

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON TRANSPORTATION AND PUBLIC UTILITIES

Room 400, City Hall
Philadelphia, Pennsylvania

Friday, June 15, 2018

1:27 p.m.

PRESENT:

CHAIRMAN KENYATTA JOHNSON

COUNCILMAN ALLAN DOMB

COUNCILMAN MARK SQUILLA

COUNCILMAN AL TAUBENBERGER

BILL 180554

- - -

Committee on Transportation and Public Utilities
June 15, 2018

Page 2

1 6/15/18 - TRANSPORTATION AND PUBLIC UTILITIES

2 BILL NUMBER 180554

3 CHAIRMAN JOHNSON: Good afternoon.

4 This hearing is called to order. This is the
5 public hearing of the City Council Committee on
6 Transportation and Public Utilities. The purpose
7 of this public hearing is to hear testimony on Bill
8 number 180554. I recognize the presence of a
9 quorum with committee members. The members of the
10 committee who are in attendance are Councilman Alan
11 Domb, Councilman Mark Squilla, Councilman Al
12 Taubenberger.

13 Do any members of the Committee have
14 any opening remarks?

15 The clerk will now read the title of
16 the Bill.

17 THE CLERK: Amending Title 13 of The
18 Philadelphia Code, entitled water and sewer, by
19 amending Section 13-306, entitled water pipe laid
20 by property owners, and by amending section 13-406,
21 entitled sewers constructed by property owners, by
22 revising certain provisions to allow for private
23 water and sewer services to be constructed to serve
24 units in planned communities and condominiums, all
25 under certain terms and conditions.

1 CHAIRMAN JOHNSON: The clerk will
2 please read the name of the first witness to
3 testify on this bill.

4 THE CLERK: Debra McCarty and James
5 Maransky.

6 CHAIRMAN JOHNSON: Good afternoon.
7 Ladies first. Will you please state your name for
8 the record and proceed with your testimony.

9 COMMISSIONER MCCARTY: Yes. Debra
10 McCarty, Water Commissioner. And good afternoon,
11 Chairman Johnson and other members of the Committee
12 on Transportation and Public Utilities. As you
13 know, I'm Debra McCarty, Water Department
14 Commissioner, and I'm here to testify on Bill
15 number 180554, which authorizes the construction of
16 private water and sewer infrastructure on private
17 property for certain development. Councilman
18 Johnson introduced this Bill on the Council
19 President's behalf of May 24, 2018.

20 In general, the Water Department
21 strongly is opposed to private water and sewer
22 infrastructure serving multiple customers. It is a
23 practice that was permitted in the past and for
24 which we and our customers pay a steep price today.
25 While there is a difference between private water

1 sewer infrastructure on private property, which
2 this bill addresses, and private water sewer in the
3 public right-of-way, the downsides are significant
4 and can affect any customer connected to private
5 infrastructure.

6 First, let me address private
7 infrastructure in the public right-of-way. I will
8 assume that many, if not all, of you have received
9 at least one complaint from your constituents and
10 your customers and our customers about being
11 connected to a private water main or sewer. When a
12 main or sewer is private, it means that it is not
13 owned or maintained by the City. Instead, the pipe
14 is owned by each of the connected property owners.
15 Often the private water main or sewer was not
16 constructed to PWD standards and it's prone to
17 failure. Because private water infrastructure is
18 not owned by the City, repair or cleaning is left
19 to the connected property owners. When the
20 community is unable to coordinate a fix, PWD will
21 repair or clean the water main or sewer, then bill
22 and lien the connected property owners equally to
23 cover the cost. If a homeowner is not aware that
24 he or she is connected to private infrastructure,
25 you can imagine the frustration he or she feels

1 when the bill or lien notice arrives in the mail.
2 While problems sometimes take years or decades to
3 surface, we are dealing with these legacy problems
4 today. As for allowing private water mains and
5 sewers on private property, the Water Department's
6 position benefits that if units in the development
7 front a street with public water and/or sewer
8 service the units must individually connect to that
9 public infrastructure. We require individual
10 connections for several reasons, all of which
11 benefit the customer now and in the future.

12 One, individual connections create a
13 billing and service relationship between the unit
14 owner and the City. If the customer becomes
15 delinquent, Water Department, Water Revenue Bureau
16 has a remedy against the individual unit. If a
17 condo association becomes delinquent and there was
18 one connection to the entire development, all 20 or
19 30 or 50 or so units become subject to shutoff.
20 Additionally, large meters on large connections
21 lead to lost revenue for the City. These large
22 meters unfortunately won't register a toilet flush
23 but smaller individuals will.

24 Two, the owner association probably
25 does not have the expertise to manage all of the

1 maintenance that is required of large scale water
2 and sewer infrastructure. PWD does. These
3 maintenance requirements include cathodic
4 protection, conversion control, anticipating and
5 responding to water main breaks swiftly and
6 effectively, sewer cleaning, sewer flushing,
7 addressing collapses, and any regulatory response
8 related to contamination and unlawful sewage
9 discharges. Additionally, the association must
10 collect and take adequate funding in preparation
11 for any of these potentially catastrophic events.

12 Three, when the Water Department is
13 eventually called to help with the problem, there
14 is no guarantee that we will be able to access the
15 private infrastructure. Our trucks and service
16 equipment require certain heights and width
17 clearances and physical constraints like locked
18 gates, low overhangs may prevent PWD from reaching
19 the problem quickly. We recognize the BIA's desire
20 to connect multi-unit developments to the City's
21 water and sewer infrastructure with one connection.
22 For the reasons stated, it is our position that
23 this is bad public policy which experience shows
24 harms future property owners. The Water Department
25 respectfully requests that this bill be held in

1 committee. Alternatively, we have worked with BIA
2 on the proposed amendment which is before the
3 Committee. We would like to work with BIA and
4 other stakeholders to further refine this proposed
5 amendment. This will better serve our customers
6 now and into the future.

7 I appreciate the opportunity to appear
8 before you today and I'm happy to answer any
9 questions.

10 CHAIRMAN JOHNSON: Thank you. Please
11 state your name for the record and begin your
12 testimony.

13 MR. MARANSKY: My name is James
14 Maransky. I'm the president of the Building
15 Industry Association of Philadelphia. I would like
16 to thank Councilman Johnson and the members of the
17 Committee for the opportunity to testify today in
18 support of bill 180554, which was introduced by the
19 chairman on behalf of Council President and would
20 allow for private infrastructure and water sewer
21 infrastructure to be installed by a developer on
22 private property and owned and maintained by a
23 condominium or planning community.

