



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

COUNCIL CHAMBER
November 6, 2017

The meeting was called to order by President Jeffrey Elsing at 7:00p.m. The following were present:

MEMBERS OF COUNCIL

Glenn Gurney
Ric Asplundh
Jeffrey Elsing
Duane D. Hyatt

Brent McCurdy
Mark Pennink
Aurelle Genzlinger

ALSO: Victoria S. Trost, Bradley E. Cranch, Steve Gray, Reid Heinrichs, Derek Zecher, R. Scott Cooper, Mayor Ken Schauder, Solicitor R. Rex Herder, Mark Arrimour, Bill Buick, Gerry Bostock.

MINUTES

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

TREASURER'S REPORT

Treasurer Vikki Trost reported General Fund Revenue for October was \$33,114.72. General Fund Expenses were \$328,209.15. Net Income was -\$295,094.43.

Sewer Fund Revenue for October was \$5,840.70. Sewer Fund Expenses were \$31,022.68. Net Income was -\$25,181.98.

Today PLGIT paid .80%. PLGIT I-Class paid .97%.

Included in the General Fund cash receipts were:

\$	8,232.00	in Transfer Tax receipts
\$	748.07	in Local Services Tax receipts
\$	7,183.29	in Earned Income Tax receipts
\$	914.00	in Building Permit receipts
\$	75.00	in Police Report receipts
\$	225.00	in Zoning Permits receipts
\$	150.84	in Interest Income
\$	1,491.52	in Fines
\$	75.00	in Grading Permit receipts

Included in the Sewer Fund Cash Receipts were:

\$	5,497.23	in Masons Mill Pass Through receipts
\$	152.03	in Lower Moreland Usage fee receipts
\$	191.44	in Finance Charges

TAX COLLECTOR - None

BILLS

On a motion by Duane Hyatt, seconded by Glenn Gurney, 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

Sycamore Road Pump Station

President Jeff Elsing permitted resident Marty Nash to address Borough Council concerning the Sycamore Road Pump Station which is located on her property. Mrs. Nash stated that she was pleased with the results of the newly installed air-scrubber over the recent Charter Day weekend. She said that she met with Councilman Glenn Gurney to review the proposed shed design to enclose the air-scrubber and pump station. Mrs.

Nash is happy with the shed design and requested that landscaping be included. She would like to be involved in the landscape design. Mrs. Nash also said that she and her neighbor agreed that sound insulation in the shed will help a lot, noting that the sound level varies at different times of day.

Commendation – Officer R. Kenneth Johnson

Mr. Elsing introduced Acting Chief Steve Gray to present a Letter of Commendation to Officer Johnson for an incident in 2016.

Offer of Conditional Employment for Part-Time Officer Positions

President Elsing reported that two candidates for part-time positions interviewed very well and recommended that Council approve offers of conditional employment to Joe DeCarlo and Frank Jaworski.

On a motion by Ric Asplundh, seconded by Mark Pennink, Council voted unanimously in favor to make an offer of conditional employment for a Part-Time Police Officer position to Joseph DeCarlo.

On a motion by Ric Asplundh, seconded by Mark Pennink, Council voted unanimously in favor to make an offer of conditional employment for a Part-Time Police Officer position to Frank Jaworski.

MAYOR’S REPORT - None

POLICE CHIEF’S REPORT

Acting Chief Steve Gray reported the following activity for October:

Citations Issued: Traffic: 32 Non-Traffic: 01	33
Alarms	13
Animal complaints	06
Assist Bryn Athyn Fire / Ambulance	05
Assist other Police Agencies	39
Assist Citizens / Public Service calls	10
Miscellaneous Complaints	106
Special Traffic Details	28
Suspicious Circumstance Investigations	12
Vehicle Accidents	07
Vehicle Investigations / Warnings Issued	79

On Monday October 2, at 10:22am, while conducting a traffic stop in the 3000 block of Huntingdon Pike, police arrested a 35 year old Warminster resident on a Domestic Relations warrant out of Luzerne County.

On Thursday October 5, at 9:11am, while conducting a traffic stop at Huntingdon Pike and Alnwick Road, police arrested a 24 year old Willow Grove resident on outstanding traffic warrants out of both Willow Grove and Hatboro District Courts.

On Thursday October 5, at 1:30pm, police took a report of Harassment in the 2600 block of South Avenue. The report dealt with a Lower Moreland resident who was harassing a Bryn Athyn resident by phone.

On Tuesday October 10, at 7:57am, police took a report of Harassment in the 2700 block of South Avenue involving an out-of-state person harassing a Bryn Athyn resident through social media.

