membership for BA Ambulance.

EMERGENCY MANAGEMENT REPORT

Scott Cooper reported that the team is monitoring events that may involve emergency services. Ken Schauder has offered to take over as Emergency Management Coordinator when Mr. Cooper steps down. Council must appoint Mr. Schauder to the position and the appropriate forms and letter must be submitted to the County.

Mr. Cooper will submit the updates to the Emergency Operation Plan to the County.

SOLICITOR'S REPORT - None

BOROUGH MANAGER'S REPORT

Montgomery County Boroughs Association

Vikki Trost reported Bryn Athyn is scheduled to co-host the MCBA meeting on February 22, 2018 along with Rockledge, Jenkintown and Hatboro. The meeting will be held in Hatboro. Council members are encourage to attend.

Change of Address

Mrs. Trost reported that we have had an overflow mailbox at the Post Office for the past 8 years because our official box is too small to hold the daily incoming mail. The cost of the two boxes had almost doubled so she would like to eliminate the smaller box (Box 683) which is our official mailing address. Mrs. Trost proposed beginning the changeover during this year and officially changing in 2019.

Audit

An audit was conducted on the Workers' Compensation Insurance for the period 8/1/16 – 8/1/17 with no findings. We should receive a small refund of premium paid for that period.

Local Managers Meeting

Mrs. Trost attended a meeting of local borough and township managers hosted by State Representative Tom Murt to discuss issues affecting our area.

PUBLIC SAFETY COMMITTEE

Mr. Elsing reported that he sent letters to the Bryn Athyn schools requesting their participation in funding the Lower Moreland Bethayres Streetscape Plan. He received very positive feedback from each school. The school boards and finance committees will meet soon to make a decision.

PUBLIC WORKS COMMITTEE

Mr. Pennink reported several small snow events handled successfully by the plow/salt crew in January.

Mr. Pennink would like to keep moving on the Ashley Road Sidewalk project.

FINANCE COMMITTEE

Bethayres Streetscape Plan

Mr. Hyatt reported that the Finance Committee agreed that the funds for the \$25,000 contribution should come from Borough Reserves for this year (\$12,500). Next year the \$12,500 contribution can be budgeted.

Police Car Purchase

The Finance Committee recommended that the Police Department should purchase a 2017 vehicle as per the Vehicle Purchase Schedule prepared by Mr. Hyatt. The cost of the 2017 Ford Police Interceptor is \$37,433.99. This price includes removal of equipment from the 2014 vehicle and reinstallation on the new vehicle.

On a motion by Ric Asplundh, seconded by Mark Pennink, Council voted unanimously in favor to authorize the purchase of a 2017 Ford Police Interceptor at a cost of \$37,433.99, all inclusive.

LAND USE AND NATURAL RESOURCES/ SHADE TREE COMMITTEE - None

PUBLIC RELATIONS COMMITTEE - None

ADMINISTRATIVE COMMITTEE - None

PLANNING COMMISSION REPORT

Mr. Elsing reported that Mr. Bill Grubb has expressed an interest in filling the vacant seat on the Planning Commission. Mr. Grubb has years of Planning and Zoning experience from the County in Arizona where he lived prior to moving to Bryn Athyn.

On a motion by Glenn Gurney, seconded by Ric Asplundh, Council voted unanimously in favor to appoint Mr. Bill Grubb to fill the vacancy on the Bryn Athyn Planning Commission effective immediately.

Russ Cooper, BAPC Chairman, announced that the next Planning Commission meeting is Tuesday, February 20 at 7:30pm.

ZONING OFFICER

Vikki Trost reported that there were no Zoning Permit applications approved in January.

Five (5) Building Permits were issued.

No Grading Permits were issued.

SEWER ADMINISTRATOR

Reid Heinrichs reported that the chemical in the air scrubber is being changed regularly and that no odors have been reported. Mr. Heinrichs has requested a meeting of the Sewer Committee.

Mr. Heinrichs reported that the air scrubber shed has been designed and that Mrs. Nash is pleased with the design.

BOROUGH ENGINEER

Nick Rose reported that the MS-4 Permit required by PA DEP is in the renewal process. We requested two (2) waivers. The first waiver was granted to be excluded from the requirements for the Southampton Creek. There is a fee of \$500. The second waiver was not granted, and we are required to submit a Pollution Reduction Plan (PRP). Nick will investigate the cost for the PRP and forward to Vikki Trost.

OLD BUSINESS - None

NEW BUSINESS

Mr. Gurney asked Chief Gray about the requirements for vehicles at crosswalks. Chief Gray responded that vehicles are required to stop for pedestrians when they step into the street.

QUESTIONS OR COMMENTS FROM THE FLOOR - None

There being no further business presented, the meeting was adjourned at 8:58pm.

Council's next regular meeting will be held on Monday, March 12, 2017 at 7:00pm in the Borough Hall.

Victoria S. Trost
Secretary