

REGULAR MEETING OF THE BRYN ATHYN BOROUGH COUNCIL

COUNCIL CHAMBER January 3, 2022

The meeting was called to order by Mayor Ken Schauder at 7:00p.m. The following were present:

MEMBERS OF COUNCIL

Glenn Gurney Brent McCurdy
Ric Asplundh Duane D. Hyatt
Jeffrey Elsing Aurelle Genzlinger

ALSO: Victoria S. Trost, Derek Zecher, Nick Rose, Mayor Ken Schauder, Solicitor R. Rex Herder. Councilman Mark Pennink was excused.

OATH OF OFFICE

Mayor Schauder administered the oath of office to Councilmembers Jeffrey Elsing and Duane Hyatt, as well as Auditor Peter Sheedy.

NOMINATIONS FOR PRESIDENT

Mayor Schauder called for nominations for President of Borough Council. Mr. Hyatt nominated Mr. Elsing. There were no other nominations.

On a motion by Duane Hyatt, seconded by Aurelle Genzlinger, Council voted unanimously in favor electing Jeffrey Elsing as President of Borough Council.

Mayor Schauder called for nominations for Vice President of Borough Council. Mr. Elsing nominated Mr. Hyatt. There were no other nominations.

On a motion by Jeffrey Elsing, seconded by Glenn Gurney, Council voted unanimously in favor electing Duane Hyatt as Vice President of Borough Council.

The newly elected President and Vice President took their seats at the table.

Mr. Elsing welcomed all to the first meeting of the new year.

MINUTES

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

TREASURER'S REPORT

General Fund Revenue for December was \$29,933.89. General Fund Expenses were \$119,988.61. Net Income was -\$90,054.72.

2021 General Fund Revenue exceeded the budget by \$215,920.02 and Expenditures came in under budget by \$352,630.44, indicating a pre-audit surplus of \$568,550.46. Police Car Reserve (\$12,500) and Public Works Reserve (\$54,600) transfers, when approved, will reduce this number along with any other adjustments.

Sewer Fund Revenue for December was \$7,248.86. Sewer Fund Expenses were \$25,225.41. Net Income was -\$17,976.55.

2021 Sewer Fund Revenue exceeded the budget by \$7,714.80 while Expenditures came in under budget by \$106,756.17, indicating a pre-audit surplus of \$114,470.97.

Today PLGIT paid .01%. PLGIT I-Class paid .04%.

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

\$ 14,143.73	in Real Estate Tax receipts
\$ 6,020.02	in Earned Income Tax receipts
\$ 1,877.64	in Fines
\$ 15.00	in Police Report receipts
\$ 1,298.00	in Building Permit receipts
\$ 1,643.50	in Road Opening Permit receipts
\$ 4,500.00	in Sewer Administrative Support receipts

Included in the Sewer Fund Cash Receipts were:

\$ 494.00	in Category 2 Sewer Usage Receipts
\$ 5,933.06	in Masons Mill Passthrough Usage Receipts
\$ 161.25	in Finance Charges
\$ 610.55	in Late Fees
\$ 50.00	in Sewer Certification Fees

TAX COLLECTOR - None

BILLS

General Fund Bills – December 31, 2021	
Academy of the New Church	\$1,159.36
Armour & Sons Electric Inc.	9,232.50
Calebe Nobre	1,784.53
Courier Times Inc.	96.12
Cowley Tree Service	3,300.00
Cranch Landscapers LLC	2,600.00
Doug Hotchkiss	290.62
Field Services LLC	1,490.00
Frank A Malizia, Jr Inc	8,200.00
McDonald Uniform Company	210.95
Peco Energy Co	981.02
Peco Energy Co	98.22
Petty Cash – Steve Gray	241.67
Petty Cash – Victoria Trost	202.86
ProTract Engineering	3,919.00
PSAB	70.00
Tanner's Lawn & Snow Equipment Inc	196.33
TDS Concrete Inc	640.25
TGI Office Automation	8.84
Total Turf Landscape Services	400.00
Township of Upper Moreland	500.00
USA Payroll	345.46
Verizon Wireless	158.06
Wawa – Wright Express	<u>733.64</u>
TOTAL	<u>\$36,859.64</u>
General Fund Bills – January 2022	
Am-Trust North America	\$14,404.65
Apex Overhead Door Company	296.50
AquaPA	19.71
Building Inspection Underwriters Inc	1,974.00
DeLage Landen	424.00
Guardian Dental Insurance	4,303.82

