

**PENNS VALLEY REGIONAL PLANNING COMMISSION  
MEETING MINUTES  
May 20, 2019**

**PRESENT:**

**Penns Valley Regional Planning Commission**

Centre Hall	Bill Guisewhite
Gregg Township	Doug Bierly and Keri Miller
Haines Township	Daryl Schafer
Miles Township	Ron Hough
Millheim Borough	Lauralee Snyder
Penn Township	Bob Fox and David Braucht
Potter Township	Ron Grove

**Other:**

PA House of Representatives	Representative Kerry Benninghoff
Senator Jake Corman	Matt Wise
Representative Borowicz	Ernest Greene
Centre County Metropolitan Planning Organizations	Tom Zilla and Leslie Warriner
Centre County Planning and Community Development Office	Ray Stolinis and Linda Marshall Matt Wise

**CALL TO ORDER**

Mr. Fox called the May 20, 2019 meeting to order at 7:01 p.m.

**WELCOME and INTRODUCTIONS**

Mr. Fox asked the members to introduce themselves to the audience.

**PUBLIC COMMENT**

No public comment.

**APPROVAL of MEETING NOTES**

Mr. Fox called for additions or corrections to the April 15th meeting notes. Mr. Guisewhite moved to approve the meeting notes, as written. Ms. Snyder seconded the motion. The motion carried.

**TREASURER REPORT**

On behalf of the Treasurer, Mr. Guisewhite reported that there is a balance of \$364.10 in the Treasury. There was one expense, which was the legal ad for the April 15, 2019 meeting in the amount of \$66.97. Ms. Miller moved to approve the Treasurer's report, as presented. Mr. Hough seconded the motion. The motion carried.

**SECRETARY REPORT**

No report

## **REPORTS**

### **Centre Hall Borough**

Mr. Guisewhite reported that the Columbia Gas natural gas pipeline project will begin this summer. He added that the line will be extended along West Ridge Avenue; however, he was not sure about whether or not it will be extended on the east side. The project is expected to be completed in early summer of next year.

### **Gregg Township**

Ms. Miller reported that one of the farms in the Township was recently sold and that the property is being subdivided into nine lots.

Ms. Miller also noted that the internet service provided by Flashpoint is getting worse. She commented that the Township office was without service for three days straight and that she is receiving complaints from subscribers.

### **Haines Township**

Mr. Schafer informed the Commission that after the adoption of the Township's Zoning Ordinance that they now have a long enough list of changes that need to be made to their ordinance.

Mr. Schafer added that the Township is also having a problem with the Cabin Affidavit and owners trying to get around complying with the building permits. He stated that the Township is researching this matter in order to learn what the limits are. This issue also ties in with short-term rentals.

### **Miles Township**

No report.

### **Millheim Borough**

Ms. Snyder reported that at the last meeting Borough Council members met with a representative of a company interested in installing solar power in the Borough to support the water and sewer plant operations. She asked if any of the other municipalities would be interested in learning more about the solar company. She continued by stating that the company will determine if solar is feasible for no fee and asked the Commission if they would be interested in the company representative giving a presentation to the Commission at the September meeting.

Ms. Snyder informed the Commission members that the company is BAI who is doing the work at the Burkholder's Country Market. Burkholder's did receive funding to cover a portion of their project.

Mr. Hough asked about maintaining the solar panel units. Ms. Snyder replied that the units are maintenance free according to the company's presentation.

Mr. Fox commented that the panels may need to be replaced due to the exposure to heat.

Ms. Snyder stated that if the municipalities are interested in learning more that they would need to pull together their electric bills for the analysis.

Mr. Schafer replied that he did not think it would hurt to learn more.

Ms. Snyder agreed to email the company to obtain more information for the Commission to consider.

### **Penn Township**

Mr. Fox reported that the Township is busy with mowing and fixing pot holes.

### **Potter Township**

Mr. Grove reported that the sewer lines have been laid as part of the Potters Mills sewer project; however, the tanks have not been installed yet. He noted that the project is ahead of schedule.

## **OLD BUSINESS**

### **-Tri-Municipal Park and Recreation Committee**

No report.

