



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

COUNCIL CHAMBER
March 13, 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

Brent McCurdy
Duane D. Hyatt
Aurelle Genzlinger

ALSO: Victoria S. Trost, Lach Brown, Mayor Ken Schauder, Solicitor R. Rex Herder. Councilman Mark Pennink was excused.

MINUTES

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

TREASURER’S REPORT

Treasurer Vikki Trost reported General Fund Revenue for February was \$239,160.71. General Fund Expenses were \$80,471.18. Net Income was \$158,689.53.

Sewer Fund Revenue for February was \$101,481.86. Sewer Fund Expenses were \$27,122.97. Net Income was \$74,358.89.

Today PLGIT paid 4.40%. PLGIT Prime paid 4.75%.

Included in the General Fund cash receipts were:

\$ 192,338.23	in Real Estate Tax receipts
\$ 29,513.98	in Earned Income Tax receipts
\$ 9,216.99	in Local Services Tax receipts
\$ 1,655.23	in Comcast Franchise Fee receipts
\$ 2,723.23	in Verizon FIOS Franchise Fee receipts
\$ 2,455.04	in Fines
\$ 60.00	in Police Report receipts
\$ 200.00	in Planning Application Fees
\$ 350.00	in Zoning Permits
\$ 487.50	in Zoning Hearing Board Fees

Included in the Sewer Fund Cash Receipts were:

\$ 47,307.00	in Category 2 Sewer Usage receipts
\$ 39,778.00	in Category 3 Sewer Usage receipts
\$ 8,681.00	in Category 4 sewer Usage receipts
\$ 5,522.86	in Masons Mill Pass thru receipts
\$ 158.00	in Lower Moreland Pass thru receipts
\$ 35.00	in Sewer Certification receipts

TAX COLLECTOR

Tax Collector, Bradley Cranch reported \$307,126.68 in Real Estate Taxes collected in February; \$835,142.49 remains uncollected.

BILLS

GENERAL FUND BILLS

Academy of the New Church	\$1,046.26
Auto Spa Xpress	37.00
Bradley E. Cranch, Tax Collector	221.70
Bryn Athyn Fire Company	212.61
Building Inspection Underwriters, Inc.	742.00
Cargill, Incorporated	1,626.75
DeLage Landen	175.00
Eastburn & Gray PC	2,452.50
FastSigns of Willow Grove	234.49
Fishers Ace Hardware	30.51
Independence Blue Cross	6,840.29
Kimberly Kleinguenther	2,665.00
McDonald Uniform Company	154.99
Nobre Computer Services LLC	570.00
Peco Energy	2,668.89
Petty Cash – Steve Gray	299.14

Petty Cash – Victoria Trost	50.87
Pioneer Auto Body & Repair	901.48
Postmaster	176.00
PSAB	50.00
Standard Insurance Company	1,875.55
Staples	51.09
T & G Industries Inc.	873.37
TGI Office Automation	33.07
The Harrison Group	150.00
The Vanguard Group	1,314.22
Verizon Wireless	484.86
Victoria Trost	150.00
Wawa – Wright Express	1,874.00
TOTAL	<u>\$27,961.64</u>

SEWER FUND BILLS

Academy of the New Church	\$514.74
Berardelli Pool Supplies LLC	1,294.40
Clayton Walsh	200.00
Delaware River Basin Commission	715.00
EEMA	1,245.00
Home Depot	45.09
Independence Blue Cross	658.51
Kimberly Kleinguenther	600.00
Mac Medical Gases, Inc.	10.50
McGovern Environmental LLC	588.60
Peco Energy	451.99
The Harrison Group	30.00
UMHJSA	5,522.86
USA Blue Book	240.34
Verizon	82.34
Verizon Wireless	42.11
Wawa – Wright Express	3,509.09
TOTAL	<u>\$16,623.48</u>

POLICE PENSION BILLS

Kimberly Kleinguenther	\$750.00
TOTAL	<u>\$750.00</u>

BMO MASTERCARD

<u>General Fund</u>	
Adobe AcroPro	\$14.99
Google Workspace	28.70
Samsclub.com	135.27
Yearli.com	16.47

Amazon.com	7.99
Google Workspace	28.69
Amazon.com	27.43
TOTAL	<u>\$259.54</u>

Sewer Fund

Google Workspace	\$3.03
eBay.com	170.76
Wawa	207.56
Lukoil	83.68
Amazon.com	75.95
Supplyhouse.com	75.07
TOTAL	<u>\$616.05</u>

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

PRESIDENT’S REPORT

Minor Subdivision 2695 Alden Road

President Jeff Elsing reported that an application for a minor subdivision at 2695 Alden Road was received and forwarded to the Alternate Borough Engineer, Montgomery County Planning Commission and the Bryn Athyn Planning Commission for review. The subdivision would create a new building lot. Copies of the subdivision plan were distributed to Council members for review prior to a possible vote at the April meeting.