24 I prepared a long testimony, but
25 considering that we have an amendment on the table

1 and it is Friday afternoon, I'm sure everybody
2 would like to move on, we have proposed back to the
3 Water Department that we would agree to the
4 amendment with the agreement that there be a
5 working group developed over the summer -- that
6 this would come out of the committee and then we
7 would create a working group over the summer to
8 come up with a set of regulations to make sure that
9 this mandate and this bill would be properly
10 executed.

11 CHAIRMAN JOHNSON: Thank you. Any
12 questions from members of the Committee?

13 Councilman Al Taubenberger.

14 COUNCILMAN TAUBENBERGER: Thank you
15 very, very, very much. And I'm very interested in
16 Mr. Maransky, your definition of a working
17 committee. I mean, would it be formalized in the
18 sense that we would all know who these individuals
19 are and would they meet on a regular basis?

20 MR. MARANSKY: Yes. I would assume
21 that would be members of the development community
22 and members of the Water Department that would work
23 together. So we would have a small group that we
24 would come together with the Water Department and
25 work to make sure that these regulations to what is

1 an approved system because of the wording in the
2 amendment is that being approved by the Water
3 Department. So we would work together and make
4 sure that these issues that the Water Department
5 has are clear and it serves their purposes, as well
6 as serving the purposes of the development
7 community.

8 COUNCILMAN TAUBENBERGER: And that
9 would be kind of an ongoing dialogue or meeting as
10 needed?

11 MR. MARANSKY: Yes. I would think that
12 we would meet continually, maybe two or three times
13 over the summer, initial meeting to lay out ideas
14 on both sides. And then reconvene and hopefully
15 develop a set of regulations to allow this private
16 infrastructure to take place.

17 COUNCILMAN TAUBENBERGER: Very good. I
18 like that quite a bit. I think that's just a good
19 thing for government. Thank you. And Mr.
20 Chairman, thank you very much.

21 COMMISSIONER MCCARTY: If I may, I have
22 always availed myself and my department has availed
23 itself to the development community, and it's
24 always worked to try to work things out with them
25 and -- but I think it would be best if we --

1 amendment as opposed to working on regulations.

2 COUNCILMAN TAUBENBERGER: I think, you
3 know, dialogue is always a very, very good thing
4 and ongoing dialogue. We can learn from each
5 other, I just think. And particularly as things
6 develop and problems may occur that maybe we didn't
7 even think about at this very moment or technology
8 changes. But having, in fact, a working committee
9 that continues to meet on the subject, I think,
10 would be very valuable for both sides.

11 COMMISSIONER MCCARTY: Yes.

12 COUNCILMAN TAUBENBERGER: Thank you.
13 Mr. Chairman, thank you.

14 CHAIRMAN JOHNSON: You're welcome.
15 Councilman Allan Domb.

16 COUNCILMAN DOMB: Thank you, Mr.
17 Chairman. Thank you. Good afternoon. I have just
18 a suggestion to try to bring the two of you
19 together a little closer maybe and -- it sounds
20 like, Commissioner, you're concerned about what
21 happens after the installation, which is the
22 maintenance and all the issues that occur after
23 these are installed 10, 20, 30 years from now. And
24 I don't know that most condominiums have a
25 maintenance program for this. So I have a little

1 knowledge about that.

2 So here's my suggestion, I would say
3 maybe you allow the builders and developers to do
4 their installs, you know, the way they were
5 suggesting they want to do them. The Water
6 Department certifies it and then the Water
7 Department takes over the maintenance at a cost to
8 the condo association. Most condo associations
9 would be happy to pay that cost because I don't
10 know who else does it. I mean, I'm involved with a
11 lot of buildings. I don't know any building that
12 really maintains these systems the way they should
13 be. So I like the idea of the Water Department
14 maintaining it, but I like the idea of the
15 builders, developers installing it with the Water
16 Department's approval of that install. Just as a
17 suggestion when you meet this summer.

18 Thank you. Thank you, Mr. Chairman.

19 COMMISSIONER MCCARTY: If I may
20 respond. One of the reasons that we're wary to
21 take over maintenance of private infrastructure is
22 typically it's not installed to our standards, for
23 one. So it's not going to last a long time. Like,
24 we build it to last. But the other issue is access
25 issues. So, for instance, a sewer typical

1 right-of-way is 50 feet so we can get that backhoe
2 in there, we can do the repairs. Those are deeper.
3 The developments that I have seen come across our
4 table a lot of times, it's inside a private area,
5 access is a problem. You can't get a backhoe back
6 there sometimes because you have a unit above the
7 driveway. So those are some of the concerns if we
8 were to do that. Typically with private
9 infrastructure when it comes across us because
10 there's an issue, we'll hire a private plumber to
11 do the repairs and then, as I think I stated, we
12 distribute the cost to the HOA or whomever.

13 COUNCILMAN DOMB: Maybe if you have
14 some sort of regulation where you approved of the
15 installation. Let them do the install, you approve
16 the installation, you approve of the access and
17 then you take on the maintenance for a fee. Not
18 for free, but for a fee so we make sure that these
19 are being maintained. Just a thought that I want
20 to give you.

21 MR. MARANSKY: If I may address that.
22 You know, currently now there's several different
23 departments within the Water Department, one of
24 which being storm water. And the storm water
25 department, the way they really function is that

1 the developer takes on the private infrastructure.
2 So when parcels are 15,000 square feet and has
3 earth disturbance that creates mandatory storm
4 water management, the developer takes on the role
5 of the contractor under PWD's purview. We design a
6 system that's approved to their standards. We
7 build it. We construct it. We pay for it. We
8 maintain it. There's operational funds set aside,
9 as well as long-term maintenance funds that are in
10 reserves to handle this. We sign an O&M agreement,
11 Operations and Maintenance agreement, with the
12 Water Department saying that we will maintain it
13 per these set of regulations. And that all happens
14 now without the Water Department actually handling
15 the management. So we don't see a reason why this
16 can't be handled the same way with sewer and water
17 distribution. And you do have a great point,
18 historically there haven't been a large number of
19 contractors out there to maintain these type of
20 systems. But with the growth of storm water
21 management and green infrastructure the way we have
22 seen it grow, these contractors have now started to
23 come about more and more because we need them to
24 maintain the green water infrastructure systems.
25 So these same contractors can maintain sewer and

1 water. And, you know, there's belief within the
2 development community that we can do things at a
3 lower cost than what a large public agency can do
4 it. So we would like the opportunity to maintain
5 our own systems. And with the condominium in that
6 case a lot of times if you have just a large
7 building coming out of the ground, there's really
8 no private infrastructure that takes place. It's
9 really just a lateral that goes to the street and
10 that typically would fall to -- you know, and
11 directly connect.