### **-Penns Valley EMS**

This report was given by Mr. David Braucht under New Business.

## **NEW BUSINESS**

### **Emergency Services (Fire and Ambulance)**

Mr. Fox asked as to when the Commission last met with the legislators. It was determined that it was approximately one year ago.

Mr. Fox commented that at that time the Local Services Tax (LST) was brought to the municipal representatives' attention, and since that time several of the Region's municipalities have either levied the LST at the \$10 or \$52 per employee rate for the Penns Valley EMS (Emergency Medical Services) or have contributed an equivalent.

Mr. Fox introduced Mr. Braucht, Chair of the Penns Valley EMS Board of Directors.

Mr. Braucht stated that the EMS is in the same situation as before with a \$140,000 deficit. The \$140,000, if funded, would keep the doors open. He stated that looking at the budget and factoring in the replacement of ambulances that the real deficit is \$200,000.

Mr. Braucht continued by stating that through discussions with the municipalities the EMS agreed to increase the hourly rate paid to the EMTs (Emergency Medical Technicians). The new rate is \$9.50 with the average at \$10.00 per hour. Mr. Braucht added that the EMS had an emergency meeting since the service was having a difficult time hiring staff. As a result, the staff will receive a \$0.25 per hour raise.

In addition, Mr. Braucht stated that the service created an EMR position, which is a step below an EMT. The difference between the EMT and EMR is that the EMR is not permitted to do the administrative work.

The Penns Valley EMS is still understaffed by two full-time employees.

Mr. Braucht also reported that letters are being sent by Mr. Denny Foust to the municipal representatives serving on the Municipal EMS Committee about an a meeting scheduled for June 24<sup>th</sup> at 7:00 p.m.. The meeting will be held at Potter Township.

Mr. Braucht explained that the purpose of the meeting is to discuss what municipalities can do in the future to help the EMS. He commented that too much time is spent on figuring out what to do and what are the municipal commitments.

Ms. Snyder asked if there will be a proposal as to what the EMS is looking for from the municipalities.

Mr. Braucht replied that an attorney will be at the meeting to provide guidance on how the EMS could be reorganized. He would like to see the municipalities staff the EMS Board similar to the Code Office.

Mr. Bierly was asked if the EMS has received any LST revenues yet. He replied that the service has not. Ms. Miller stated that the receipts should be submitted on a quarterly basis.

Mr. Fox thanked Representative Benninghoff for mentioning the LST when they meet last year.

Mr. Fox asked if there was any movement on the reimbursements. Representative Benninghoff replied that they hear the same concerns from nursing homes, private providers and other constituents about this issue.

Representative Benninghoff indicated that he had contacted the House Emergency Services Chair who was not aware of any new legislation. He did state that he had learned of a ½ of a percent levy that would be available for ambulance services and that he had posed this question to the House Finance Committee Chair.

Representative commented that sadly most people do not always want to pay for what they need. He referenced other fees such as enabling counties to charge an additional \$5 as part of the vehicle registration fee and that there was a lot of push back on that.

Representative Benninghoff asked Mr. Braucht if there was any way to have multiple counties do the billing rather than each EMS doing their own.

Representative Benninghoff added that there are multiple bills introduced regarding the back billing of patients (the balance owed after the insurance company has paid their portion of the claim); however, he commented that the bills are not very popular.

Another legislative measure is allowing the insurance companies to reimburse the EMS directly instead of the insured. Representative Benninghoff stated that the insured receives a check

and sometimes does not remember what it is for. The claimant will cash the check and not reimburse the EMS.

Representative Benninghoff stated that it is difficult to get these bills enacted.

A discussion occurred on the 0.5 mill of property tax that municipalities can enact for Emergency Services as provided for in the municipal codes.

In regard to increasing the millage on property tax, Mr. Fox commented that it is the property owner who keeps getting hammered and hammered.

Mr. Wise referenced the bill that recently passed addressing non-emergency transports. He stated that Medical Assistance required managed care plans to bill for necessary costs for emergency services provided during an emergency. He added that managed care plans may not deny a claim because the patient does not require transport or refuse to require transport. This provision also applies to group insurance companies. The legislation was enacted on October 24, 2018 and went into effect two days later.

