



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

***January 2, 2018
COUNCIL CHAMBER***

The meeting was called to order by Councilman Ric Asplundh at 7:30p.m. The following were present:

MEMBERS OF COUNCIL

Glenn Gurney	Brent McCurdy
Ric Asplundh	Mark Pennink
Jeffrey Elsing	Duane D. Hyatt
Aurette Genzlinger	

ALSO: Victoria S. Trost, Bradley E. Cranch, R. Scott Cooper, Russell Cooper, Mayor Ken Schauder, Solicitor R. Rex Herder, Steve Gray.

SWEARING-IN CEREMONY

With District Justice Jay Friedenberg presiding, Mark Pennink, Jeffrey Elsing and Duane Hyatt recited the Oath of Office and were sworn-in as members of Borough Council. Bradley Cranch recited the oath as Tax Collector and Kenneth Schauder recited the oath as Mayor. The Members of Council and Mayor took their seats at the Council table.

REORGANIZATION OF BOROUGH COUNCIL

With the new Borough Council seated, Mr. Asplundh called for nominations for President of Borough Council. Jeffrey Elsing received the only nomination. Nominations were closed and Mr. Asplundh called for the vote.

Council voted unanimously in favor of electing Jeffrey Elsing as President.

Mr. Asplundh called for nominations for Vice President of Council. Duane Hyatt received the only nomination. Nominations were closed and the vote was called for Vice President.

Council voted unanimously in favor of electing Duane Hyatt as Vice President of Council.

Mr. Asplundh thanked Judge Friedenberg for performing the Swearing-In Ceremony and handed the gavel over to Mr. Elsing.

President Jeffrey Elsing thanked Mr. Asplundh for opening the meeting and conducting the election of President and Vice President.

Appoint Chief of Police

President Elsing reported that the Police Chief Search Committee reviewed eleven applications for the position. The field was narrowed down to three, who were personally interviewed. The Committee unanimously recommended Stephen M. Gray for the Chief of Police position based on his experience, performance and commitment to the Bryn Athyn community.

On a motion by Ric Asplundh, seconded by Duane Hyatt, Council voted unanimously in favor to appoint Stephen M. Gray to the position of Chief of Police of the Bryn Athyn Police Department.

SWEAR-IN CHIEF OF POLICE

Judge Jay Friedenberg administered the Law Enforcement Oath of Honor to Stephen M. Gray

Appoint Part-Time Police Officer

Mr. Elsing reported that Joseph DeCarlo has accepted Council's Conditional Offer of Employment as Part-Time Police Officer.

On a motion by Ric Asplundh, seconded by Aurelle Genzlinger, Council voted unanimously in favor to appoint Joseph DeCarlo to the position of Part-Time Police Officer of the Bryn Athyn Police Department.

SWEAR-IN PART-TIME POLICE OFFICER

Judge Jay Friedenberg administered the Loyalty Oath to Joseph DeCarlo.

Vacancy Board Appointment

Mr. Elsing explained that the Vacancy Board fills any vacancy that may occur on Borough Council. It consists of members of Borough Council and one Borough Resident who acts as Chair. Janice Roscoe has volunteered to fill the position of Chair.

On a motion by Aurelle Genzlinger, seconded by Glenn Gurney, Council voted unanimously in favor to appoint Janice Roscoe Chair of the Vacancy Board.

MINUTES

A motion made by Duane Hyatt, seconded by Jeffrey Elsing, failed due to missing pages in the copies of the minutes distributed to Council for the meeting.

TREASURER’S REPORT

General Fund Revenue for December was \$21,480.43. General Fund Expenses were \$85,211.08. Net Income was -\$63,730.65.

2017 General Fund Revenue exceeded the budget by \$40,106.18 and Expenditures came in under budget by \$119,168.93, indicating a pre-audit surplus of \$159,275.11. Police Car Reserve (\$7,000) and Public Works Reserve (\$8,100) transfers, when approved, will reduce this number.

Sewer Fund Revenue for December was \$7,307.41. Sewer Fund Expenses were \$24,910.92. Net Income was -\$17,603.51.

2017 Sewer Fund Revenue exceeded the budget by \$74,732.45 while Expenditures came in under budget by \$49,061.74, indicating a pre-audit surplus of \$123,794.19.