On Saturday October 21, at 3:01pm, police took a report of a Theft from vehicle in the Masons Mill Business Park at 3501 Masons Mill Road. The rear passenger window had been shattered and a purse that had been lying on the floor was taken.

On Saturday October 28, Bryn Athyn Police hosted its first “Coffee with a Cop” event at the All Aboard Café. The event was well received. We look forward to hosting more community events in the future.

On Friday October 27, at 2:05am, police arrested a 24 year old Willow Grove resident for DUI. The driver’s Blood Alcohol Content was .17%

On Tuesday October 31, at 11:22pm, police received a report of theft from vehicles in the 3100 block of Paper Mill Road. Two unlocked vehicles were entered and items were taken.

FIRE CHIEF’S REPORT

Fire Chief Derek Zecher reported 22 Fire Calls in October, 14 in Lower Moreland, 7 in Bryn Athyn and 1 in Southampton. There were no significant incidents, although while investigating a fire alarm, a gas leak was discovered in the ANC Dining Hall.

Chief Zecher reported that repairs to the second ambulance are completed and that the Fire Company is hoping to keep that vehicle going for a while, noting that the engine was a lemon from the start.

The Fire Company Board has held meetings with Huntingdon Valley Fire Company on the subject of combining operations of the two companies. This is an ongoing active

discussion. President Lach Brown has met separately with HVFC President to discuss administration, while Chief Derek Zecher has met with Bob Schadegg regarding operations.

EMERGENCY MANAGEMENT REPORT

Emergency Management Coordinator Scott Cooper noted that Joe DeCarlo is a former ANC Security employee.

Mr. Cooper described three ongoing County projects:

1. Municipal Fuel Supply Survey – Lach Brown is working on this report on how the Borough receives fuel for vehicles.
2. Fire Service Delivery System Study
3. Emergency Medical Services Municipal Presentation will be held on December 8 to help municipal officials understand emergency services technology, etc.

SOLICITOR’S REPORT - None

BOROUGH MANAGER’S REPORT

Sewer Delinquencies

Portnoff Associates has reviewed the data that Vikki Trost sent to them on the delinquent accounts. They discovered that our QuickBooks program was mistakenly set to compound interest which is not permitted by PA law. They have asked for Council’s permission to recalculate the interest and late fees in accordance with our ordinance so that they may proceed. The appropriate change to the QuickBooks settings has been made.

On a motion by Ric Asplundh, seconded by Aurelle Genzlinger, Council voted unanimously in favor to authorize Portnoff Associates to recalculate the interest on those accounts currently placed with Portnoff Associates in order to comply with the PA Municipal Claim and Tax Lien Law.

Proposed 2018 Calendar

Council reviewed the proposed calendar of regular monthly meetings of Council for the year 2018. The January Reorganization Meeting will be held on Tuesday, January 2 at 7:00pm. The March meeting may be changed at a later date.

**BRYN ATHYN BOROUGH
2018 MEETING SCHEDULE**

Borough Council Meetings are held the first Monday of each month, except if it is a holiday, at 7:00 PM, in Borough Hall*

Tuesday, January 2
Monday, February 5
Monday, March 5
Monday, April 2
Monday, May 7
Monday, June 4
Monday, July 2
Monday, August 6
Monday, September 10
Monday, October 1
Monday, November 5
Monday, December 3

The PUBLIC SAFETY COMMITTEE will meet prior to the monthly meeting of Borough Council at 6:30PM.*

The FINANCE COMMITTEE will meet the third (3rd) Tuesday of each month at 6:00PM.*

The PLANNING COMMISSION will meet the third (3rd) Tuesday of each month at 8:00 PM.*

The ZONING HEARING BOARD will meet the last Tuesday of each month at 7:00 PM.*

The CIVIL SERVICE COMMISSION will meet the fourth (4th) Monday of each month at 3:00PM.*

*If possible, cancellations or changes will be published in a newspaper of general circulation, otherwise notices will be posted at Borough Hall.

PUBLIC SAFETY COMMITTEE

Chairman Jeff Elsing reported on concerns of residents about vehicular traffic and excessive speeds during school opening and closing on Waverly Lane, Ashley Road and Dale Road. Mr. Elsing noted that Borough Engineer did a sidewalk study a few years ago. Public Safety will review the plan to determine if a sidewalk can be installed there. The Committee will also consider signage at Tomlinson Road to close Ashley Road and Dale Road during school opening and closing hours.