12 What we're talking about here is really
13 more like a garden style apartment complex or a
14 town home complex that has a shared drive aisle and
15 an area in the center where the private
16 infrastructure could be maintained. And we
17 understand the Water Department's point of view,
18 and in the other sheet I have included in the
19 testimony was a domino effect of all of the
20 residual effects and all the collateral damage that
21 occurs from direct connections with street openings
22 and maintenance issues and, you know, everything
23 else. I can run through the punch list if you
24 like. What we would like to see though is see the
25 amendment with -- the bill with the amendment in

1 place come out of Committee and then allow us to
2 work on it together over the summer.

3 COUNCILMAN DOMB: So then are you
4 saying that if you build 50 homes in a development
5 and you sell all 50 homes, you still continue to
6 maintain the systems 10 years later?

7 MR. MARANSKY: Yes. Yes. So right now
8 if you have a development -- a lot of these now are
9 larger parcels where the parcel might be two or
10 three acres, but there's only 200 foot of frontage
11 along the street. There is no private sewer or
12 private water mains running back to the
13 development. So the developer then builds the
14 infrastructure for the project. Okay. And that is
15 still permitted per -- if there's no street
16 frontage. But the units that then attach to the
17 street or directly in front of the street are now
18 required to directly connect to the street. So we
19 build these and in our budgets we have now these
20 plans get recorded -- you get utility easements on
21 the plans, the plan community documents get
22 recorded with the OPA. So the plans go to -- in
23 there is a utility plan, as well we also have a
24 budget for operations. And just like you do for
25 maintaining exteriors and everything, there's a

1 reserve budget in there for maintenance of the
2 system and long-term care and eventual replacement.

3 MR. DOMB: So you're pre-funding the
4 maintenance basically?

5 MR. MARANSKY: Correct.

6 COUNCILMAN DOMB: How long is that
7 pre-funding for?

8 MR. MARANSKY: It's continual. So it's
9 -- every month when they pay the HOA --

10 COUNCILMAN DOMB: 10 years, 20 years,
11 30 years? Forever, right?

12 MR. MARANSKY: Forever, correct.

13 COUNCILMAN DOMB: How does someone give
14 you an estimate on a forever maintenance program?

15 MR. MARANSKY: You really look at it as
16 what yearly maintenance costs and then you have
17 long-term replacement costs. The same way you do
18 when you do a condo budget or an HOA budget, you
19 look at a set of stairs and you say okay the stairs
20 is worth -- cost \$10,000 and it has a useful life
21 of 20 years. You then divide that up, create a
22 maintenance replacement budget. You create
23 reserves for replacement of that system. So you
24 know what the system costs to build, you know what
25 it's going to cost to replace. You then divide

1 that up by the useful life, and if something
2 happens, everybody is now -- it's a formalized
3 system where everybody that purchases -- we do have
4 issues from units built a hundred years ago that
5 didn't have this type of documentation. Okay. And
6 now there's this major gray area where somebody is
7 not even aware because there's nothing in the deed.
8 There's no easement on the deed, there's no -- you
9 know, there's no documentation. So when the time
10 comes, they don't know that they're connected to a
11 private sewer. Times have changed and there's now
12 a system in place for this. So it's very
13 regimented when we go to design and build a project
14 like this.

15 COUNCILMAN DOMB: Who are some of the
16 companies that do this forever maintenance?

17 MR. MARANSKY: Ruggiero and Plante has
18 a storm water division that will do maintenance.
19 Hughner, J.F. Hughner is a contractor. They
20 install infrastructure systems and do it. Santos.
21 So I can probably name five to 10 that build
22 infrastructure systems and then also maintain.

23 COUNCILMAN DOMB: So if you build 50
24 homes, do you write them a check at the closing
25 that takes care of this forever maintenance, one

1 check?

2 MR. MARANSKY: No. No. The same
3 way -- association fee. So if they're \$200 a month
4 for an association fee, x-number of dollars of that
5 \$200 a month goes into reserves for replacements.
6 And as you know with some projects you have
7 reserves replacement for things that are supposed
8 to last 10 years and they may last 20. It's a
9 moving budget but the funds are there. And if at
10 any point there's a shortfall in funds, an
11 assessment would happen to all the owner of the
12 project.

13 COUNCILMAN DOMB: So part of the condo
14 budget is on an annual basis?

15 MR. MARANSKY: Correct.

16 COUNCILMAN: Thank you. Thank you for
17 your testimony. Thank you. Thank you, Mr.
18 Chairman.

19 COMMISSIONER MCCARTY: If I may add one
20 little kink though. My understanding is that condo
21 associations can develop themselves if they have
22 the vote. So it's not exactly foolproof and there
23 are concerns. I don't know why one would do that,
24 but I think it's better if we can work on the
25 amendment to address some of the standards to be

1 met for the installation, the materials, how the
2 piping is installed to better preserve and not have
3 the problems down the road.

4 And the other thing I can say is that
5 yes, as Mr. Maransky stated, basically the majority
6 of the problems that we're seeing today -- the last
7 two weeks actually have been private sewer problems
8 a few places in the City. But every now and again
9 we do have an issue with something built in the
10 last five years and so we deal with those. So we
11 go in for the GSI, but also other issues have come
12 up. So it's not just something -- it's not all
13 kicking the can down the road. But I do know that
14 -- I think we've made some improvements on our
15 working relationship and, you know, again, I do
16 like working toward our mutual goals to provide the
17 best quality to those that purchase these homes.
18 And for -- I care about the generations down the
19 road.