Today PLGIT paid 1.1%. PLGIT I-Class paid 1.22%. Included in the General Fund cash receipts were:

\$	3,096.03	in 2017 Real Estate Tax receipts
\$	4,497.92	in Earned Income Tax receipts
\$	247.50	in Building Permit receipts
\$	1,569.98	in Fines
\$	60.00	in Police Report receipts
\$	12,000.00	in Contributions to the General Fund
\$	2,000.00	in Contributions to the Police Department

Included in the Sewer Fund Cash Receipts were:

\$	315.59	in Finance charge assessments
\$	395.00	in Late Fee assessments
\$	6,596.82	in Masons Mill pass-through

On a motion by Glenn Gurney, seconded by Brent McCurdy Council voted unanimously in favor to authorize the reserve fund transfers budgeted in 2017 conditioned on the results of the 2017 Annual Audit not creating a deficit.

TAX COLLECTOR

Tax Collector, Bradley Cranch reported \$36,124.22 collected in December. This represents 100% collection of 2017 Real Estate Tax.

BILLS

On a motion by Duane Hyatt, seconded by Glenn Gurney, Council unanimously voted to authorize payment of the December 2017 bills as shown on the attached list, which is made a part of these minutes and the January bills as shown on the attached list, which is made a part of these minutes.

PRESIDENT’S REPORT

2018 Operations List

President Jeff Elsing reviewed the 2018 Operations List noting a vacancy on the Planning Commission.

On a motion by Ric Asplundh, seconded by Jeffrey Elsing, Council voted unanimously in favor to adopt the 2018 Operations List with the change adding Janice Roscoe as Vacancy Board Chair.

Resolution 2018-01

Mr. Elsing explained that the rate for employee contributions to the Police Pension Plan for 2018 will remain at 3.5%.

On a motion by Ric Asplundh, seconded by Glenn Gurney, Council voted unanimously in favor adopting the Resolution 2018-01 setting the employee contribution rate to the Bryn Athyn Police Pension Plan at 3.5%

**BOROUGH OF BRYN ATHYN
RESOLUTION #2018-01**

A RESOLUTION OF THE BOROUGH OF BRYN ATHYN SETTING THE MEMBER CONTRIBUTION TO THE BRYN ATHYN POLICE PENSION PLAN FOR THE YEAR 2018.

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 2018 at 3.50%.

Resolved, this second day of January, 2018.

BOROUGH OF BRYN ATHYN

PSAB Training

Mr. Elsing encouraged Council and the Mayor to review the latest issue of the PA State Association of Boroughs’ (PSAB) Borough News magazine article “Welcome to Public Officials”.

MAYOR’S REPORT - No

POLICE CHIEF’S REPORT

Mr. Elsing read the report of December activity: 6

Citations Issued: Traffic: 20 Non-Traffic: 00	20
Alarms	12
Animal complaints	02
Assist Bryn Athyn Fire / Ambulance	08
Assist other Police Agencies	33
Assist Citizens / Public Service calls	07
Miscellaneous Complaints	104
Special Traffic Details	23
Suspicious Circumstance Investigations	08
Vehicle Accidents	04
Vehicle Investigations / Warnings Issued	55

On Friday December 1st at 4:47pm, police responded to 820 Campus Drive to take a theft report involving items that were stolen from a student’s room while they were on winter break. The stolen items, which included watches, sneakers and clothing, were valued at \$1,750.00 The theft is still under investigation.

On Wednesday December 6th at 2:36am, police conducted a vehicle stop at Huntingdon Pike & Alnwick Road, which resulted in a DUI Arrest of a 42 year old female resident of Rockledge, PA. The Blood Alcohol Content (BAC) of the subject was .13%

On Thursday December 7th at 4:57pm, police responded to the 2600 block of Alden Road to take a report of a landlord/tenant dispute. The issue was resolved and police resumed patrol.

On Tuesday December 12th at 4:51pm, police stopped a vehicle that was observed driving in both the North and Southbound lanes of travel while traveling Southbound on Huntingdon Pike in the area of Cathedral Road. The investigation resulted in a DUI arrest of a 56 year old male Philadelphia resident. The Blood Alcohol Content (BAC) of the subject was .27%

On Thursday December 14th at 1:18am, police received a noise complaint involving the Civic and Social Club. Upon arrival, police did not hear any noise emitting from the front or rear of the building, however, police heard music emitting from inside of the club through a closed window on the east side of the building. The manager of the C&S Club turned the music down and police resumed patrol.