Mark Pennink will get pricing for signage but will not order yet. He noted that a sidewalk may not be very expensive. Aurelle Genzlinger stated that children must walk along the road to get to school. Mr. Elsing agreed that a sidewalk would be the best solution.

Mr. Elsing reported that the elementary school principal has told parents that children may not be discharged from vehicles along the road. Mr. Elsing will look into the possibility of an added patrol officer during school opening and closing.

PUBLIC WORKS COMMITTEE - None

FINANCE COMMITTEE

Chairman Duane Hyatt reported that the final draft of the 2018 Budgets have been completed on time.

General Fund Budget

The proposed 2018 General Fund Budget shows a surplus due to the reduction in the Police Department budget. The police staffing will be reduced to 4 Full-Time and 4-6 Part-Time officers from 5 Full-Time officers. The Police Department budget will be reduced to 43% from 47% of the General Fund Budget, resulting in \$50,000 in savings.

The Finance Committee proposes a one (1%) percent increase to the Real Estate Tax Millage which will result in a surplus of \$43,000 which will be used to create a Capital Reserve Fund.

- Salaries will increase by 2.5%
- Waste Disposal will not increase.
- Health Insurance is decreased.
- Public Works received a large increase for 2017 – no increase for 2018

The Finance Committee appreciates the police department efforts to balance the budget.

Mr. McCurdy was opposed to the proposed 1% millage rate increase.

Mr. Hyatt noted that the County will issue the 2018 Assessed Valuation on November 15; there will still be a surplus as long as the assessed valuation does not decrease. Mr. Hyatt advised Council to consider a Capital Reserve Fund, particularly for Alden Road. Council should set aside funds for improvements for Alden Road. It was noted that these improvements can increase property values for properties on Alden Road.

Debt Service Fund

Mr. Hyatt presented the proposed 2018 Debt Service Budget, balanced at \$136,764. This budget is funded from the General Fund Budget. There are five years remaining on the General Obligation Bonds which were issued for the Sewer Collection System construction.

Sewer Fund

Councilman Glenn Gurney presented the proposed 2018 Sewer Fund Budget, noting a 2.5% rate increase for Categories 2, 3 and 4 customers.

Mr. Gurney outlined three areas in the spending plan:

1. \$75,000 allocated for Capital Reserve/Upgrades to the sewer system. This was instigated in 2015.
2. PA DEP Holding Tank Project – \$60,000 estimated cost for holding tank (20% share of project cost; ANC pays 80%). Phase I – Blower Installation is completed. Waiting for DEP Permit to proceed with holding tank project.
3. Sycamore Road Pump Station Improvements – \$18,000 allocated for improvements including structure and sound proofing.

Mr. Gurney reported that the Academy adjusted water meters throughout the campus this year, which will reduce water flow, and will result in reduced revenue for the Sewer Fund. 2018 will see a large decrease in revenue which cannot be projected at this time. It was noted that the Academy may be overpaying for usage, so the resident users may need to pay more.

Mr. Pennink noted that Council has no choice in completing the PA DEP project; we will be fined by PA DEP. Mr. Hyatt added that we still do not know the cost for the project. The budget discussion ended.

On a motion by Brent McCurdy, seconded by Jeff Elsing, Council voted unanimously in favor to instruct the Borough Secretary to advertise the proposed budgets for 2018 as required.

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 three (3) Zoning Permit applications were approved in October; five (5) Building Permits were issued; two (2) Grading Permits were issued.

ZONING ORDINANCE COMMITTEE

President Elsing introduced members of the Zoning Ordinance Committee in attendance to answer questions that Council members have concerning recommendations of the Committee.

Mr. Hyatt asked if the Bryn Athyn Post Office Zoning should be changed to Commercial from “B” Residential. Mr. Asplundh asked if that would generate any revenue to the Borough.

- Mr. Herder stated that a property owner can apply at any time for a Variance to the zoning classification of a property, noting that although Bryn Athyn has historically been more lenient, the property owner must prove unnecessary hardship.
- Mrs. Genzlinger referred to the Borough Comprehensive Plan with regard to Commercial Zoning, noting that Chapter III. Community Development Goals and Objectives, Community Appearance, Heritage and Identity outlines the Goal “to preserve, maintain and enhance the semi-rural and spacious institutional characteristics of Bryn Athyn Borough”. Mrs. Genzlinger believes the intent is to limit commercial uses unless it serves the residents.
- Mr. Hyatt said that it is across the street from the Connelly Woodshop, zoned Commercial, which would create a commercial use cluster. Mr. Hyatt added that the Academy now has the right to have a medical building and that right would be taken away.
- Mr. McCurdy agreed that owner’s rights should not be taken away.
- Mr. Elsing suggested keeping the Post Office as “B” Residential, since there would be no additional tax revenue from the property.