Mr. Braucht learned that LifeLink does bill for non-transport.

Referencing the Act that Mr. Wise addressed, Ms. Miller commented that when the provisions are put in place there is no education for the EMS organizations. It was noted that this should be the role of the EMS Association.

Representative Benninghoff suggested that the EMS talk to the fire company to see how they handle their billing.

Mr. Schafer stated that the Millheim Fire Company bills for accidents and does not get paid; however, it is his understanding that the Boalsburg Fire Company bills for its services and is successful.

Ms. Snyder commented that there needs to be tougher regulations on the insurance industries. It should be assumed that the bill is payable unless there are certain circumstance and that there should be penalties on the companies for not complying. Mr. Wise replied to Ms. Snyder and stated that he will look into whether or not there are such provisions in the bill.

Mr. Fox remarked that when emergency services are called that they are obligated to go to the patient or scene.

Mr. Hough stated that he was told that a service can charge \$100 if you take the patient's vitals.

Due to the confusion over what is an eligible expense for billing, Representative Benninghoff recommended that the ambulance association be contacted to give an education program for ambulance services on the 101 of Billing.

Mr. Hough stated that the EMS would not have a financial problem if everyone paid their fair share.

Mr. Braucht asked how the funding for 911 service got put in place, billing through one's phone service to fund 911.

Mr. Braucht recommends funding the EMS through a post office box tax. He stated that there are 5,000 mailboxes in Penns Valley. He commented that having this type of funding revenue would eliminate the need for the EMS to solicit memberships and donations. The fee could include a membership to the EMS, and he recommends a \$75 fee.

Mr. Braucht stated that the Penns Valley EMS Budget is \$600,000 with \$350,000 in income. Mr. Braucht continued by stating that approximately \$300,000 is from transports, \$120,000 is from memberships and approximately \$25,000 from donations, resulting in a shortfall of \$130,000.

Mr. Wise referenced the SR 6 Commission Report. He recommended that the officials review the report and inform their legislators as to which recommendations should receive further consideration. He noted that in April of this year that the Commission reconvened due to new members being appointed and because it is the beginning of a new session. The Commission will be working on the recommendations. Mr. Wise asked the members to provide the legislators with the recommendations that will benefit the region.

Mr. Braucht replied that he read the report and noted that some of the recommendations are already being worked on by the Penns Valley EMS such as education. He commented that most of the recommendations do not have much to do with money and funding emergency services.

Representative Benninghoff asked that the municipal offices provide him with their top five recommendations for introducing legislation.

Mr. Wise emphasized that what they are interested in is the recommendations that most impact the local ambulance services in their districts.

Ms. Marshall stated that she will email the SR Report to the Commission members.

Mr. Braucht encouraged everyone to attend the June 24<sup>th</sup> meeting of the Municipal EMS Committee.

Mr. Guisewhite asked Mr. Braucht as to whether or not the EMS had any success with their new membership drive. Mr. Braucht reported that an additional 340 new members subscribed to the service. He commented that they were hoping to do much better, and he wondered if the LST had an impact on the drive.

Mr. Braucht noted that Centre LifeLink does not receive any LST revenues from the Centre Region municipalities.

### **State Police Fee**

Representative Benninghoff commented that he does not think that the fee will be put in place.

There was a discussion about paying for services per head versus paying for them through a property tax increase.

Mr. Wise stated that the new Senate Transportation Chair is looking at what impact the fee will have if put in place.

Ms. Miller stated that it was her understanding that if the State Police Fee is put in place that approximately \$150,000 in revenue would be generated from the region's seven municipalities. A comment was made that \$150,000 would be inexpensive compared to the actual cost of police services in the region.

It was noted that there is one State Trooper assigned to the Penns Valley.

Referencing the fee, Mr. Fox asked what guarantees do they have that they will get service.

Representative Benninghoff stated that in most regional forces you can dictate the number of units of service but that is not the case with the State Police. He added that during the 11:00 p.m. to 7:00 a.m. shift there is probably only one State Police vehicle on duty per county.

