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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING - COMMITTEES ON FINANCE AND

4

TRANSPORTATION

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Room 400, City Hall

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Philadelphia, Pennsylvania

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Tuesday, December 7, 2004, 2:20 p.m.

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RESOLUTION 040799 - Resolution calling on the
City Council Committees on Finance and
Transportation to hold public hearings to gain
an update on the status of the SEPTA Market
Street El Project and its continuing impact on
residences, businesses and neighborhoods in
West Philadelphia and beyond.

13

PRESENT:

14

COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN DAVID COHEN
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN RICHARD T. MARIANO

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1 12/7/04 - Res. No. 040799 - Finance & Trans.

2 P R O C E E D I N G S

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4 COUNCILWOMAN BLACKWELL: Good
5 afternoon. We would like for our colleagues
6 who are in the building to come to Council
7 chambers because we will begin our Committee
8 hearing on Finance and Transportation with
9 regard to Resolution No. 040799.

10 We will ask the clerk to read the
11 title of the Resolution.

12 THE CLERK: Resolution No.
13 040799, a Resolution calling on the City
14 Council Committees on Finance and
15 Transportation to hold public hearings to gain
16 an update on the status of the SEPTA Market
17 Street El Project and its continuing impact on
18 residences, businesses and neighborhoods in
19 West Philadelphia and beyond.

20 COUNCILWOMAN BLACKWELL: Thank
21 you very much.

22 Let me note that this is a
23 continuation of Council's investigation of the
24 SEPTA El Project and its impact on the Market
25 Street El Redevelopment Project, which goes

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 from 46th to 63rd Street.

3 I'm glad to have such interested
4 people and many of you who can offer advice to
5 us as we consider this subject and the impact
6 of SEPTA on the businesses and on the
7 neighborhood.

8 We would now call forward Faye
9 Moore, CEO, SEPTA.

10 Thank you very much. With her is
11 Frances Jones, and with them is another
12 gentleman, whose name I don't know, but we'll
13 allow you to introduce him. Feel free to pull
14 up a chair.

15 MS. FAYE MOORE: Good
16 afternoon. As mentioned, I'm Faye Moore. I'm
17 SEPTA's General Manager. I'm joined to my
18 right by Frances Jones in Government Affairs,
19 and to my left, I am joined with Mr. David
20 Braverman, who is an outside attorney in case
21 we have some questions on the matter I'm going
22 to disclose to you.

23 COUNCILWOMAN BLACKWELL: Thank
24 you.

25 MS. FAYE MOORE: I think in

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 front of you you have received copies of
3 testimony and some handouts. I'm here today
4 to provide an update on the Market Elevated
5 Reconstruction Project in West Philadelphia.

6 SEPTA staff have prepared and
7 submitted an update to the report submitted to
8 Council last year on the MSE project. I'm
9 also joined behind me by staff with direct
10 responsibility for project activities,
11 including construction, affirmative action and
12 DBE compliance and community and business
13 outreach. They are prepared to provide
14 greater detail on the items I will be
15 reporting on and to answer questions.

16 Last year SEPTA appeared before
17 Council to speak about our 567 million capital
18 investment project to rebuild six existing
19 stations at 46th Street, 52nd Street, 56th
20 Street, 60th Street, 63rd Street in
21 Philadelphia and Millbourne Station in
22 Delaware County to replace 11,000 feet of
23 guideway structure with a new single column
24 bent structure.

25 Reconstruction of the Market

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2 Elevated portion of the Market Frankford line
3 is designed to revitalize one of the
4 Authority's most vital transit service links,
5 which carries in excess of 100,000 daily
6 riders.

7 When SEPTA testified at this
8 hearing, we told Council the project was
9 expected to be substantially complete in 2007.
10 Today I want to update you on the overall
11 construction schedule and clarify our previous
12 statements.

13 In construction language,
14 "substantially complete" means the majority of
15 the work is completed, but project closeout
16 activities continue.