- Solicitor Herder added that with the recently adopted Floodplain Ordinance, the new regulations state that the current building can stay, but there is a good possibility that nothing else can be built there.

Mr. Elsing introduced the subject of proposed medical facility in “IN” Institutional District.

- Solicitor Herder indicated that there is a recently amended Article 12 “IN” Institutional District.
- Mr. Hyatt stated that Mr. Elsing has suggested that Academy of the New Church representatives come to a Borough Council meeting to inform Council of ANC’s long range plans, an opportunity to work together.

Mr. Hyatt noted that there is no deadline to make a decision for the Zoning Ordinance adoption. Mr. Hyatt felt that Council is not prepared to move forward at this time.

- Mr. Pennink stated that there are things that need changing now, suggesting that Council do those now and deal with the “IN” District and chickens later.
- Mr. Hyatt agreed and suggested that the next time Council goes through the process everyone should read the Borough Comprehensive Plan.
- Brent McCurdy agreed with Mr. Pennink.
- Mrs. Genzlinger asked for feedback from the Zoning Committee members.
- Mark Arrimour, Zoning Ordinance Committee Chairman, stated that Borough Council must decide about chickens.
- Mr. Arrimour said that there was a long debate about the “IN” Institutional District definition. He also said that a hospital would be unfair to the college campus neighbors.
- Mr. McCurdy stated that a physical therapy facility is planned.
- Mr. Arrimour suggested that an Academy representative should participate in the Public Hearing.
- Mr. Arrimour stated that the Lord’s New Church will be notified regarding the proposed zoning district change and they will have the opportunity to oppose.

Mr. Hyatt stated that the current Zoning Ordinance would permit ANC to join with Jefferson Hospital to provide healthcare services, which would also be offered to outside customers.

- Mr. Arrimour commented that any other “IN” Institutional District does not include medical uses, etc.
- Mr. Herder notes that the current Zoning Ordinance also allows one stable on every property.
- Mr. Hyatt stated that he doesn’t want to overstep because he is wearing multiple hats.
- Mark Pennink urged Council not to give up on the Zoning Ordinance update.
- Mr. Herder added that the Committee really tried to keep changes to a bare minimum, not looking to make drastic changes.
- Mr. Arrimour added that the Committee went to definitions while reviewing the Zoning Ordinance, defining the backbone of the Zoning Ordinance.
- Mr. Asplundh asked how to satisfy the landowner, the Academy, by not taking away rights. Mr. Asplundh added that the current ordinance is too broad. He is not against a medical facility, but we don’t need another Abington Hospital or Holy Redeemer Hospital in Bryn Athyn.
- Mr. Arrimour replied that in 1982, nobody could predict how the Academy would change. The Borough and the Academy have to work together.
- Mr. Elsing noted that Article 2 Definitions and Article 12 Institutional District are the areas of differences.
- Mr. Pennink suggested taking the next sixty days to get the Academy and the Borough closer on these issues.
- Mr. Arrimour agreed that it is important to keep it moving.
- Mr. Hyatt was glad that the Committee came to Council because Borough Council does not think about these issues.
- Mr. Elsing suggested that Council take revised Articles 2, 12 and 16 under consideration and set up a time with the Academy representatives to continue the discussion. Mr. Pennink said to give ANC time to comment.

Solicitor Rex Herder reiterated the process for moving the Ordinance forward. When Council is happy with the final draft, it will go back to the Bryn Athyn Planning Commission and then be forwarded to the Montgomery County Planning Commission for comments. Council is not required to do anything with the MC Planning Commission comments. Public Hearings will be advertised.

Mr. Herder added that no Zoning Ordinance ever made everybody happy.

Mr. Asplundh said he thought Council is close.

Borough Council will give the Academy sixty days to review the proposed Zoning Ordinance and their representative will be invited to discuss their concerns.

SEWER ADMINISTRATOR - None

BOROUGH ENGINEER - None

OLD BUSINESS

It was reported that PECO has notified property owners along Buck Road that several marked trees will be removed.

NEW BUSINESS

Councilman Duane Hyatt thanked the Zoning Ordinance Committee for all of their hard work.

QUESTIONS OR COMMENTS FROM THE FLOOR - None

There being no further business presented, the meeting was adjourned at 8:49pm.

Council's next regular meeting will be held on Monday, December 4, 2017 at 7:00pm in the Borough Hall.

Victoria S. Trost
Secretary