On Friday December 15th at 2:05am, police were dispatched to check on a report of a male driver that was passed out in a vehicle in the 1700 block of Huntingdon Road. Upon arrival, police observed the vehicle parked and running in the westbound lane with the driver asleep behind the wheel. Once awake, the driver, who was visibly intoxicated, advised police that he intentionally parked there so that he could take a nap. Upon further investigation, the 26 year old Philadelphia resident was arrested for suspicion of DUI. Blood tests revealed that the driver's Blood Alcohol Content (BAC) was 0.18%

On Tuesday December 19th at 5:04am, police received a call from ANC Security reporting that a vehicle had been vandalized in the Childs Hall parking lot on Campus Drive. Upon arrival, police observed that the rear window of a student's vehicle had been shattered. The vandalism is still under investigation

FIRE CHIEF'S REPORT -None

EMERGENCY MANAGEMENT REPORT - None

SOLICITOR'S REPORT - None

BOROUGH MANAGER'S REPORT

2018 Fee Schedule

Vikki Trost reported that Charlie Pluguez, our Code Official, recommended adding registration fees for non-residential contractors only as shown on page 4 of the fee schedule. Council was not in favor of adding this new fee to the list. Mrs. Trost noted Harrisburg has increased the state fee for building permits from \$4.00 to \$4.50, also on page 4. *On a motion by Duane Hyatt, seconded by Mark Pennink, Council voted unanimously in favor to approve the 2018 Fee Schedule without the fee for non-residential contractors.*

Peco Tree Trimming

Peco has sent notice that they will be trimming trees in the Borough beginning mid-January through February, as shown on the map provided.

Montgomery County Boroughs Association

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.

Toll Brothers

Toll Brothers has sent a solicitation to the Borough to purchase available land.

Costars Gasoline Card

PA CoStars offers a gasoline purchase program through the same vendor that we currently use for gas, Wex Fleet Card. The CoStars card offers rebates for each gallon of gas purchased, along with a waiver of monthly card fees. Vikki Trost is working on a switch to the new rebate program.

PUBLIC SAFETY COMMITTEE - None

PUBLIC WORKS COMMITTEE

Snow Events

Chairman Mark Pennink reported a few small snow events, noting that the new truck is working well. The new bulk spreader for the backup truck also worked well.

Lower Moreland/Bethayres Streetscape Plan

Mr. Pennink reported that Lower Moreland Township has obtained some grant funds to improve the Huntingdon Pike corridor – Bethayres Streetscape. They have asked the Borough and the Bryn Athyn schools to consider contributing \$50,000 towards the project which will construct a sidewalk from Buck Road to the Valley Center Shops. Mr. Pennink recommends a contribution of \$25,000 this year from the Borough and the Academy and \$25,000 next year from the Borough and the Academy. Chairman Pennink

added that Bryn Athyn and Lower Moreland work together whenever possible, but we've not done a larger project together successfully. When Mr. Hyatt questioned why the Borough should contribute towards a path located entirely in Lower Moreland, it was agreed that the greatest percentage of path users will be Bryn Athyn residents and students. Mr. Hyatt stated that the Academy is aware of the request but the board has not yet made a decision. Lower Moreland has requested an answer from the Borough and Academy by February.

On a motion by Brent McCurdy, seconded by Mark Pennink, Council voted unanimously in favor to allocate \$12,500 per year for two years (\$25,000 total) toward the Lower Moreland/Bethayres Streetscape Plan path between Buck Road and the Valley Center Shops.

Mr. Hyatt noted that the Finance Committee will decide where the funds will be allocated from.

Ashley Road Safety Concerns

Nick Rose has provided rough numbers for Council to review to build a sidewalk along Ashley Road so that children are not forced to walk in the street during high traffic times before and after school. Mr. Pennink noted that the cost would be 50% of this year's Public Works paving budget. Council members will review the plan and make a decision at the February meeting.

FINANCE COMMITTEE

Chairman Duane Hyatt reported that Council must adopt the General Fund Tax Rates and the Sewer Fund Rates for 2018.