17 When the MSE project is
18 substantially complete in 2007, the community
19 will see the key components of the new
20 guideway and stations, but they will also
21 continue to see daily construction activity as
22 the contractors work to final completion
23 schedule for 2008.

24 We're all aware of the impact a
25 project of this magnitude and complexity has

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2 on the daily life of the residences and
3 businesses in and around the El structure. We
4 understand the community is anxious to see the
5 disruption of workers and equipment end and
6 Market Street return to regular pedestrian and
7 vehicular traffic. So from this update going
8 forward, the project dates we will report on
9 will be final completion milestones.

10 As a reminder, there are five major
11 construction contracts for the MSE project,
12 ATC Buildings at 52nd and 63rd Street, the
13 construction of automatic train control
14 facilities. Two, scheduled final completion
15 was achieved in 2002.

16 Foundations: Construction of
17 foundations for guideway structure and
18 ductbank and utility housing. Final wrap-up
19 efforts are underway. Scheduled final
20 completion is this month in 2004.

21 Stations: Work at 56th and 60th
22 Street Stations is underway. Work at 46th and
23 52nd Street scheduled to begin in 2005.
24 Scheduled final completion 2008.

25 The guideway: Preparation work is

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 underway. Construction work to demolish
3 existing structure and construct new structure
4 is scheduled to start in 2005, and scheduled
5 final completion is 2008.

6 Cobbs Creek is the final package,
7 and I will be providing more detailed update
8 on this contract in a few minutes.

9 In the area of DBE participation, to
10 date there are 41 DBE firms, construction and
11 professional services, designated for
12 participation in the project. These firms
13 hold subcontract agreements valued at 59.3
14 million or 17 percent of the total
15 construction dollars and 20.7 million or
16 approximately 31 percent of the total
17 professional services contracts.

18 SEPTA has developed a DBE contact
19 information system that provides DBE
20 subcontractors with information on short-term
21 lending and bonding programs and workshops to
22 assist in the areas of marketing, business
23 development and construction management.
24 SEPTA staff also works to ensure prompt
25 payments to DBE subcontractors through the

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2 Invoice Payment Report Tracking System.

3 Included in your packet is a copy of
4 the most recent Affirmative Action Progress
5 Report, September 2004, updating EEO/DBE
6 goals, work hours, et cetera, for construction
7 and professional services.

8 I'd like to report that as of
9 September 2004, 30 minority trainees, 29
10 African-American males and one Hispanic
11 female, including individuals living within
12 the five-project zip codes, have been placed
13 on the project. Minority labor hours
14 represent almost 27 percent of all hours
15 worked on construction hours for this project.

16 Just as a point of introduction, I'd
17 like for Mr. Isaac Johnson, who is in the
18 audience, to stand. Mr. Johnson is actually
19 one of the trainees. He started out as a
20 trainee. He went through DAP, and he is now a
21 full card-toting member of the United Steel
22 Workers of America. So we just wanted to give
23 you an opportunity to meet Mr. Isaac Johnson.

24 Given the size and complexity of the
25 MSE project, we're working to keep the

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2 residential and business communities updated
3 about project activity. In particular, we're
4 trying to build a partnership with businesses
5 in the project area by supporting ongoing
6 business promotion campaigns, area business
7 association efforts, distribution of a
8 Business Resource Guide and business
9 mitigation efforts.

10 The Ride, Shop and Win Campaign
11 program with Clear Channel continues to
12 encourage shoppers to patronize businesses in
13 West Philadelphia and Eastern Delaware County.

14 More than 200 area businesses are
15 participating in the 2004 Holiday promotion,
16 which features direct contact with the more
17 than 25,000 households in the expanded project
18 area.

19 In response to local business
20 concerns about loss of customer parking and
21 access due to construction activities, we have
22 developed two temporary parking facilities at
23 54th and Market and 52nd and Arch. I can also
24 report that as of today, leases of three lots,
25 52nd and Arch, 53rd and Market, and Market at

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2 57th, have been sent to the owners for
3 execution, and we are waiting for the lease
4 for the 53rd and Market lot from Public
5 Property.

