



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

COUNCIL CHAMBER
July 12, 2021

The meeting was called to order by Vice President Duane Hyatt at 7:00p.m. The following were present:

MEMBERS OF COUNCIL

Glenn Gurney
Ric Asplundh
Duane D. Hyatt

Brent McCurdy
Mark Pennink

ALSO: Victoria S. Trost, Bradley E. Cranch, Russell Cooper, Mayor Ken Schauder, Solicitor R. Rex Herder. Councilmembers Jeffrey Elsing and Aurelle Genzlinger were excused.

MINUTES

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

TREASURER'S REPORT

Treasurer Vikki Trost reported General Fund Revenue for June was \$42,248.98. General Fund Expenses were \$73,012.55. Net Income was -\$30,763.57.

Sewer Fund Revenue for June was \$881.00. Sewer Fund Expenses were \$24,657.01. Net Income was -\$23,776.01.

Today PLGIT paid .01%. PLGIT PRIME paid .04%.

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

\$	1,202.28	in Liened Real Estate Taxes
\$	14,583.19	in Earned Income Tax receipts
\$	822.20	in Local Services Tax receipts
\$	20,000.00	in Contributions to Police Department
\$	1,511.06	in Fines
\$	175.00	in Zoning Permits
\$	2,315.00	in Fireworks Contributions
\$	15.00	in Police Report Fees
\$	1,548.25	in Building Permit Fees
\$	50.00	in Grading Permit Fees
\$	500.00	in Fireworks Contributions

Included in the Sewer Fund Cash Receipts were:

\$	25.00	in Sewer Certification
\$	12.43	Interest Income
\$	843.57	in Finance Charges and Late Fees

TAX COLLECTOR - None

BILLS

GENERAL FUND BILLS

21 st Century Media	\$252.03
A & T Auto & Truck Repair Inc.	391.05
Academy of the New Church	3,075.51
Am-Trust North America	6,695.29
Aqua PA	28.70
Armour & Sons Electric Inc.	1,216.19
Building Inspection Underwriters Inc.	2,982.80
Cranch Landscapers LLC	150.00
Davidheiser's Inc.	36.00
DeLage Landen	424.00
Eastburn & Gray	1,477.50
Guardian Dental Ins.	3,559.70
HA Thomson Company	2,962.00
Independence Blue Cross	5,795.46
International Fireworks Mfg Co Inc	10,000.00
Kenneth J Schauder Inc	525.00
Peco Energy Co	2,113.20

Petty Cash – Steve Gray	95.80
Petty Cash – Victoria Trost	2.57
TGI Office Automation	8.84
The Vanguard Group	1,173.29
Trugreen Processing Center	914.00
USA Payroll	300.37
Victoria Trost	50.00
Wright Express	790.99
Verizon Wireless	158.74
TOTAL	<u>\$45,79.03</u>

SEWER FUND BILLS

Academy of the New Church	\$805.15
Am-Trust North America	1,370.71
Frank A Malizia Jr Inc	11,650.00
Home Depot	413.10
Independence Blue Cross	551.32
Peco Energy	512.46
Postmaster	165.00
USA Payroll	114.03
Verizon Internet	104.00
Wright Express	356.37
Verizon Wireless	42.34
TOTAL	<u>\$16,084.48</u>

BMO MASTERCARD

General

Adobe AcroPro	\$14.99
Amazon.com	113.98
Kremp Florist	65.71
Microsoft.com	-105.99
TOTAL	<u>\$88.69</u>

Sewer

Amazon.com	\$218.49
Mike’s Lock Shop	11.54
InKing Steel Inc.	750.00
TOTAL	<u>\$980.03</u>

On a motion by Brent McCurdy, 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

In the absence of President Jeff Elsing, Vikki Trost reported that the Independence Day activities went well with no incidents reported. Mr. Elsing expressed thanks to all the people that helped and especially the Bryn Athyn Police Department, the Bryn Athyn Fire Department, the Academy of the New Church and Glenn Henderson for their part in running the holiday events. Clayton Walsh informed Council that the Charity in Action nonprofit has collected \$5,000 in donations for fireworks.

Vice President Duane Hyatt reported for Mr. Elsing that conditional offers of employment would be offered to three part-time police officer applicants: Michael Karminski, Orenda Geller and Mitchell Meed.