HA Thomson Company Independence Blue Cross Peco Energy Company Peco Energy Company PIRMA The Vanguard Group Verizon Wireless Victoria Trost Wawa – Wright Express TOTAL	299.00 6,502.20 981.02 98.22 40,266.00 1,221.62 156.88 50.00 918.07 \$71,915.69
Sewer Fund Bills – December 31, 2021 Academy of the New Church EEMA MJ Reider Associates Inc McGovern Environmental LLC Peco Energy USA Payroll Verizon Wireless Wawa – Wright Express TOTAL	\$567.81 875.00 247.00 180.00 233.28 171.95 42.24 248.63 \$2,565.91
Sewer Fund Bills – January 2022 Am-Trust North America Home Depot Independence Blue Cross Mac Medical Gases PIRMA Postmaster USA Blue Book Verizon Wawa – Wright Express TOTAL	\$2,950.35 80.78 605.02 3.50 5,991.00 174.00 960.85 85.70 337.95 \$11,189.15
BMO MasterCard General Fund Adobe AcroPro Amazon.com Chick-Fil-A TOTAL Sewer Fund Amazon.com Zoro Tools Inc TOTAL	\$14.99 29.98 <u>160.06</u> <u>\$205.03</u> \$157.37 <u>1,651.50</u> \$1,808.87

On a motion by Duane Hyatt, seconded by Brent McCurdy, Council unanimously voted to authorize payment of the bills as listed, which is made a part of these minutes.

PRESIDENT'S REPORT

2022 Borough Operations List

President Jeff Elsing presented the 2022 Borough Operations List noting that there is a vacancy on the Civil Service Commission. Anyone interested in the position should contact Mr. Elsing. The 2022 Operations List was approved by Borough Council.

BOROUGH COUNCIL

Jeffrey E. Elsing, President	4	2025
Duane Hyatt, Vice President	4	2025
Mark Pennink	4	2025
Brent McCurdy	4	2023
Aurelle Genzlinger	4	2023
Glenn Gurney	4	2023
Eric Asplundh	4	2023
Kenneth Schauder, Mayor	4	2025
Rex Herder, Solicitor		
Vikki Trost, Manager		

ADMINISTRATIVE COMMITTEE

Brent McCurdy, *Chair*Rex Herder
Vikki Trost
Jeff Elsing
Duane Hyatt, Trustee,
Police Pension Fund

BUDGET AND FINANCE COMMITTEE

Duane Hyatt, *Chair* Glenn Gurney Vikki Trost Chris Carter Jeffrey Elsing

LAND USE/NATURAL RESOURCES

Ric Asplundh, *Chair* Debra Lermitte Bradley Cranch

PUBLIC SAFETY

Jeffrey Elsing, *Chair* Steve Gray

Derek Zecher Kenneth Schauder

PUBLIC WORKS

Mark Pennink, *Chair*Ric Asplundh
Nick Rose
Aurelle Genzlinger

AUDITORS

Austin Rose	6	2025
Peter Sheedy	6	2027
Kirsten Cranch	6	2023

BOROUGH ENGINEER

Nick Rose, P.E.