20 MR. MARANSKY: I think a major point
21 that may resonate is that, you know, so many times
22 we're talking about who's paying for this. Is the
23 City paying for this or is the developer paying for
24 this? This is a case here where the development
25 community is sitting in front of you asking for the

1 permission to pay for our own systems. Who's going
2 to handle the long-term maintenance expense? We
3 are. The development community is. The buyers
4 are. We're taking that off of the City's plate.
5 Versus something that we're saying if they handle
6 the maintenance, that becomes a long-term liability
7 for the City versus for the developer and for the
8 homeowner. So we're actually sitting here
9 requesting to take responsibility for the long-term
10 cost of the system.

11 CHAIRMAN JOHNSON: Thank you.
12 Councilman Al Taubenberger.

13 COUNCILMAN TAUBENBERGER: Mr. Chairman,
14 thank you. Mr. Maransky, thank you for your expert
15 testimony because you coming from the industry I
16 think is very, very helpful to all concerned.

17 One, I think you already answered but I
18 just want to say again. Your estimates of paying
19 for this is perpetual, ongoing forever?

20 MR. MARANSKY: Correct.

21 COUNCILMAN TAUBENBERGER: Is that
22 memorialized in the ordinance itself? Does it say
23 that or is that sort of a -- it doesn't say that?

24 MR. MARANSKY: Not in this ordinance.
25 The ordinance is to allow us to do it.

1 COUNCILMAN TAUBENBERGER: Will allow
2 you to --

3 MR. MARANSKY: Will allow us to build
4 the systems and maintain the systems.

5 COUNCILMAN TAUBENBERGER: Okay.

6 MR. MARANSKY: That's what the
7 ordinance is for. It's a regulation in the Water
8 Department that's been there for a long time that
9 hasn't been enforced that said any street facing
10 home must directly connect to the street. This is
11 newly being enforced and that is what the emphasis
12 of the bill was, to come forward and put this -- to
13 allow us to build these with private
14 infrastructure. So what we don't have -- what we
15 have here is a bill that's proposing that we're
16 allowed to do that and an amendment saying that the
17 Water Department has to approve it. I think that
18 that is a sufficient bill to pass -- to allow us to
19 then go back and set the regulations on both sides.

20 COUNCILMAN TAUBENBERGER: Gotcha.

21 MR. MARANSKY: And I think that sets a
22 precedent that, okay, we're approving this. We
23 have to approve what the builders have to do and
24 determine what the Water Department is going to
25 approve. And gives us two to three months to work

1 it out. If we can't work it out then maybe we're
2 back here again when this comes for final passage.
3 But the hope is that we can sit together and work
4 this out over the summer.

5 COUNCILMAN TAUBENBERGER: Okay. That
6 sounds very good to me because it has to be
7 memorialized, you saying this, I saying this and in
8 40 years everybody at the table is different.

9 MR. MARANSKY: Correct. I would
10 imagine that the regulations that we'll meet over
11 the summer is saying that the only way you could
12 build private infrastructure is that your plan is
13 recorded with OPA and you must have reserves for
14 replacement. There must be adequate access to the
15 property. Items like this that we'll work with
16 back and forth to develop a set of criteria that
17 makes this a reality.

18 COUNCILMAN TAUBENBERGER: Mr. Maransky,
19 thank you very much. Mr. Chairman, thank you.

20 CHAIRMAN JOHNSON: Thank you. So
21 according to the amendment, can you clarify, Ms.
22 Debra McCarty, this amendment and, you know, how
23 you feel about the amendment? I mean, obviously I
24 know we came to some level of agreement. But just
25 elaborate on the amendment, please.

1 COMMISSIONER MCCARTY: We proposed the
2 amendment and we think it actually can be further
3 refined to include the installation of the water
4 main -- private water main and private sewer to
5 meet department standards, at least in materials
6 and installation. Maybe, you know, I would
7 recognize that a right-of-way of 50 feet for this
8 private sewer is not -- you know, that's just going
9 to be problematic and one of the issues that's
10 going to drive up cost and reduce developable land
11 on that property. So I think that's something that
12 we would like to work out through the summer,
13 through the amendment which will trump regulations.

14 CHAIRMAN JOHNSON: Like a check and
15 balance?

16 COMMISSIONER MCCARTY: Yes.

17 CHAIRMAN JOHNSON: Still give the City
18 some -- to make sure the standards are -- you won't
19 have folks coming in to rushing just building half
20 projects and there's no level of experience to hold
21 folks --

22 COMMISSIONER MCCARTY: Right. And, you
23 know, for the future generations, they'll have
24 something that hopefully lasts a long time and they
25 won't have to spend as much money. But I do like

1 the fact that, you know, requiring the maintenance
2 -- a fund for maintenance by the condo or HOA,
3 homeowners association.

4 CHAIRMAN JOHNSON: Thank you. Is there
5 anyone else to testify on this bill? This
6 concludes the public hearing on Bill number 180554.
7 We will now agree to recess to a public meeting to
8 consider the actions taken on the bill.

9 The Chair recognizes Councilman Mark
10 Squilla for a motion on the amendment of Bill
11 number 180554.

12 COUNCILMAN SQUILLA: Thank you, Mr.
13 Chairman. I offer amendment to Bill number 180554,
14 a copy of the amendment has been circulated to all
15 members of the committee. I move that the
16 amendment of the Bill number 180554 be approved.

17 (Seconded.)

18 CHAIRMAN JOHNSON: It has been moved
19 and properly seconded that the amendment to Bill
20 number 180554 be approved.

21 All those in favor of the motion will
22 signify by saying aye.

23 (Ayes.)

24 CHAIRMAN JOHNSON: The ayes have it.
25 And the motion carries an amendment to Bill number

1 180554 has been approved.

2 The chair recognizes Councilman Mark
3 Squilla for a motion on Bill number 180554 as
4 amended.

5 COUNCILMAN SQUILLA: Thank you, Mr.
6 Chairman. I move that Bill number 180554 as
7 amended be recorded from this Committee with a
8 favorable recommendation, and I further move that
9 the rules of Council suspended to permit the first
10 reading for the next council session.

11 (Seconded.)

12 CHAIRMAN JOHNSON: It has been moved
13 and properly seconded that Bill number 180554 as
14 amended be reported from this Committee with a
15 favorable recommendation, and further move that the
16 rules of Council be suspended to permit first
17 reading of this bill at the next session of
18 Council.