6 There are 16 additional parcels on
7 Market Street between 50th and 59th Streets
8 that have been or will be acquired through
9 sheriff's sales to develop additional
10 temporary off-street parking.

11 While these efforts move forward,
12 the Authority continues to work with the
13 Philadelphia Parking Authority on parking
14 enforcement issues for vehicles making
15 deliveries and shoppers who patronize
16 businesses along Market Street.

17 Responding to cleanliness concerns,
18 we initiated a monthly program and have
19 coordinated 17 cleanups along Market Street
20 around the stations between 45th and 63rd
21 Street with City Year and the Philadelphia
22 More Beautiful Committee. The most recent
23 cleanups were conducted on November 16th and
24 30th.

25 In addition, we started a

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2 construction site walk-through program to
3 address community concerns about trash and
4 dumping problems. Every Friday and Monday the
5 active construction areas are surveyed and a
6 checklist report is submitted. To date, more
7 than 100 inspections have been completed.

8 Safety remains a paramount concern
9 to SEPTA to safeguard those who live, work,
10 worship and visit the blocks around the El,
11 adults and most especially our children, and
12 we continue to reach out with safety
13 information and programs.

14 A few minutes ago I referenced the
15 Cobbs Creek package. This contract covers
16 construction of Millbourne Station and 63rd
17 Street Station, construction of the guideway
18 structure from the Millbourne abutment through
19 63rd Street. Work on this contract was
20 scheduled for final completion in 2005.

21 It has been widely publicized that
22 we have been experiencing problems with the
23 contractor for the Cobbs Creek/Millbourne
24 contract. Even with our continued efforts,
25 SEPTA has been unable to resolve the

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2 outstanding issues and to get the contract
3 moving forward. Prior to coming here today,
4 SEPTA terminated for cause the contract with
5 PKF for the Cobbs Creek and Millbourne work.

6 It is never easy to terminate a
7 contractual relationship. The Cobbs
8 Creek/Millbourne project has consumed 81
9 percent of the original contract time, yet
10 only one-third of the contract values and only
11 about one-third of the work has been
12 completed. With no solid plans presented to
13 accelerate construction efforts, the Authority
14 determined it had to protect itself and the
15 riding public from non-performance on this
16 contract.

17 To protect the taxpayers' interest
18 and SEPTA's assets on a contract of this
19 dollar magnitude, when we signed the contract,
20 SEPTA obtained surety bonds. This is
21 insurance where a bond provider will step into
22 the place of the contractor to complete the
23 contract work. Today we also gave notice to
24 the insurance provider that we have terminated
25 our relationship with PKF on the Cobbs

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2 Creek/Millbourne Station work.

3 In filing this notice, we must give
4 the insurer a reasonable amount of time to
5 assess available options or options available
6 to advance the contract and keep the work
7 moving to completion. The project team and
8 other SEPTA staff will assume responsibility
9 for these work locations until the insured
10 names another contractor to complete the
11 contract.

12 In the interim, assessments are
13 underway to see what is needed to open the
14 area around 63rd Street to pedestrian and
15 vehicular traffic. Responsibility for the
16 existing El structure has been and will
17 continue to be managed by SEPTA's in-house
18 infrastructure department engineers. Safety
19 will not be compromised.

20 The Market Street Elevated
21 Reconstruction Project is a monumental capital
22 improvement project. I recognize it is also
23 an undertaking that tests the patience and
24 good-will of the communities. SEPTA is
25 committed to working with the community, the

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2 residents and businesses and the local
3 officials to try and resolve issues as they
4 occur, because this major investment will
5 enhance transit service for West Philadelphia,
6 Eastern Delaware County and the region.

7 I ask for your continued support of
8 public transit and your patience as we work
9 towards our construction milestones.