Memorandum of Understanding (MOU) for Chief of Emergency Services

The memorandum of understanding between Bryn Athyn Borough and Lower Moreland Township regarding funding of the Chief of Emergency Services position was considered by Council. Solicitor Herder noted that the MOU contains a typographical error in section III.D, and that the last line should read “no annual capital or reserve capital.” The solicitor stated that this was a minor detail and that he anticipated that Lower Moreland Township would agree to that change.

After discussion, Council determined that the three-year term provided for in Section V of the MOU was too long, and that the six months’ termination provision provided for in section V could prove problematic. Council recommended that Section V be rewritten as follows:

“This MOU shall commence upon the hiring and employment of the Chief and shall continue for a period of two years. After the said two-year term, either party may terminate this MOU on six months’ written notice to the other party. This MOU may be terminated at any time

upon mutual agreement of the parties. In the absence of termination, this MOU shall continue indefinitely.”

Council person McCurdy made the following motion:

MOTION to approve the MOU as modified and to authorize the President of Council to sign the MOU on behalf of the Borough if and as soon as Lower Moreland Township accepts the MOU with the changes proposed at tonight’s meeting.” On a second by Council person Hyatt, the motion passed 6-0.

POLICE CHIEF’S REPORT

Chief Stephen Gray reported the following activity for February:

Alarms	02
Assist Bryn Athyn Fire / Ambulance	04
Assist Other Police Agencies	23
Miscellaneous Activity	58
Public Service Calls / Assist Citizens	04
Special Traffic Details	18
Suspicious Circumstance Investigations	07
Traffic Citations	92
Vehicle Accidents	02
Vehicle Investigations	123

On Saturday February 4th at 2:30am, police stopped a vehicle in the 2900 block of Huntingdon Pike due to the rear lights of the vehicle not operating. Further investigation resulted in a DUI arrest of the driver, a 33-year-old male resident of Philadelphia. Blood results showed that the driver had a .24% Blood Alcohol Content in their system while they had been driving.

On Sunday February 5th at 8:37am, police responded to 801 Tomlinson Road to take a report of Criminal Mischief that had occurred sometime overnight. Someone had drilled screws into all four tires of one of the ANC Public Safety vehicles. All four tires had to be replaced. This case is still under investigation.

On Tuesday February 7th at 6:33pm, a marked police unit was monitoring the vehicle speeds in the 500 block of Tomlinson Road when the officer observed a vehicle traveling westbound while swerving into the eastbound lane of traffic. Police attempted to stop the vehicle on Tomlinson Road, but the vehicle turned right onto Buck Road and then drove up onto the curb at Buck and Waverly. Further investigation resulted in a DUI arrest of the driver, a 56-year-old resident of Arizona. Blood results showed that the driver had a .17% Blood Alcohol Content in their system while they had been driving.

On Saturday February 26th at 10:55pm, Bryn Athyn Police were requested to assist Lower Moreland Police Officers on Brae Bourn Road with a 36-year-old male who was under the influence of drugs and had assaulted a female at that location prior to police arrival. The first Lower Moreland Officer on-scene had to deploy his Taser on the naked male subject, which had no effect on the man. The male was taken into custody and there were no reported injuries to either the male subject or to the officers.

Speed Detail Buck Road and Tomlinson Road

Chief Gray reported that the combined speed details on Buck Road and Tomlinson Road resulted in 85 car stops. It was noted that only 2 of the 85 were Bryn Athyn residents. One-third of the drivers exceeded the speed limit by more than 15mph. Public Safety Committee Chair, Jeff Elsing, reported that the committee is working with Lower Moreland Township to make the speed limit on Buck Road consistent in both municipalities.

FIRE CHIEF’S REPORT

Chief Ken Schauder reported 35 Fire Calls in February, 28 in Lower Moreland, 1 in Bryn Athyn; 137 EMS Calls in February, 81 in Lower Moreland, 7 in Bryn Athyn; 69 Transports, 49 in Lower Moreland, 3 in Bryn Athyn; 7 Scratches while covering other municipalities; 4 DUI Blood Draws.

EMERGENCY MANAGEMENT REPORT

Emergency Management Coordinator Ken Schauder reported that the team met in February. Plans are underway for active shooter drills in the schools.

MAYOR’S REPORT - None

SOLICITOR’S REPORT - None

BOROUGH MANAGER’S REPORT

New Bryn Athyn Church Elementary School

Chalie Pluguez and Vikki Trost will meet with representatives of the BACES Committee to review the permitting process for the new school on March 15.