19 All those in favor of the motion will
20 signify by saying aye.

21 (Ayes.)

22 CHAIRMAN JOHNSON: The ayes have it and
23 the motion carries. Bill number 180554 as amended
24 be reported from this Committee with a favorable
25 recommendation with the request that the rules of

Committee on Transportation and Public Utilities
June 15, 2018

Page 26

1 Council be suspended to permit first reading at the
2 next session of Council.

3 This concludes the business of this
4 committee. Thank you all for attending.

5 - - -

6 (Hearing concluded 1:54 p.m.)

7 - - -

C E R T I F I C A T I O N

I hereby certify that the
proceedings, evidence and objections noted, are
contained fully and accurately in the notes taken
by me on the hearing of this matter, and that this
copy is a correct transcript of the same.

SUSAN A. HURREY, R.P.R.
NOTARY PUBLIC

(The foregoing certification of
this transcript does not apply to any reproduction
of the same by any means unless under the direct
control and/or supervision of the certifying
reporter.)

Committee on Transportation and Public Utilities
June 15, 2018

Page 1

A	14:25,25 18:25 21:16 22:21,22,23 22:25 23:2 23:13 24:10 24:13,14,16 24:19,25	3:15 availed 9:22 9:22 aware 4:23 17:7 aye 24:22 25:20 ayes 24:23,24 25:21,22	15:19 build 11:24 13:7 15:4 15:19 16:24 17:13,21,23 21:3,13 22:12 builders 11:3 11:15 21:23 building 7:14 11:11 14:7 23:19 buildings 11:11 builds 15:13 built 17:4 19:9 Bureau 5:15 business 26:3 buyers 20:3	22:19,20 23:14,17 24:4,13,18 24:24 25:6 25:12,22 changed 17:11 changes 10:8 check 17:24 18:1 23:14 circulated 24:14 City 1:1,4 2:5 4:13,18 5:14,21 19:8,23 20:7 23:17 City's 6:20 20:4 clarify 22:21 clean 4:21 cleaning 4:18 6:6 clear 9:5 clearances 6:17 clerk 2:15,17 3:1,4 closer 10:19 closing 17:24 Code 2:18 collapses 6:7 collateral 14:20 collect 6:10 come 8:6,8,24 12:3 13:23 15:1 19:11 21:12 comes 12:9 17:10 22:2 coming 14:7 20:15 23:19 Commissio... 3:9,10,14 9:21 10:11 10:20 11:19 18:19 23:1 23:16,22 committee 1:2 2:5,9,10 2:13 3:11 7:1,3,17 8:6	8:12,17 10:8 15:1 24:15 25:7 25:14,24 26:4 communities 2:24 community 4:20 7:23 8:21 9:7,23 14:2 15:21 19:25 20:3 companies 17:16 complaint 4:9 complex 14:13,14 concerned 10:20 20:16 concerns 12:7 18:23 concluded 26:6 concludes 24:6 26:3 conditions 2:25 condo 5:17 11:8,8 16:18 18:13 18:20 24:2 condominiu... 7:23 14:5 condominiu... 2:24 10:24 connect 5:8 6:20 14:11 15:18 21:10 connected 4:4 4:11,14,19 4:22,24 17:10 connection 5:18 6:21 connections 5:10,12,20 14:21 consider 24:8 considering 7:25 constituents 4:9 constraints	6:17 construct 13:7 constructed 2:21,23 4:16 construction 3:15 contained 27:5 contaminat... 6:8 continual 16:8 continually 9:12 continue 15:5 continues 10:9 contractor 13:5 17:19 contractors 13:19,22,25 control 6:4 27:21 conversion 6:4 coordinate 4:20 copy 24:14 27:7 correct 16:5 16:12 18:15 20:20 22:9 27:7 cost 4:23 11:7 11:9 12:12 14:3 16:20 16:25 20:10 23:10 costs 16:16 16:17,24 council 1:1 2:5 3:18 7:19 25:9 25:10,16,18 26:1,2 Councilman 1:15,16,17 2:10,11,11 3:17 7:16 8:13,14 9:8 9:17 10:2	10:12,15,16 12:13 15:3 16:6,10,13 17:15,23 18:13,16 20:12,13,21 21:1,5,20 22:5,18 24:9,12 25:2,5 cover 4:23 create 5:12 8:7 16:21 16:22 creates 13:3 criteria 22:16 currently 12:22 customer 4:4 5:11,14 customers 3:22,24 4:10,10 7:5
		B		C			D
	back 8:2 12:5 15:12 21:19 22:2,16 backhoe 12:1 12:5 bad 6:23 balance 23:15 basically 16:4 19:5 basis 8:19 18:14 behalf 3:19 7:19 belief 14:1 benefit 5:11 benefits 5:6 best 9:25 19:17 better 7:5 18:24 19:2 BIA 7:1,3 BIA's 6:19 bill 1:20 2:2,7 2:16 3:3,14 3:18 4:2,21 5:1 6:25 7:18 8:9 14:25 21:12 21:15,18 24:5,6,8,10 24:13,16,19 24:25 25:3 25:6,13,17 25:23 billing 5:13 bit 9:18 breaks 6:5 bring 10:18 budget 15:24 16:1,18,18 16:22 18:9 18:14 budgets		C C 27:1,1 called 2:4 6:13 care 16:2 17:25 19:18 carries 24:25 25:23 case 14:6 19:24 catastrophic 6:11 cathodic 6:3 center 14:15 certain 2:22 2:25 3:17 6:16 certification 27:18 certifies 11:6 certify 27:3 certifying 27:21 chair 24:9 25:2 chairman 1:14 2:3 3:1 3:6,11 7:10 7:19 8:11 9:20 10:13 10:14,17 11:18 18:18 20:11,13				damage 14:20 deal 19:10 dealing 5:3 Debra 3:4,9 3:13 22:22 decades 5:2 deed 17:7,8 deeper 12:2 definition 8:16 delinquent 5:15,17 department 3:13,20 5:15 6:12 6:24 8:3,22 8:24 9:3,4 9:22 11:6,7 11:13 12:23 12:25 13:12 13:14 21:8 21:17,24 23:5 Departmen... 5:5 11:16 14:17 departments 12:23