CIVIL SERVICE

Jeffrey E. Elsing	6	2025
Alexander Rogers	6	2023
VACANT	6	2027
VACANT, Alternate		
VACANT, Alternate		

EMERGENCY MANAGEMENT

Kenneth Schauder, Coordinator VACANT, Deputy Coordinator Steve Gray, Police Chief Reed Asplundh, Public Information

FIRE/AMBULANCE DEPARTMENT

Lach I Brown, President
Kira Schadegg, Vice President
Kenneth J. Schauder, Treasurer
R. Scott Cooper, Secretary
Derek Zecher, Fire Chief
Tim Weiss, Deputy Fire Chief
Ryan Synnestvedt, Asst. Fire Chief
Kenny McQueen, Fire Lieutenant
Rev. Thomas Rose, Chaplain
David Jaslow, EMS Chief
Kenneth Schauder, Asst. Chief
Joseph Canale, EMS Deputy Chief

MUNICIPAL FACILITIES

Ken Schauder Scott Cooper Jeffrey Elsing Vikki Trost

Brian Horner

PLANNING COMMISSION

Russell Cooper, Chair	5	2026
Richard Tate	5	2025
Bill Grubb	5	2023
Jon Hoffman	5	2024
Brian Horigan	5	2022

POLICE DEPARTMENT

Stephen Gray, Chief R. Kenneth Johnson, Officer Douglas Hotchkiss, Corporal Kevin Green, Officer Alessandro Cricelli PT Officer Sean Perry, PT Officer Mitchell Meed, PT Officer Michael Karminski, PT Officer

POLICE PENSION COMMITTEE

Duane Hyatt, *Trustee* Vikki Trost, *Trustee* Jeffrey Elsing Ray Doman

PUBLIC RELATIONS COMMITTEE

Aurelle Genzlinger VACANT Vikki Trost Ken Schauder, PERT Liaison

TAX COLLECTOR

Bradley Cranch 4 2025

EARNED INCOME TAX AGENCY

Berkheimer Associates

LOCAL SERVICES TAX AGENCY

Berkheimer Associates

ZONING OFFICER

Charles Pluguez

ZONING HEARING BOARD

Mark Arrimour, Chair	3	2023
Steve Huntzinger	3	2024
Drew Nehlig	3	2022
Vikki Trost, Secretary		

Vikki Trost, Secretary Joseph Bresnan, Solicitor

SEWER ADMINISTRATION

Mark Pennink

Glenn Gurney, Chair

Ric Asplundh

Rex Herder

Richard Greer

Drew Nehlig

Reid Heinrichs

SAFETY COMMITTEE

Robert Genzlinger (Fire), Chair

Stephanie Doman (Admin), Vice Chair

Vikki Trost (Admin Mgmt)

Reid Heinrichs (Sewer Mgmt)

Bradley Cranch (P Works Mgmt)

Steve Gray (Police Mgmt)

Lach Brown (Fire)

Doug Hotchkiss (Police)

VACANCY BOARD

All Council Members

Janice Roscoe

RIGHT TO KNOW OFFICER

Vikki Trost

BUILDING CODE OFFICIAL

Building Inspection Underwriters Russ McLaughlin, III

Resolution 2022-01 Police Pension Contribution

Mr. Elsing read aloud the resolution setting the employee contribution rate to the Police Pension Plan aloud.

On a motion by Ric Asplundh, seconded by Jeffrey Elsing, Council voted unanimously in favor to set the 2022 Employee Contribution Rate to the Police Pension Plan at 3.5%.

BOROUGH OF BRYN ATHYN RESOLUTION 2022-01

A RESOLUTION OF THE BOROUGH OF BRYN ATHYN SETTING THE MEMBER CONTRIBUTION TO THE BRYN ATHYN POLICE PENSION PLAN FOR THE YEAR 2022.

Whereas, the Borough of Bryn Athyn has established a pension plan, known as the Bryn Athyn Police Pension Plan ("the Plan"), and;

Whereas, the Borough Council sets the annual contribution rate for members of the *Plan*;

Now Therefore, Be It Resolved, that the Borough Council of the Borough of Bryn Athyn has set the annual member contribution rate for the year 2022 at 3.50%.

Resolved, this third day of January, 2022.

BOROUGH OF BRYN ATHYN

Public Hearing – Ordinance #700

President Elsing opened the Public Hearing for proposed Ordinance #700 setting the tax rates for the year 2022. Mr. Elsing read the proposed ordinance aloud. The proposed tax rates for 2022: Real Estate Tax 10.876 mills; Earned Income Tax 1%; Local Services Tax \$52.00.