In regard to the need for services, Representative Benninghoff remarked that he is not sure how to educate the public on the matter.

Mr. Fox agrees that it would be cheaper to pay the fee but he wants a guarantee that they will get dedicated service. Representative Benninghoff replied that he does not feel that the municipalities would get that guarantee based on the proposals that he has reviewed.

Mr. Schafer stated that he calculated a cost estimate for police services when residents in his municipality expressed a need for the service. The estimate a few years ago was \$250,000, and he commented that it would not pay for much in regard to police services including vehicles. It would probably only pay for less than 8 hours of service per day.

Mr. Schafer commented that he has not heard a lot of pushback on the \$25 per capita fee; however, people think that the fee will increase over time.

Mr. Hough posed the question as to how much local services can they afford.

### **Amish buggies on state and local roads and minimum age for drivers of buggies**

Mr. Fox commented on that the impact of horses on the region's roads, and he specifically remarked on the condition of the Millheim Narrows.

Mr. Fox stated that the roads are a service that the municipality provides, referencing the Amish not paying for the gas tax on a regular basis. He continued by stating that at some point something needs to be done.

Ms. Snyder suggested licensing the buggies. Representative Benninghoff replied that he has looked into licensing and learned that it does not generate much money. In addition, there

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would be administrative costs associated with the licensing that would not be covered by the fee.

Representative Benninghoff mentioned that there are rubber caps to put on the wheels, which may help. He added that there is a disparity of the weight of a buggy versus a vehicle, which is dramatically different. One solution is a berm lane to minimize impacts.

Mr. Grove stated that another problem is lighting on the buggies, and he commented that lanterns do not make the buggy visible on the roads at night.

Representative Benninghoff replied that some sects are more cooperative about requiring the orange triangle and rear light, and he added that some are more willing to install LED lighting. In an effort to address these safety issues, he has had conversations with the Amish Bishops.

Mr. Hough feels that there should be a minimum age for driving wagon/buggy on public roads.

Representative Benninghoff stated that the legislators can introduce a lot of bills, and it can be hard to get them passed. He mentioned the separation of church and state as a factor and that the Amish are not asking for other types of benefits as reasons why legislation does get passed.

Representative Benninghoff asked the Commission if they have communication with the Bishops.

Mr. Hough replied that he has talked with the Bishop about the small Amish children driving an open buggy on public roads.

Representative Benninghoff stated that the state could make these requirements and asked how the state will enforce it because buggies do not have a vehicle identification number (VIN).

Ms. Snyder emphasized that the reasons these concerns are expressed is that it is a safety issue.

Representative Benninghoff read a short statement that explained why a \$36 registration fee for buggies would not cover all of the associated costs.

Mr. Fox stated that when a service is provided and is no longer viable you raise the cost. He suggested that you figure out what this would cost and that is what you charge.

Representative Benninghoff stated that they are having the same argument with electric cars not paying their fair share and that he understands the argument but not sure how to deal with it.

Mr. Schafer asked if there a way to find out what other states are doing. He referenced an example from the state of Ohio.

Representative Benninghoff asked if they could pass an ordinance to require something other than steel wheels.

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Mr. Schafer noted that Haines Township has recommended that the Amish pay a Bond during hay season when using a round bale wagon. He feels that this should be treated the same way as timbering and bonding.

Representative Benninghoff thinks that local actions would be more appropriate. He said that it is hard for others in this diverse state to understand these issues. He suggested maximizing what you can do at the local level.

Representative Benninghoff offered to research the matter further.

**Broadband**

Mr. Guisewhite mentioned last month's tour of the Penns Valley Area High School and noted the emphasis that is placed on the need for internet service for educating the students. He commented that some students are at a real disadvantage by not having adequate service. It was noted by some with students in the District's schools that assignments are done on the computer.

Ms. Miller reiterated the problem with having the internet down for three days in a row in the Spring Mills area. She added that she receives communications throughout the day asking if the Township is going to address the problem.

Mr. Fox mentioned that the PA Department of Environmental Protection (PADEP) now requires that all reporting for sewer and water systems be done online.

Representative Benninghoff stated that the crux of the issue is how you pay for the last mile.