Committee on Transportation and Public Utilities
June 15, 2018

Page 2

design 13:5 17:13	Domb 1:15 2:11 10:15	expert 20:14 expertise 5:25	fully 27:5 function 12:25	half 23:19 Hall 1:4	include 6:3 23:3	J	level 22:24 23:20
desire 6:19	10:16 12:13	exteriors 15:25	fund 24:2	handle 13:10 20:2,5	included 14:18	J.F 17:19	liability 20:6
determine 21:24	15:3 16:3,6 16:10,13	F	funding 6:10	handled 13:16	individual 5:9,12,16	James 3:4 7:13	lien 4:22 5:1
develop 9:15 10:6 18:21	17:15,23 18:13	fact 27:1	funds 13:8,9 18:9,10	handling 13:14	individually 5:8	Johnson 1:14 2:3 3:1,6,11	life 16:20 17:1
22:16	domino 14:19	fact 10:8 24:1	further 7:4 23:2 25:8	happen 18:11	individuals 5:23 8:18	3:18 7:10	list 14:23
developable 23:10	downsides 4:3	failure 4:17	25:15	happens 10:21 13:13	industry 7:15 20:15	7:16 8:11	little 10:19,25 18:20
developed 8:5	drive 14:14	fall 14:10	future 5:11 6:24 7:6	happy 7:8 11:9	infrastruct... 3:16,22 4:1	10:14 20:11	locked 6:17
developer 7:21 13:1,4	23:10	favor 24:21 25:19	23:23	harms 6:24	4:5,7,17,24	22:20 23:14	long 7:24 11:23 16:6
15:13 19:23 20:7	driveway 12:7	favorable 25:8,15,24	G	hear 2:7	5:9 6:2,15	23:17 24:4	21:8 23:24
developers 11:3,15	E	fee 12:17,18 18:3,4	garden 14:13	hearing 2:4,5 2:7 24:6	6:21 7:20	24:18,24	long-term 13:9 16:2
development 3:17 5:6,18	earth 13:3	feel 22:23	gates 6:18	26:6 27:6	7:21 9:16	25:12,22	16:17 20:2
8:21 9:6,23	easement 17:8	feels 4:25	general 3:20	heights 6:16	11:21 12:9	June 1:6	20:6,9
14:2 15:4,8	easements 15:20	feet 12:1 13:2 23:7	generations 19:18 23:23	held 6:25	13:1,21,24	K	look 16:15,19
15:13 19:24 20:3	effect 14:19	final 22:2	give 12:20 16:13 23:17	help 6:13	14:8,16	KENYATTA 1:14	lost 5:21
developments 6:20 12:3	effectively 6:6	first 3:2,7 4:6 25:9,16	gives 21:25	helpful 20:16	15:14 17:20	kicking 19:13	lot 11:11 12:4
dialogue 9:9 10:3,4	effects 14:20	26:1	go 15:22 17:13 19:11	hire 12:10	17:22 21:14	kind 9:9	14:6 15:8
difference 3:25	elaborate 22:25	five 17:21 19:10	21:19	historically 13:18	22:12	kink 18:20	low 6:18
different 12:22 22:8	emphasis 21:11	fix 4:20	goals 19:16	HOA 12:12 16:9,18	initial 9:13	know 3:13 8:18 10:3	lower 14:3
direct 14:21 27:20	enforced 21:9 21:11	flush 5:22	goes 14:9 18:5	hold 23:20	inside 12:4	10:24 11:4	M
directly 14:11 15:17,18	entire 5:18	flushing 6:6	going 11:23 16:25 20:1	home 14:14 21:10	install 11:16 12:15 17:20	11:10,11	mail 5:1
21:10	entitled 2:18 2:19,21	folks 23:19,21	21:24 23:8 23:10	homeowner 4:23 20:8	installation 10:21 12:15	12:22 14:1	main 4:11,12 4:15,21 6:5
discharges 6:9	equally 4:22	foolproof 18:22	good 2:3 3:6 3:10 9:17	homeowners 24:3	12:16 19:1	14:10,22	4:15,21 6:5
distribute 12:12	equipment 6:16	foot 15:10	9:18 10:3 10:17 22:6	homes 15:4,5 17:24 19:17	23:3,6	16:24,24	23:4,4
distribution 13:17	estimate 16:14	foregoing 27:18	Gotcha 21:20	hope 22:3	installed 7:21 10:23 11:22	17:9,10	mains 5:4 15:12
disturbance 13:3	estimates 20:18	forever 16:11 16:12,14	government 9:19	hopefully 9:14 23:24	19:2	18:6,23	maintain 13:8,12,19
divide 16:21 16:25	events 6:11	17:16,25	gray 17:6	Hughner 17:19,19	installing 11:15	19:13,15,21	15:12
division 17:18	eventual 16:2 6:13	20:19	great 13:17	hundred 17:4	installs 11:4 11:25	22:22,24	maintainance 13:24,25
documentat... 17:5,9	eventually 8:1 17:2,3	formalized 8:17 17:2	green 13:21 13:24	HURREY 27:12	instance 11:25	23:6,8,23	14:4 15:6
documents 15:21	everybody 22:8	forth 22:16 21:12	ground 14:7 8:23	I	interested 8:15	24:1	17:22 21:4
dollars 18:4	evidence 27:4	forward 15:17 19:25	group 8:5,7 8:23	idea 11:13,14	introduced 3:18 7:18	knowledge 11:1	maintained 4:13 7:22
	executed 8:10	front 5:7	grow 13:22	ideas 9:13	involved 11:10	Ladies 3:7	12:19 14:16
	expense 20:2	Friday 1:6 8:1	GSI 19:11	imagine 4:25 22:10	issue 11:24 12:10 19:9	laid 2:19	maintaining 11:14 15:25
	experience 6:23 23:20	frontage 15:10,16	guarantee 6:14	improveme... 19:14	issues 9:4 10:22 11:25	land 23:10	11:12
		frustration 4:25	H		14:22 17:4	large 5:20,20 5:21 6:1	maintains 11:12
					19:11 23:9	13:18 14:3	maintenance 6:1,3 10:22
					Items 22:15	14:6	10:25 11:7
						larger 15:9	11:21 12:17
						lasts 23:24	13:9,11
						lateral 14:9	14:22 16:1
						lay 9:13	16:4,14,16
						lead 5:21	16:22 17:16
						learn 10:4	17:18,25
						left 4:18	20:2,6 24:1
						legacy 5:3	24:2