Penndot Traffic Counting

PennDOT will be contracting Southern Traffic Services and coordinating with Delaware Valley Regional Planning Commission to collect data on Borough owned roads from March 1 through November 16, 2023. The traffic counting will be on Huntingdon Road.

Penndot Vulnerable Road User Project

PennDOT has advised that federal funds have been earmarked for the Vulnerable Road User project and that they will perform pedestrian signal upgrades at Huntingdon Pike and Alnwick Road, and Huntingdon Pike and Cathedral Road. Vikki Trost will be following up with PennDOT as to the schedule.

Penndot Traffic Signal Maintenance Agreement

PennDOT is now requiring all municipalities to execute a new Traffic Signal Maintenance Agreement before PennDOT approves any new or revised traffic signal permit plans. A Resolution is required by Borough Council. Mrs. Trost will have the resolution and TSMA agreement prepared for the April meeting of Council.

Fetters Mill Bridge

Peco has made an application to the Public Utilities Commission to alter the below-grade crossing of their gas main at Fetters Mill Road. It appears that the new gas line will cross Fetters Mill Road and cross under the creek just south of the bridge.

PUBLIC SAFETY COMMITTEE

BA/LM Chief of Fire Services

Chairman Elsing reported that he and Vikki Trost met with David Sirken and Chris Hoffman at Lower Moreland on February 28. Vikki Trost and Chris Hoffman met with Stephanie Teoli Kuhls, Middletown Township Manager, who recently hired a Chief of Emergency Services to coordinate the four fire companies in that township. Mrs. Trost noted that Ms. Kuhls provided an RFP, applications, questions for the applicants. Middletown used a recruiting firm to expand the reach of the RFP. We expect a proposal from the recruiting firm tomorrow.

PUBLIC WORKS COMMITTEE

Alden Road Improvement Bids

Borough Council opened bids on February 6, 2023. It was determined that since the bid packages were separate that different contractors could be awarded. The low bidder for the road work was Associated Paving Contractors; the low bidder for the sidewalk work was NJS Concrete. Mr. Hyatt reported that the Finance Committee reviewed the bids that that the project would be paid from reserves. We have not yet received word from Peco or AquaPA to confirm that no utility work is planned on Alden Road. Borough Council does not want the new road to be cut open after this project is completed.

Three options were offered:

1. Accept both bids
2. Accept no bids
3. Accept the sidewalk bid

It was noted that all bidders are aware that the Borough has 60 days to award the bid with the July 1, 2023 completion date. The completion date can be extended by change-order if the Borough decides it is necessary.

The award decision will be made at the April 3, 2023 meeting.

Resident Braden Bostock asked if there is funding for the project, to which Mr. Hyatt responded in the affirmative.

FINANCE COMMITTEE

Chairman Duane Hyatt reported that the Committee met on February 21. Items discussed included funding the Alden Road project, a complaint about a sewer bill and outside water meter, a minimum sewer fee for next year's fee structure. Also discussed was sharing the cost of the repairs to the sewage treatment plant electric lines and transformer with the Academy of the New Church. Mr. Hyatt will prepare an Investment Policy Statement for the Police Pension Fund.

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. No (0) Building Permits were issued. No (0) Grading Permits were issued.

The Zoning Hearing Board will meet on March 28, 2023 to review an application for a Special Exception for a Two-Family Dwelling for 2928 Cherry Lane.

A question was raised by Mayor Schauder regarding record keeping for two-family dwellings for safety code reasons. Mrs. Trost suggested a registration requirement for apartments without a fee. A list of two-family dwellings will be prepared and shared with the Fire Department.

SEWER ADMINISTRATOR

Chairman Glenn Gurney reported that the backup generator is in operation for the sewage treatment plant. The annual Chapter 94 Report is due on March 31, 2023 and will be filed timely. The electrical engineer hired to review the requirements for a new generator should have the specifications completed by March 31, 2023. Funding will be needed for the generator.

BOROUGH ENGINEER - None

OLD BUSINESS - None

NEW BUSINESS

A comment was made about the long lines at the Bryn Athyn Post Office as a result of the new passport service offered there. Mayor Schauder will contact the Postmaster to propose limiting passport appointments to allow residents who pay for PO Boxes to access them without waiting in line to enter. It was noted that the additional passport services allow the Post Office to keep two employees.

QUESTIONS OR COMMENTS FROM THE FLOOR - None

There being no further business presented, the meeting was adjourned at 8:18pm.

Council's next regular meeting will be held on Monday, April 3, 2023 at 7:00pm in the Borough Hall.

Victoria S. Trost
Secretary