The hearing was opened to comments and questions from Borough Council. Hearing none, the Public Comment period was opened to the public. Hearing no comments or questions from the public, the Public Comment period was closed.

Mr. Elsing requested questions or comments from members of Borough Council. Mr. Hyatt noted that there is no tax increase from last year. Hearing no other questions or comments, the Public Hearing was closed.

On a motion by Ric Asplundh, seconded by Duane Hyatt, Council voted unanimously in favor, by show of hands, to adopt Ordinance #700 fixing the tax rates for the fiscal year 2022.

Borough of Bryn Athyn

Montgomery County, Pennsylvania

ORDINANCE #700

AN ORDINANCE OF THE BOROUGH OF BRYN ATHYN FIXING THE TAX RATE FOR THE FISCAL YEAR 2022.

THE COUNCIL OF THE BOROUGH OF BRYN ATHYN HEREBY ENACTS AND ORDAINS:

SECTION 1 SUMMARY OF TAX REVENUE. That a tax rate be and is hereby levied on all property within the said Borough subject to taxation for Borough purposes for the Fiscal Year 2022 as follows:

- A. Tax Rate for General Borough Purposes, the sum of Ten and eight Hundred and Seventy-Six Thousandths (10.876) mills on each dollar of assessed valuation, making a total tax rate for all Borough purposes of Ten and Eight Hundred and Seventy-Six Thousandths (10.876) mills.
- B. That a tax at the rate of one percent (1%) on each dollar is hereby imposed on all earned income and net profits earned by residents of the Borough of Bryn Athyn and non-residents of the Borough of Bryn Athyn for work done or services performed or rendered in the Borough.
- C. That a Local Services Tax is imposed on all residents and non-residents employed in the Borough of Bryn Athyn in the amount of \$52.00.

SECTION 2 That any ordinance or part of any ordinance, conflicting with this Ordinance be, and the same is hereby repealed, insofar as the same affects this ordinance.

SECTION 3 SEVERABILITY. The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance, for any reason, is declared to be unconstitutional, illegal or invalid, said unconstitutionality, illegality and invalidity shall not impair any of the remaining provisions or sections of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentences, clauses, or sections not been included herein.

This Ordinance shall take effect and be in force immediately.

BOROUGH OF BRYN ATHYN

Public Hearing – Ordinance #701

President Elsing opened the Public Hearing for proposed Ordinance #701 setting the sewer usage rates for the year 2022. Mr. Elsing read the proposed ordinance aloud. The proposed sewer usage rates for 2022: Category 2 – \$1.291 per 100 gallons; Category 3 - \$2.250 per 100 gallons; Category 4 - \$2.250 per 100 gallons.

The hearing was opened to comments and questions from Borough Council. Hearing none, the Public Comment period was opened to the public. Hearing no comments or questions from the public, the Public Comment period was closed.

Mr. Elsing requested questions or comments from members of Borough Council. It was noted that the sewer rates can be amended. Hearing no other questions or comments, the Public Hearing was closed.

On a motion by Brent McCurdy, seconded by Glenn Gurney, Council voted unanimously in favor, by show of hands, to adopt Ordinance #701 setting the sewer usage rates for the fiscal year 2022.

Borough of Bryn Athyn

Montgomery County, Pennsylvania

ORDINANCE NO. 701

AN ORDINANCE OF THE BOROUGH OF BRYN ATHYN SETTING SEWER RATES FOR THE FUNDING OF THE BOROUGH WASTEWATER TREATMENT SYSTEM FOR THE FISCAL YEAR 2022.

The Council of the Borough of Bryn Athyn does hereby ORDAIN as follows:

1. The Borough does hereby set sewer rates for the funding of the operation and maintenance of the Borough Wastewater Treatment System.

Category 2 – Rate per 100 gallons of water used	\$1.291
Category 3 – Rate per 100 gallons of water used	\$2.250
Category 4 – Rate per 100 gallons of water used	\$2.250

2. This Ordinance shall take effect immediately.

Approved by the Council of the Borough of Bryn Athyn, this third day of January, in the year of Our Lord 2022.