Committee on Transportation and Public Utilities
June 15, 2018

Page 3

major 17:6 19:20 majority 19:5 manage 5:25 management 13:4,15,21 mandate 8:9 mandatory 13:3 Maransky 3:5 7:13,14 8:16,20 9:11 12:21 15:7 16:5,8 16:12,15 17:17 18:2 18:15 19:5 19:20 20:14 20:20,24 21:3,6,21 22:9,18 Mark 1:16 2:11 24:9 25:2 materials 19:1 23:5 matter 27:6 McCarty 3:4 3:9,10,13 9:21 10:11 11:19 18:19 22:22 23:1 23:16,22 mean 8:17 11:10 22:23 means 4:12 27:20 meet 8:19 9:12 10:9 11:17 22:10 23:5 meeting 9:9 9:13 24:7 members 2:9 2:9,13 3:11 7:16 8:12 8:21,22 24:15 memorialized 20:22 22:7 met 19:1 meters 5:20 5:22	moment 10:7 money 23:25 month 16:9 18:3,5 months 21:25 motion 24:10 24:21,25 25:3,19,23 move 8:2 24:15 25:6 25:8,15 moved 24:18 25:12 moving 18:9 multi-unit 6:20 multiple 3:22 mutual 19:16 N N 27:1 name 3:2,7 7:11,13 17:21 need 13:23 needed 9:10 newly 21:11 NOTARY 27:13 noted 27:4 notes 27:5 notice 5:1 number 2:2,8 3:15 13:18 24:6,11,13 24:16,20,25 25:3,6,13 25:23 O O 27:1 O&M 13:10 objections 27:4 obviously 22:23 occur 10:6,22 occurs 14:21 offer 24:13 okay 15:14 16:19 17:5 21:5,22 22:5 ongoing 9:9	10:4 20:19 OPA 15:22 22:13 opening 2:14 openings 14:21 operational 13:8 operations 13:11 15:24 opportunity 7:7,17 14:4 opposed 3:21 10:1 order 2:4 ordinance 20:22,24,25 21:7 overhangs 6:18 owned 4:13 4:14,18 7:22 owner 5:14 5:24 18:11 owners 2:20 2:21 4:14 4:19,22 6:24 P p.m 1:7 26:6 parcel 15:9 parcels 13:2 15:9 part 18:13 particularly 10:5 pass 21:18 passage 22:2 pay 3:24 11:9 13:7 16:9 20:1 paying 19:22 19:23,23 20:18 Pennsylvania 1:5 permission 20:1 permit 25:9 25:16 26:1 permitted 3:23 15:15	perpetual 20:19 Philadelphia 1:1,5 2:18 7:15 physical 6:17 pipe 2:19 4:13 pipng 19:2 place 9:16 14:8 15:1 17:12 places 19:8 plan 15:21,23 22:12 planned 2:24 planning 7:23 plans 15:20 15:21,22 Plante 17:17 plate 20:4 please 3:2,7 7:10 22:25 plumber 12:10 point 13:17 14:17 18:10 19:20 policy 6:23 position 5:6 6:22 potentially 6:11 practice 3:23 pre-funding 16:3,7 precedent 21:22 preparation 6:10 prepared 7:24 presence 2:8 PRESENT 1:12 preserve 19:2 president 7:14,19 President's 3:19 prevent 6:18 price 3:24 private 2:22	3:16,16,21 3:25 4:1,2,4 4:6,11,12 4:15,17,24 5:4,5 6:15 7:20,22 9:15 11:21 12:4,8,10 13:1 14:8 14:15 15:11 15:12 17:11 19:7 21:13 22:12 23:4 23:4,8 probably 5:24 17:21 problem 6:13 6:19 12:5 problematic 23:9 problems 5:2 5:3 10:6 19:3,6,7 proceed 3:8 proceedings 27:4 program 10:25 16:14 project 15:14 17:13 18:12 projects 18:6 23:20 prone 4:16 properly 8:9 24:19 25:13 property 2:20 2:21 3:17 4:1,14,19 4:22 5:5 6:24 7:22 22:15 23:11 proposed 7:2 7:4 8:2 23:1 proposing 21:15 protection 6:4 provide 19:16 provisions 2:22 public 1:2 2:1 2:5,6,7 3:12 4:3,7 5:7,9	6:23 14:3 24:6,7 27:13 punch 14:23 purchase 19:17 purchases 17:3 purpose 2:6 purposes 9:5 9:6 purview 13:5 put 21:12 PWD 4:16,20 6:2,18 PWD's 13:5 Q quality 19:17 questions 7:9 8:12 quickly 6:19 quite 9:18 quorum 2:9 R R 27:1 R.P.R 27:12 reaching 6:18 read 2:15 3:2 reading 25:10 25:17 26:1 reality 22:17 really 11:12 12:25 14:7 14:9,12 16:15 reason 13:15 reasons 5:10 6:22 11:20 received 4:8 recess 24:7 recognize 2:8 6:19 23:7 recognizes 24:9 25:2 recommend... 25:8,15,25 reconvene 9:14 record 3:8 7:11 recorded 15:20,22	22:13 25:7 reduce 23:10 refine 7:4 refined 23:3 regimented 17:13 register 5:22 regular 8:19 regulation 12:14 21:7 regulations 8:8,25 9:15 10:1 13:13 21:19 22:10 23:13 regulatory 6:7 related 6:8 relationship 5:13 19:15 remarks 2:14 remedy 5:16 repair 4:18 4:21 repairs 12:2 12:11 replace 16:25 replacement 16:2,17,22 16:23 18:7 22:14 replacements 18:5 reported 25:14,24 reporter 27:22 reproduction 27:19 request 25:25 requesting 20:9 requests 6:25 require 5:9 6:16 required 6:1 15:18 requirements 6:3 requiring 24:1 reserve 16:1 reserves	13:10 16:23 18:5,7 22:13 residual 14:20 resonate 19:21 respectfully 6:25 respond 11:20 responding 6:5 response 6:7 responsibility 20:9 revenue 5:15 5:21 revising 2:22 right 15:7 16:11 23:22 right-of-way 4:3,7 12:1 23:7 road 19:3,13 19:19 role 13:4 Room 1:4 Ruggiero 17:17 rules 25:9,16 25:25 run 14:23 running 15:12 rushing 23:19 S Santos 17:20 saying 13:12 15:4 20:5 21:16 22:7 22:7,11 24:22 25:20 scale 6:1 seconded 24:17,19 25:11,13 section 2:19 2:20 see 13:15 14:24,24 seeing 19:6 seen 12:3
--	---	---	--	---	--	--	---