On a motion by Brent McCurdy, seconded by Mark Pennink, Council voted unanimously in favor to extend a conditional offer of employment to Michael Karminski, Orenda Geller and Mitchell Meed, contingent on the results of the psychological and physical evaluations.

MAYOR’S REPORT - None

POLICE CHIEF’S REPORT

Alarms	10
Assist Bryn Athyn Fire / Ambulance	08
Assist Other Police Agencies	32
Miscellaneous Activity	72
Public Service Calls / Assist Citizens	01
Special Traffic Details	10
Suspicious Circumstance Investigations	07
Traffic Citations	33
Vehicle Accidents	05
Vehicle Investigations	60

On Saturday June 5th, police conducted a vehicle stop in the area of Huntingdon Pike and Cathedral Road due to the registered owner of the vehicle being listed as a wanted subject by the Indiana County, PA Sheriff’s Department. The warrant was for Simple Assault, Disorderly Conduct, Retail Theft, Underage Drinking and Harassment. The 29-year-old resident of Philadelphia was remanded to the Montgomery County Prison until the Indiana County Sheriff’s Department could respond to pick him up.

On Thursday June 17th at 2:13pm, police investigated an attempted fraud in which an unknown person attempted to make a fraudulent unemployment claim with the PA Department of Labor & Industry by using a Bryn Athyn Borough employees name. The labor department was advised of this attempted fraudulent claim.

On Friday June 18th at 12:22pm, police conducted a vehicle stop in the area of 1800 Byberry Road due to the registered owner being listed as wanted on a warrant by Cheltenham Police for Terroristic Threats. The 20-year-old resident of Philadelphia was taken into custody and turned over to the Cheltenham Police Department.

On Saturday June 19th at 5:35am, police observed a motor scooter driving at a high rate of speed on Tomlinson Road while traveling through a steady red traffic light located at Huntingdon Pike and Tomlinson Road. The driver was stopped in the 2600 block of Alnwick Road. Upon further investigation, the 34-year-old male resident of Huntingdon Valley was taken into custody for suspicion of DUI. Blood test results are pending.

On Saturday June 26th at 2:15am police conducted a vehicle stop for traffic violations committed in the 1800 block of Byberry Road. Upon further investigation, police took the 56-year-old resident of Croydon into custody for suspicion of DUI. Blood test results are pending.

On Sunday June 27th at 2:52am, police stopped a vehicle in the area of 1800 Byberry Road due to a defective brake light. Upon further investigation, police detected a strong odor of marijuana coming from inside of the vehicle. The driver refused consent to search the vehicle. Due to the strong odor of the marijuana, the vehicle was impounded and a search warrant was applied for. The 20-year-old male resident of Philadelphia was later charged with possession of drugs and drug paraphernalia.

On Sunday June 27th at 7:18pm, police were dispatched to the 3000 block of Buck Road to take a report of a dog bite. Upon arrival, police met with the complainant, a 31-year-old male resident of Philadelphia, who stated that he had been bitten twice on his calf while attempting to deliver a package from Amazon. Police observed two puncture marks on the driver's calf. Police filed a report with the county health department, which requires that the dog owner provides proof to the county that the dog has received all updated vaccinations.

On Monday June 28th at 1:56am, police conducted a vehicle stop in the 3000 block of Huntingdon Pike for defective rear lighting on the vehicle. Due to the strong odor of marijuana coming from inside of the vehicle, police requested to search the vehicle, which the driver agreed to. Upon investigation, police located a loaded 9mm handgun that was laying under the driver's seat. The driver did not have a concealed carry permit, which he was charged for in this incident. Also located was 122.2 grams of marijuana, along with a large sum of money, two scales for weighing the drugs, along with packaging for the drugs. Aside from the illegal gun charge, the driver, a 21-year-old

resident of Philadelphia, was also charged with drug possession with the intent to deliver and also for having drug paraphernalia.

FIRE CHIEF'S REPORT

The Fire Company has met with Lower Moreland Township regarding paid fire staff services. The Fire Company will come to the Borough for funding at budget time.

EMERGENCY MANAGEMENT REPORT

Emergency Management Coordinator Ken Schauder reported zero issues at the July 4th Fireworks and other activities during the day.