Representative Benninghoff noted that companies may be willing to invest, but the other concern is incurring debt for laying fiber when a service could be obsolete in a few years. He commented that they have been trying to get people to share towers for space in an effort to have service provided, and he added that none of this is happening as fast as people want it to happen.

Mr. Wise followed up by stating that since there is no utility provider that you can't force the service. Ms. Miller asked why you can't have a utility for internet service. Mr. Wise replied that this is a topic of discussion and added that if there is no interest to make it a utility then what type of incentives can we provide the companies.

Ms. Miller informed the legislators that customers dropped Verizon for other services and then tried to re-subscribe to Verizon's services and were not able to due to lack of capacity.

Mr. Fox explained that Verizon built their central offices and remote terminals at 50-80% capacity and that the customers who dropped Verizon are not increasing the capacity. He added that the balance of capacity was taken up by customers in Millheim.

Ms. Warriner explained her personal situation with Verizon, PennWoods and Flashpoint. She referred to an article recently published in the *Centre Daily Times* noting that Burkholders is paying \$800-900 per month for internet service, which is close to the fee paid by the Centre

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County Library Branch in Millheim. She noted that this is not affordable unless you are a large business.

Ms. Warriner feels that fiber is not solution but that cable might be a better solution.

Ms. Warriner stated that when she served on Millheim Borough Council that she contacted one of Atlantic Broadband's Vice Presidents and learned that the Vice Presidents would meet annually and discuss the charity cases. A decision was made to select the northern tier as their charity case.

Ms. Warriner added that the company wanted to run an area line from the office in Mifflinburg over the mountain into Woodward and Spring Mills and their rates were affordable. It did not occur since eastern Centre County was not selected as a charity case.

Mr. Fox remarked that the company probably looked at the footprint for southeastern Penns Valley and questioned whether they could make money on the expansion of service into the region.

Mr. Fox added that until data is made into a utility under the PUC (Public Utility Commission) that it is a business decision. He stated that he has been employed by Verizon for the past 28 years, and he has seen the technology change tenfold in the last five years compared to the prior 18 years. Mr. Fox feels that the future is going to be wireless.

Representative Benninghoff followed up by stating that if there was a utility service that customers may complain about the cost.

Representative Benninghoff informed those present that a group in Huntingdon County formed a rural cooperative in order to provide an affordable service. Mr. Fox replied that he is familiar with the company and that it is a cellular service, covering a very small area due to the topography.

Representative Benninghoff commented that he is not sure if people want to pay the price for technology, and he suspects that we will not have this dialogue in a few years and that it will be all wireless. Mr. Fox feels that we probably will.

Mr. Fox commented that the attendees at the Grange Fair complained about inadequate cell service during the 10-day event and now they have a new cell tower to serve their needs.

Ms. Miller stated that Gregg Township developed and passed a wireless communications ordinance to include poles and where they can be located, making sure that the Township is ahead of this issue. She added that the Township gets phone calls from potential home buyers who are asking about the internet service in the area and that they tell the home buyers there no service is available.

Representative Benninghoff asked how many in the region cannot get service.

Ms. Miller replied that Flashpoint serves the central village of Spring Mills and a few additional properties.

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A discussion occurred on the antennas that will co-located on the 911 towers, and Ms. Miller stated that the service will supposedly reach all of the Penns Valley region.

Ms. Warriner commented that it still comes down to the cost of the service and whether or not it is affordable.

Mr. Fox replied to Representative Benninghoff's question by stating that he knows that you cannot get service from Rebersburg down; however, you can get cellular in the Village of Madisonburg.

Mr. Fox stated that there is fiber being run down into Livonia that will serve a local company.

Representative Benninghoff asked about 5G service.

Mr. Fox replied that they are testing it now. He thinks that our area will not see 5G service in a long time but instead may see an enhanced 4G service.

Ms. Fox noted that 5G service needs an antennae every 500 feet as well as line of sight.

Mr. Fox asked Representative Benninghoff, Matt Wise and Ernest Greene if they are aware of any options to help the rural people.

Representative Benninghoff feels that the Commonwealth needs to get away from tax incentives. He also stated that the utility conversation has been batted around.