BOROUGH OF BRYN ATHYN

Borough News

Mr. Elsing reminded members of Council that the PSAB Borough News publication provides very useful information for members of Council.

Mr. McCurdy expressed thanks to Mayor and Mrs. Schauder for hosting the Mayor's Christmas Party this year.

MAYOR'S REPORT - None

POLICE CHIEF'S REPORT

Mr. Elsing reported the following activity for December:

Alarms	11
Assist Bryn Athyn Fire / Ambulance	09
Assist Other Police Agencies	28
Miscellaneous Activity	79
Public Service Calls / Assist Citizens	11
Special Traffic Details	19
Suspicious Circumstance Investigations	12
Traffic Citations	59
Vehicle Accidents	04
Vehicle Investigations	84

On Sunday December 5th at 1:10am, police were on routine patrol traveling on Byberry Road in Lower Moreland Township when they observed a vehicle driving into the opposing lane of traffic. The vehicle was stopped by Bryn Athyn Police and upon their arrival, Lower Moreland Police conducted field sobriety tests and subsequently arrested the driver for DUI in their Township.

On Wednesday December 8th at 4:51pm, police responded to the Bryn Athyn Church School to investigate a report of possible illegal dumping. Police observed an individual outside of a Zoom Drain company truck who was draining water from the vehicle. The driver explained that it was their company policy to drain the water from their PVC pipes on their trucks at the end of their shifts during the winter months to prevent freezing overnight. Police were advised by a representative of the school that they wished for the driver of the vehicle to be warned not to dump the water or anything else on their property. Police issued a warning to the driver and sent him on his way without further incident. Police contacted the Zoom Drain company to advise them of what had occurred. The transportation manager assured police that this would not occur again by any of his drivers.

On Wednesday December 8th at 8:04pm, police were advised that there was a vehicle stopped in the roadway in the 2700 block of Buck Road. Upon arrival, police found that the driver of the vehicle was in need of medical attention. Bryn Athyn Ambulance responded and determined that the driver was suffering from a diabetic emergency. The driver was transported to Holy Redeemer Hospital for further treatment.

On Monday December 20th at 1:04am, police attempted to stop a vehicle in the 1800 block of Byberry Road to investigate a defective headlight. The vehicle suddenly increased its speed and turned onto side streets while turning off their headlights in an attempt to elude police. The subject drove onto a resident's lawn on Dogwood Lane where the vehicle finally came to rest. The operator of the vehicle was identified as a 22-year-old female resident of Philadelphia. Police detected a strong odor of an alcoholic beverage on the driver's breath, who's eyes were bloodshot and also visibly unsteady on her feet. The driver performed Field Sobriety Tests and was subsequently taken into custody for suspected DUI and for Fleeing and attempting to elude a police officer while DUI, which is a Felony in the third degree. The defendant was arraigned in front of Judge Friedenberg and received \$5,000 unsecured bail. The results of the blood test are pending.

On Thursday December 23rd at 4:32pm, police responded to a call for a disturbance at the Masons Mill Business Park Suite 802 at 1800 Byberry Road. Upon arrival, police were advised that a female client had been yelling at the complainant because she was not happy with the service that she was receiving. At the request of the complainant, police escorted the actor from the business and sent her on her way without any further incident.

On Friday December 24th at 12:42am, police observed a vehicle traveling Southbound in the 3000 block of Huntingdon Pike that was displaying an expired registration plate. When police attempted to stop the vehicle, the vehicle suddenly sped away at a high rate of speed while traveling through the red traffic light at Huntingdon Pike and Welsh Road. At that point, police deactivated the lights and sirens and terminated the pursuit due to the unsafe driving of the other vehicle was putting other motorists at risk of harm. Philadelphia police officers in the 15th District responded to the address where the vehicle was registered to where they found the vehicle parked in front of the residence. The owner could not be located at that time, however, Bryn Athyn Police were able to make contact with the owner later that day. The owner of the vehicle confessed that it was he who had fled from police because he said that it was dark and that he was afraid of police. The 27-year-old defendant was charged with Fleeing and Eluding Police, Registration and certificate of title required for the vehicle and also for Traffic Control Signals for traveling through the red traffic light. Police contacted the defendant's parole officer to advise them of the pending charges.