PUBLIC HEARING – ORDINANCE #683

President Elsing opened public hearing for Ordinance No. 683 setting the 2018 General Fund tax rates. Mr. Elsing read the proposed ordinance aloud. The hearing was opened to Council for discussion. Mr. Hyatt stated that the proposed tax rates are built into the approved 2018 Budget and that nothing is new here. Hearing no other comments, the hearing was opened to the public for comment. Hearing none, the hearing was again opened to Council. The public hearing was closed.

On a motion by Ric Asplundh, seconded by Duane Hyatt, Council voted unanimously, by show of hands, to adopt Ordinance No. 683, fixing the 2018 Real Estate Tax at 10.715 mills, the Earned Income Tax at 1% and the Local Services Tax at \$52.00.

*Borough of Bryn Athyn
Montgomery County, Pennsylvania*

ORDINANCE #683

AN ORDINANCE OF THE BOROUGH OF BRYN ATHYN FIXING THE TAX RATE FOR THE FISCAL YEAR 2018.

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 2018 as follows:*

- A. *Tax Rate for General Borough Purposes, the sum of Ten and Seven Hundred and Fifteen Thousandths (10.715) mills on each dollar of assessed valuation, making a total tax rate for all Borough purposes of Ten and Seven Hundred and Fifteen Thousandths (10.715) 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

Approved by the Council of the Borough of Bryn Athyn, this second day of January, in the year of Our Lord 2018.

PUBLIC HEARING ORDINANCE NO. 684

President Elsing opened public hearing for Ordinance No. 684 fixing usage rates for 2018. The hearing was opened to Council for discussion. Mr. Hyatt noted that Borough Council did approve the Sewer Budget in December. Hearing no other comments, the hearing was opened to the public for comment. Hearing none, the hearing was again opened to Council. The public hearing was closed.

On a motion by Glenn Gurney, seconded by Ric Asplundh, Council voted unanimously, by show of hands, to adopt Ordinance No. 684 fixing the Sewer usage rates for 2018.

***Borough of Bryn Athyn
Montgomery County, Pennsylvania
ORDINANCE NO. 684***

AN ORDINANCE OF THE BOROUGH OF BRYN ATHYN SETTING SEWER RATES FOR THE FUNDING OF THE BOROUGH WASTEWATER TREATMENT SYSTEM FOR THE FISCAL YEAR 2018.

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.*

<i>Category 2 – Rate per 100 gallons of water used</i>	<i>\$0.9389</i>
<i>Category 3 – Rate per 100 gallons of water used</i>	<i>\$1.8831</i>
<i>Category 4 – Rate per 100 gallons of water used</i>	<i>\$1.8831</i>

- 2. This Ordinance shall take effect immediately.*

Approved by the Council of the Borough of Bryn Athyn, this second day of January, in the year of Our Lord 2018.

BOROUGH OF BRYN ATHYN

Mr. Hyatt thanked the Budget Committee and Vikki Trost for their efforts in the budget process. The Finance Committee meets on the third Tuesday of each month at 6:00pm.

LAND USE AND NATURAL RESOURCES/ SHADE TREE COMMITTEE - None

PUBLIC RELATIONS COMMITTEE

Chair Aurelle Genzlinger reported that public information will be increased. Advertisement in the newspaper is required for public hearings, but she will also communicate through Facebook and the Bryn Athyn Post more frequently.

ADMINISTRATIVE COMMITTEE - None

PLANNING COMMISSION REPORT

Boy Scout Building Addition

Last month Borough Council requested a revision showing setbacks to the plot plan submitted by the Boy Scouts. Mr. Herder explained that the project will expand an already non-conforming use. Mr. Gurney was satisfied with the revised plan submitted. Council members unanimously approved the expansion/addition to the Boy Scout Building.

The Boy Scouts were in attendance to observe the approval of their addition plans, while earning their Citizenship and Community merit badge.

ZONING OFFICER

Vikki Trost reported that no zoning permit applications were approved in December. Two building permits were issued; no grading permits were issued.

SEWER ADMINISTRATOR

Chairman Glenn Gurney reported that progress is being made on the design of the shed for the air scrubber and that he plans to meet with Mrs. Nash this week.

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 8:51pm.

Council's next regular meeting will be held on Monday, February 5, 2018 at 7:00pm in the Borough Hall.

Victoria S. Trost
Secretary