Mr. Wise commented that Pennsylvania is late to the ballgame. He noted that there is or was a public hearing on this issue, and he feels that the more this is talked about that we should start to see a solution.

Mr. Greene asked if they have entertained satellite service. Mr. Bierly stated that he has it at home, but it is not very fast. You may be able to get better service with paying more.

Mr. Wise reiterated that cost is a prohibitive factor.

Representative Benninghoff asked if they have reached out to Flashpoint inquiring as to why they do not have a lot of customers in the area. Ms. Miller replied that one reason is due to the topography. She feels that the new company that bought out Flashpoint for the Cloud My Office component may not want to invest in service due to the service co-locating on the 911 towers.

Ms. Snyder remarked that you need the internet to survive.

Ms. Miller mentioned that adults come to Old Gregg School Community Center to be able to submit job applications online.

Mr. Wise brought to the Commission's attention an invitation sent by Senator Corman for a municipal grant seminar, which will be held on June 13<sup>th</sup> at the Windham in Boalsburg. He added that everyone who attends will receive a municipal grant book, and there will be staff from the state departments to answer questions and provide assistance.

Mr. Fox asked as to how important is broadband to a community. He wants to know what the most important infrastructure to grow a community is.

Representative Benninghoff does not deny the importance of broadband; however, the question is how we do it.

The Commission was asked what it would cost to provide broadband to the region. Representative Benninghoff would like to have a ball park figure to advocate for the region in Harrisburg.

Mr. Fox recommended that a contractor should provide an estimate, and he stated that half of the infrastructure is in place.

Representative Benninghoff asked for the reasons why internet service is not being put in place.

Mr. Wise noted that in the past transportation and 911 became important, which is a parallel to the broadband issue. He noted that we keep adding more and more on the list of things that need to be funded.

Representative Benninghoff remarked that the Potters Mills project is a good example of getting funding to meet a need in a phased approach. Senator Corman and Representative Benninghoff felt that it was a priority and needed to be built.

Representative Benninghoff stated that people in the private sector are not going to invest in something that they will not make money on.

Ms. Schafer stated that the biggest obstacle is that it will be obsolete when you finally get it built.

Representative Benninghoff asked if they had bigger business move in the area would they be having this discussion. Mr. Fox replied that if the service was available then businesses may be attracted to the area.

### **Proposal to Increase Sales Tax to Offset Property Tax**

Representative Benninghoff stated he wants to broaden what sales tax can be applied to rather than increase it.

Representative Benninghoff feels that the Pennsylvania Sales Tax is convoluted as to what sales tax applies to. He believes that if the exemptions are eliminated then you could lower the tax.

Mr. Fox asked if any legislation has been introduced.

Mr. Wise stated that there is SB 76 is proposed in regard to sales tax.

Representative Benninghoff remarked that it is an urban vs. rural issue.

Representative Benninghoff commented that most of the school districts like property taxes because it is reliable.

**INFORMATION ITEMS**

On behalf of the Centre County Metropolitan Planning Organization, Mr. Zilla stated that PennDOT is allocating \$20 million for the preliminary engineering (PE) \$20 million for the State College Area Connector. He explained that the proposed amendment to the TIP (Transportation Improvement Program) has been advertised for public comment, and anyone interested in providing input should go to the MPO website.

Mr. Zilla added that public meeting on the amendment was held on May 15<sup>th</sup> with 60 persons in attendance.

Mr. Fox thanked those in the audience who attended the meeting.

Mr. Greene informed the Commission that the Nittany Valley Joint Planning Commission is forming a Sub-Committee to work together on Emergency Services. He added that the Committee will be meeting with fire chiefs in the near future to discuss equipment purchases and other matters of mutual interest.

It was noted that CCAP (County Commissioners Association of Pennsylvania) is working with the ambulance association on financing.

**FOR THE GOOD OF THE ORDER**

No additional items were reported.

**ADJOURNMENT**

With no further business, Ms. Snyder moved to adjourn the May 20, 2019 meeting of the Penns Valley Regional Planning Commission at 9:17 p.m. Ms. Miller seconded the motion. The motion carried.