



Office of the Mayor

Richard M. Moriarty
458 Hostetter Drive
Millersville, PA 17551

717-314-3967

www.millersvilleborough.org



Chairwoman Harper, Chairman Freeman and members of the committee.

Thank you for the invitation to testify today on the merits of HB 809. I've been Mayor of Millersville since mid-2003. The Boro of Millersville has an approximate population of 8,500 residents. In addition, Millersville Boro is the home of Millersville University which of my counter-parts today, I believe that I represent the smallest of our three institutions with approx. an enrollment of 8,500. However, I also believe that much of what I will comment upon today could be applicable to almost any college community.

In addition to being Mayor, I not only have over 40 years as a Volunteer Fire Fighter, serve as a landlord, as well as serve as the Treasurer of the Millersville University Alumni Assn. I wanted to highlight these positions in order to highlight my varied perspectives on this topic...Please note that each and every one of my positions/opportunities gives me a perspective on safety. I have seen college students die in fires in apartments. In all honesty, I cannot say if the deaths would have been prevented one way or the other...however, I can say that seeing death in this environment drives me to maintain safety at all costs. In addition, I spoke with a local Lancaster County Fire Commissioner and he stated: "It is really a health and safety issue for every town. Firefighters, no matter the size of the department, are not prepared to deal with and rescue multiple people in a space not built for multiple disconnected tenants. There is a natural tendency when families occupy a residence to assist and help/self-rescue. This does not happen in situations where everyone is unrelated and in fact compounds the problem." Again, as Mayor, my focus is on safety and this Fire Commissioner has summed it up rather succinctly.

Let me begin my general comments about this bill by saying that I've shared this with a number of folks and frankly, including my landlord friends, I found only one individual who spoke favorably about this proposed legislation. In fact, some of the comments that I received were rather flowery, to put it mildly, in their opposition to this bill.



Office of the Mayor
Richard M. Moriarty
458 Hostetter Drive
Millersville, PA 17551

717-314-3967

www.millersvilleborough.org



From my position, I would like to believe that I was elected partially because I knew my community...and I would venture a guess that our Boro council members were similarly elected, both Democrats and Republicans, because our electorate trusted and respected our opinions and felt that we would represent them with their best interests at heart. Over the years, that has been the basis for other elected officials, as well...we know our area--our respective communities. We have established zoning rules and regulations that suit our communities. In Lancaster County, where we are situated, Lancaster City is different than Millersville, as is, East Petersburg Boro different than Millersville, as is Manheim Twp., etc. Each community is different in so many ways, from economic development to educational institutions to health care facilities, and on and on and on. Millersville is a college town and our zoning has been established, to a point with this make-up in mind. When I read HB 809 I read that this bill is attempting to place each college community, not just in Lancaster County, but the entire state on a similar path. With this piece of legislation you are saying that this bill knows best over the community leaders who for the past 200 years have established legislation that is proven and has stood the test of time.

As I reviewed this amendment it appears to me that this change focuses on college towns...but in a sense, as I interpret it, this is somewhat discriminatory. If a bill of this nature is to be implemented then I believe that it should be implemented across the state in every community and not just focused on college communities. (Not that I want to see it implemented at all!) For example, in Lancaster County, in an informal survey regarding which communities had an ordinance that limited their housing to 3 a maximum of 3 unrelated individuals in a dwelling. I have learned that the City of Lancaster, the Boro of Columbia as well as other boros—Manheim, East Petersburg, and Denver Boro (and more) all have a zoning restriction of no more than 3 unrelated individuals in a household, and yet this bill is specifically directed to college towns...why? Again, I believe that each community knows their communities the best. Why do these other communities, most being non-college towns have this zoning in place...? I have no clue. But I do know why Millersville has their zoning in place and one primary reason is safety.

In addition to the Fire Commissioner's comments please allow me give you some other specific examples...currently, Millersville Boro has 13 full time police officers. The reality of it is, had we not had a college in our community it is estimated that we might need only approximately $\frac{1}{2}$ that number of officers. The fact is that for our purposes our police



Office of the Mayor
Richard M. Moriarty
458 Hostetter Drive
Millersville, PA 17551

717-314-3967

www.millersvilleborough.org



services costs our permanent residents money. The fact is that we house a state university and we receive \$00 dollars in either state support for "their state supported/directed college or are we able to obtain any type of financial assessment towards these costs, and yet this bill is mandating yet one more obligation to our community, a community comprised of a significant number of retired households on fixed incomes (Over 20% over 55). In other words, at minimum, you could say that the permanent residents of Millersville are paying approx. \$300K per year for just police services because of housing a college. We accept that fact and we have learned to manage it...as local elected officials, this is what we do, unfortunately on the backs of our permanent residents. I would suggest that if the state wants to make any changes, why couldn't you put some legislation in place that would assist our permanent residents and give us some financial assistance and not just a piece of legislation that will cost us more money on our permanent residents.

Another factor to consider is traffic in our community...frankly our traffic is already significant and adding additional traffic will obviously add to our problem, again with no additional resources. (Traffic and speeding are one of our major complaints to deal with.) For example, at a minimum if we have 500 existing dwelling units and housed even one extra person per unit that is another 500 cars! (In a family dwelling there are generally 2 or 3 cars per unit...in addition, in a college situation, generally in today's society every student has a car.) As I've stated, for our community it is about safety, it is about the costs to our permanent residents.