On Sunday December 26th at 2:51pm, police were on routine patrol of the Masons Mill Business Park at 3401 Masons Mill Road when they observed a male urinating in the parking lot in front of building #5. The 20-year-old resident of Broomall was issued a citation for Disorderly Conduct.

FIRE CHIEF'S REPORT

Chief Derek Zecher reported 30 Fire Calls in December, 6 in Bryn Athyn; 367 Fire Calls for the year 2021, 46 for the year 2021 in Bryn Athyn.

There were 211 EMS Calls in December which was the busiest month ever, 11 Calls in Bryn Athyn; 1,906 EMS Calls for the year 2021, 95 for the year 2021 in Bryn Athyn.

There were 122 Transports to hospital in December; 1,108 for the year 2021. There were 110 DUI Blood Draws in 2021.

December Activity:

- BAFC assisted Huntingdon Valley Fire Company with a garage fire
- BAFC assisted Huntingdon Valley Fire Company with a dryer fire
- BAFC assisted Huntingdon Valley Fire Company with a brush fire
- Electrical fires in transformers in College Park

Chief Zecher reported that financial statements will be available after January 17, 2022.

Chief Zecher reported that three (3) career staff will be on duty at all times starting today. The crews can now handle two calls at the same time.

EMERGENCY MANAGEMENT REPORT - None

SOLICITOR'S REPORT - None

BOROUGH MANAGER'S REPORT

Buck Road Water Main Replacement Project AquaPA

Vikki Trost reported that the project will begin on Buck Road on Monday, 1/10 to replace 113-year-old water main pipes. Because the roadway on Buck is much narrower than Huntingdon Pike, Aqua PA does not anticipate being able to keep one lane open during the project. They will make every attempt to keep a lane open for school traffic, but cannot guarantee it. Completion date is mid-June 2022.

Chief Zecher requested Council approval to approach AquaPA about moving/installing fire hydrants during the Buck Road project. Mr. Zecher recommended that a new hydrant be installed near the Fire House on the east side of Buck Road; moving the hydrant at the Junge driveway to the other side of the street; and adding a hydrant on the west side of Buck Road at Woodward Drive in anticipation of development on that parcel. Borough Council approved the additional expense to add and relocate the fire hydrants as recommended by Chief Zecher.

PUBLIC SAFETY COMMITTEE

Fire Company Merger

Chairman Jeff Elsing reported that the meetings between Bryn Athyn Fire Company and Huntingdon Valley Fire Company have ended, but that the Borough and the Township will continue the conversation. Mr. Elsing and Mrs. Trost will meet LM President David Sirken and Township Manager Chris Hoffman tomorrow.

Part-Time Police Officers

Mr. Elsing reported that Officer Mitchell Meed has completed his training and can now patrol on his own. Officer Michael Karminski is close to completing training. Mr. Elsing will continue to search for additional part-time officers.

PUBLIC WORKS COMMITTEE - None

FINANCE COMMITTEE

Chairman Duane Hyatt reported that adjustments to the General Fund pre-audit surplus include debt service payments, ARPA funding and unused Public Works funds that could not be used because of the AquaPA projects in 2021.

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 no (0) Zoning Permit applications approved in December. Eight (8) Building Permits were issued. No (0) Grading Permits were issued.

SEWER ADMINISTRATOR

Chairman Glenn Gurney reported that pricing for a new generator is being solicited.

Mr. Gurney reported that the AquaPA water usage numbers will be received next week, noting that the sewer rates may need to be adjusted. A spring cleanup at the sewer plant is being planned.

BOROUGH ENGINEER - None

OLD BUSINESS - None

NEW BUSINESS - None

QUESTIONS OR COMMENTS FROM THE FLOOR – None

There being no further business presented, the meeting was adjourned at 7:49pm.

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

Victoria S. Trost Secretary