SOLICITOR'S REPORT

Solicitor Rex Herder reported that the PA Legislature adopted Act 65 which impose new requirements for meeting agendas of Pennsylvania governing bodies. Effective August 29, 2021 the Borough will be required to post the meeting agenda on the Borough website and on the door of Borough Hall 24 hours in advance of the meeting. Every topic to be discussed must be listed on the agenda. Council cannot take action on a topic that is not on the agenda with some exceptions for emergencies and items of a minor nature. Mr. Herder recommended that Council review these new requirements and discuss at the August Council meeting. Mr. Herder will work with Mrs. Trost to create compliant agendas.

Mr. Herder reported that Montgomery County wants to acquire more land from the Borough for the Fetters Mill Bridge project. The Borough transferred 33 sq. ft. requested by the County in 2019. The additional land (436 sq. ft.) is part of the construction easement that the Borough granted to the County for the project in 2019. Mr. Herder reminded Council that the County will reimburse the Borough for legal and engineering fees up to \$4,000 for this project. This is the same \$4,000, not an additional sum. Mr. Herder noted that the County has requested the sale in lieu of condemnation of the property. Mr. Herder has reviewed the new documents which are the same boilerplate forms as before.

On a motion by Ric Asplundh, seconded by Duane Hyatt, Council voted unanimously in favor to accept the offer from Montgomery County to purchase an additional 436 square feet, conditionally, upon a review by the Borough Engineer to confirm that there will be no negative impact on the existing Borough-owned storm drainage facilities.

BOROUGH MANAGER’S REPORT

Soliciting Ordinance

Vikki Trost has received questions regarding door to door soliciting in the borough. In 1994 borough council considered adopting an ordinance to issue soliciting permits. Mrs. Trost will keep track of complaints to see if the problem persists.

Municipal Facilities Committee

The committee met to discuss building maintenance: cleaning, window repair, Dryvit exterior repairs, storm drainage and the building lease. The committee members suggested meeting more regularly and adding Brian Horner to the committee. Mark Pennink and Bradley Cranch have been invited to the next meeting to discuss storm drainage plans.

American Rescue Plan Act Funds (ARPA)

ARPA funds in the amount of \$73,477.79 were deposited in the Borough bank account on July 7, 2021. This is the first of two payments. The next payment will be received in June 2022.

PUBLIC SAFETY COMMITTEE - None

PUBLIC WORKS COMMITTEE

Chairman Mark Pennink reported that a sink hole has developed on Feters Mill Road near the storm water inlet. The pipe from the inlet has rotted and will need to be replaced from the Connelly driveway to the Feters Mill bridge.

Mr. Pennink reported that TruGreen has sprayed the weeds in the gutters. Borough Engineer Nick Rose is working on the bid package for the curbing and sidewalks along Tomlinson Road.

Mr. Pennink reported that the Alden Road committee met to discuss the \$5,000 allocated for the Alden Road bid package, noting that \$5,000 may not be enough to cover the cost.

FINANCE COMMITTEE - None

LAND USE AND NATURAL RESOURCES/ SHADE TREE COMMITTEE

Chairman Ric Asplundh reported that he spoke with Chris Mendel at the Pennypack Ecological Restoration Trust (PERT) regarding the management of the grasses at Borough Park. Mr. Asplundh noted that we are mostly doing what PERT wants with the mowing now.

PUBLIC RELATIONS COMMITTEE - None

ADMINISTRATIVE COMMITTEE - None

PLANNING COMMISSION REPORT - None

ZONING OFFICER

Vikki Trost reported that there were (3) Zoning Permit applications approved in June. Six (6) Building Permits were issued. One (1) Grading Permit was issued.

SEWER ADMINISTRATOR

Chairman Glenn Gurney reported that current testing at the sewage treatment plant meets permit requirements. Maintenance pumping of on-lot systems is on schedule.

BOROUGH ENGINEER - None

OLD BUSINESS - None

NEW BUSINESS

Vikki Trost reported that a Land Use application was received from the Bryn Athyn Church School to allow the Bounty Market to operate on the church property. This will be reviewed by the Planning Commission next week.

A question regarding the timing of the traffic lights was raised. Vikki Trost will confirm that these changes were made as part of the Huntingdon Pike Traffic Signal Re-Timing project performed by PA DOT last year.

QUESTIONS OR COMMENTS FROM THE FLOOR - None

There being no further business presented, the meeting was adjourned at 8:02pm.

Council's next regular meeting will be held on Monday, August 2, 2021 at 7:00pm in the Borough Hall.

Victoria S. Trost
Secretary