A municipality such as ours has very limited options as to ways we can increase our revenue without increasing our real estate taxes (Millersville has one of the highest real estate taxes within Lancaster County.) With regards to our attempts to increase our revenue, other than via real estate taxes, several years ago we attempted to enact a "Transaction" tax –on rental properties and the landlords put up a fair amount of objection. In this case, we felt justified to enact a \$30 per year tax to assist us, but the landlords objected to the point that it went to the PA Superior Court and our tax was overturned. So, what does revenue have to do with this bill? The issue is the potential to increase our population and placing an additional strain on our resources without providing any type of offsetting revenue is the issue.

There was a study published 11/2006 by the PA Economy League which detailed the impact on the cost and financing of Government Services in Selected Municipalities of the



Office of the Mayor
Richard M. Moriarty
458 Hostetter Drive
Millersville, PA 17551

717-314-3967

www.millersvilleborough.org



PA State System of Higher Education. Coincidentally both Millersville and West Chester were 2 of the 5 college towns included in the study. Among numerous findings, the study pointed out that in 1990, approx. 30% of our population was in the 18 to 21 years of age category vs the county's 4.4% (Lancaster County), obviously due to the college. Likewise, the percentage of rental units was 35% of total housing units with rental units in the county being in the 29% range. Again, tied to the college. My point again is that rental units are an issue in Millersville.,, which we, as elected and professional, paid staff both understand and administer. This area of focus is not an area that should be removed from our oversight blanketing us with a state-wide piece of legislation.

I spoke with the CEO of a local college housing complex to which he responded:
"Frankly, this will create safety issues within Millersville Borough and college towns across the state. One of the fundamental issues here is that most of the college students that go out into the community to live in off-campus housing are living on their own for the first time in their lives."

"While we wouldn't "abuse" the situation by "warehousing" students in the manner that the bill would suggest, it would effectively allow us to double the amount of students living with us. The local apartment complexes and individual homes that are rented by Mr. John Doe could, in effect, become tenement housing. "

"The safety of the occupant is paramount. The bill would allow a landlord (so long as he/she has the parking) to call every room in a home a "bedroom". An example of this would be what has happened in a nearby township that does not currently having any zoning in place. In this example, the builder has eliminated the garages and has turned that space into another bedroom. Now you have a building that was built to support 2-3 residents housing six students. A single family home in town that has been converted to a rental could now hold 6-8 students! Local code officials are already hard-pressed to keep up with the monitoring of these individual residences. HB 809 would further stress the local inspectors."

The safety issue is magnified due to the fact that the vast majority of these properties are not equipped with the modern safety features that are essential for student living. No cameras, no sprinklers, and most importantly, no hard-wired/tamper proof smoke detectors. Again, this point was illustrated in that Township when a dryer fire showed more than three



Office of the Mayor
Richard M. Moriarty
458 Hostetter Drive
Millersville, PA 17551

717-314-3967

www.millersvilleborough.org



students living in a townhome. This type of fire, coupled with overcrowding, could present a horrible tragedy.

Overcrowding, coupled with a lack of supervision, and adequate safety measures are a recipe for disaster. Unfortunately, it is not a matter of "if", but "when" a tragedy occurs; and it won't be the first.

<https://www.bostonglobe.com/metro/2014/05/04/overcrowded-off-campus-housing-boston-puts-students-risk-even-landlords-cash/mCsUmZ0FpocJoFrRBm99YP/story.html>

<http://www.dillerlaw.com/danger-still-lurks-in-overcrowded-student-housing/>

<http://triblive.com/news/allegHENy/7571928-74/students-landlords-oakland#axzz3ek3LhkJy>

<http://www.freerepublic.com/focus/f-news/1254527/posts>

In addition to the life safety issues, the quality of life for those "civilians" that live within close proximity to off-campus housing is being jeopardized. Without 24 hour supervision, this "warehousing" of students in residential districts will decrease the quality of life for your taxpaying citizens. Disorderly conduct reports will surely increase, as will confrontations between students and residents over parking, noise, etc. This will increase the exodus of tax-paying residents from college towns. For Sale signs will be prevalent and small town blight could take hold."

"I feel fortunate that I lead a company that has the resources to provide the safest housing possible while working to promote the best town-gown relationship possible. HB 809 will contribute to 1. the decreased safety of our residents and first responders; 2. the decreased quality of life for town residents; ultimately further stressing the local tax base; and 3. increase the stresses on local government and residential infrastructure."

In summary, this piece of legislation is about removing local control in a college community. We as elected officials along with our professional and paid staff have adopted regulations over the years to assist us in managing our community. Our regulations have been in place for many, many years and we have maintained a consistency with several different elected officials as well as staff. Over these years, we have maintained a consistency of thought with regards to these regulations. These regulations which we have adopted are not unique to Millersville nor college towns themselves. Several non-college towns have similar regulations and yet HB 809 is solely targeting college communities...I



Office of the Mayor
Richard M. Moriarty
458 Hostetter Drive
Millersville, PA 17551

717-314-3967

www.millersvilleborough.org



thus don't understand what is driving this type of discrimination towards college communities?

Finally, as in many situations across the state, we are faced with so-called unfunded mandates and this would certainly fall into that category. Safety, including traffic control, fire safety, and EMS and Police issues are all major expense issues. While we cannot and should not minimize our expenditures in any of these areas we also cannot condone any local loss of control which would impact our management of these issues. Implementing a bill similar to HB 809 would certainly do that. This bill would remove our well-founded, sound decision-making in this arena while not providing any additional solutions to our extremely limited revenue options. We strongly discourage our state elected officials in adopting this piece of legislation. Please allow our local control to remain in local control. Thank you for the opportunity to testify today, it has been my honor!