Committee on Transportation and Public Utilities
June 15, 2018

Page 4

13:22 sell 15:5 sense 8:18 serve 2:23 7:5 serves 9:5 service 5:8,13 6:15 services 2:23 serving 3:22 9:6 session 25:10 25:17 26:2 set 8:8 9:15 13:8,13 16:19 21:19 22:16 sets 21:21 sewage 6:8 sewer 2:18,23 3:16,21 4:1 4:2,11,12 4:15,21 5:7 6:2,6,6,21 7:20 11:25 13:16,25 15:11 17:11 19:7 23:4,8 sewers 2:21 5:5 shared 14:14 sheet 14:18 shortfall 18:10 shows 6:23 shutoff 5:19 sides 9:14 10:10 21:19 sign 13:10 significant 4:3 signify 24:22 25:20 sit 22:3 sitting 19:25 20:8 small 8:23 smaller 5:23 somebody 17:6 sort 12:14 20:23 sounds 10:19 22:6	spend 23:25 square 13:2 Squilla 1:16 2:11 24:10 24:12 25:3 25:5 stairs 16:19 16:19 stakeholders 7:4 standards 4:16 11:22 13:6 18:25 23:5,18 started 13:22 state 3:7 7:11 stated 6:22 12:11 19:5 steep 3:24 storm 12:24 12:24 13:3 13:20 17:18 street 5:7 14:9,21 15:11,15,17 15:17,18 21:9,10 strongly 3:21 style 14:13 subject 5:19 10:9 sufficient 21:18 suggesting 11:5 suggestion 10:18 11:2 11:17 summer 8:5,7 9:13 11:17 15:2 22:4 22:11 23:12 supervision 27:21 support 7:18 supposed 18:7 sure 8:1,8,25 9:4 12:18 23:18 surface 5:3 SUSAN 27:12	suspended 25:9,16 26:1 swiftly 6:5 system 9:1 13:6 16:2 16:23,24 17:3,12 20:10 systems 11:12 13:20,24 14:5 15:6 17:20,22 20:1 21:4,4 T T 27:1,1 table 7:25 12:4 22:8 take 5:2 6:10 9:16 11:21 12:17 20:9 taken 24:8 27:5 takes 11:7 13:1,4 14:8 17:25 talking 14:12 19:22 Taubenber... 1:17 2:12 8:13,14 9:8 9:17 10:2 10:12 20:12 20:13,21 21:1,5,20 22:5,18 technology 10:7 terms 2:25 testify 3:3,14 7:17 24:5 testimony 2:7 3:8 7:12,24 14:19 18:17 20:15 thank 7:10,16 8:11,14 9:19,20 10:12,13,16 10:17 11:18 11:18 18:16 18:16,17,17 20:11,14,14	22:19,19,20 24:4,12 25:5 26:4 thing 9:19 10:3 19:4 things 9:24 10:5 14:2 18:7 think 9:11,18 9:25 10:2,5 10:7,9 12:11 18:24 19:14,20 20:16,17 21:17,21 23:2,11 thought 12:19 three 6:12 9:12 15:10 21:25 time 11:23 17:9 21:8 23:24 times 9:12 12:4 14:6 17:11 19:21 title 2:15,17 today 3:24 5:4 7:8,17 19:6 toilet 5:22 town 14:14 transcript 27:7,19 Transporta... 1:2 2:1,6 3:12 trucks 6:15 trump 23:13 try 9:24 10:18 two 5:24 9:12 10:18 15:9 19:7 21:25 type 13:19 17:5 typical 11:25 typically 11:22 12:8 14:10 U unable 4:20	understand 14:17 understand... 18:20 unfortunat... 5:22 unit 5:13,16 12:6 units 2:24 5:6 5:8,19 15:16 17:4 unlawful 6:8 useful 16:20 17:1 Utilities 1:2 2:1,6 3:12 utility 15:20 15:23 V valuable 10:10 versus 20:5,7 view 14:17 vote 18:22 W want 11:5 12:19 20:18 wary 11:20 water 2:18,19 2:23 3:10 3:13,16,20 3:21,25 4:2 4:11,15,17 4:21 5:4,5,7 5:15,15 6:1 6:5,12,21 6:24 7:20 8:3,22,24 9:2,4 11:5,6 11:13,15 12:23,24,24 13:4,12,14 13:16,20,24 14:1,17 15:12 17:18 21:7,17,24 23:3,4 way 11:4,12 12:25 13:16 13:21 16:17 18:3 22:11 we'll 12:10	22:10,15 we're 11:20 14:12 19:6 19:22 20:4 20:5,8 21:15,22 22:1 we've 19:14 weeks 19:7 welcome 10:14 width 6:16 witness 3:2 wording 9:1 work 7:3 8:22 8:25 9:3,24 15:2 18:24 21:25 22:1 22:3,15 23:12 worked 7:1 9:24 working 8:5,7 8:16 10:1,8 19:15,16 worth 16:20 write 17:24 X x-number 18:4 Y yearly 16:16 years 5:2 10:23 15:6 16:10,10,11 16:21 17:4 18:8 19:10 22:8 Z 0 1 1:27 1:7 1:54 26:6 10 10:23 15:6 16:10 17:21 18:8 10,000 16:20 13 2:17 13-306 2:19	13-406 2:20 15 1:6 15,000 13:2 180554 1:20 2:2,8 3:15 7:18 24:6 24:11,13,16 24:20 25:1 25:3,6,13 25:23 2 20 5:18 10:23 16:10,21 18:8 200 15:10 18:3,5 2018 1:6 3:19 24 3:19 3 30 5:19 10:23 16:11 4 40 22:8 400 1:4 5 50 5:19 12:1 15:4,5 17:23 23:7 6 6/15/18 2:1
--	---	---	---	--	--	---