10 That ends my comments, and we are
11 available for any questions that you might
12 have.

13 COUNCILWOMAN BLACKWELL: Thank
14 you very much. Certainly we have noticed as
15 we pass this project every day that there's
16 been no work going on and no cranes and
17 nothing, and obviously we heard rumors that
18 the prime contractor wanted out. So we hear
19 you today saying that you've terminated their
20 contract.

21 MS. FAYE MOORE: Yes.

22 COUNCILWOMAN BLACKWELL: Maybe
23 that will make a difference somehow in this
24 project.

25 As you know, one of the reasons we

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2 called for these hearings is because the
3 neighborhood businesses heard that this could
4 be extended as far as ten, and people are just
5 frightened about that possibility.

6 Let me note that to my left is
7 Councilwoman Blondell Reynolds Brown and to
8 her left is Councilman Rick Mariano. We thank
9 them for being here, and certainly we're happy
10 for their interest in this detailed project
11 that has created so many problems for us and
12 for the businesses, as well as the community,
13 when we talk about -- especially, Ms. Moore,
14 and your noting that the prime contractor is
15 gone.

16 So what are our contingency plans?
17 What happens next, and when will that be?
18 What can we expect to see happening when?

19 MS. FAYE MOORE: And you're
20 specifically asking me about Cobbs Creek?

21 COUNCILWOMAN BLACKWELL: I'm
22 asking you about Cobbs Creek, but I'm asking
23 you about the whole project.

24 MS. FAYE MOORE: Okay. Because
25 the rest of the project is moving.

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2 COUNCILWOMAN BLACKWELL: Pardon
3 me?

4 MS. FAYE MOORE: The rest of
5 the project is moving. You have a stations
6 contract, and that work is underway. The
7 guideway project is moving. The ATC project
8 is done. The foundation, most of us refer to
9 that more as the Driscoll project. Driscoll
10 will be wrapping it up, and by the end of this
11 month, they will be gone. So you have had
12 duct work and foundation work along the
13 corridor, with the exception of 63rd and Cobbs
14 Creek, pretty much done. The problem area is
15 indeed Cobbs Creek.

16 They were notified today. A normal
17 playout could go as follows: We're assuming
18 they will not report tomorrow. SEPTA staff,
19 SEPTA project management team, will be there
20 to protect and safeguard the construction
21 area.

22 Since we've notified the bonding
23 company, the bonding company then has to make
24 the determination of when to replace PKF. We
25 have to give them what we describe as a

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2 reasonable amount of time for them to assess
3 their options and report back to our legal
4 counsels.

5 COUNCILWOMAN BLACKWELL: So if
6 this project is to be completed in '08, this
7 could even extend that; is that not correct?

8 MS. FAYE MOORE: Well, if you
9 do it in math -- because I do it in
10 non-construction time. Initially this project
11 was supposed to stretch over a four-year
12 period. It was supposed to stretch over a
13 four-year period. About a third of the work
14 is done. So you still have about two years,
15 two and a half years of construction efforts
16 really to get done.

17 If we conclude our efforts with the
18 surety, say, by February or March of 2005,
19 there is a good possibility it can still run
20 in the same track that we have and the total
21 program will not extend beyond 2008.

22 Mr. Counsel reminded me that we have
23 an excellent bond, and in that bond, we
24 also -- unlike some bonds where you are given
25 the same vendor that you sort of terminated,

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2 in this case we have the right not to accept
3 PKF if the surety wanted to give him back to
4 us.

5 So we believe if we have this in
6 place, say, February, March, even April of
7 next year, there is still enough time that it
8 can be done within the program schedule. So
9 right now we are still saying the Market
10 Street Elevated Project program schedule is in
11 2008, so December 2008, for everything to be
12 done.

13 COUNCILWOMAN BLACKWELL: Let me
14 note that we have a copy of the updated
15 report, December 2004 Community Update, but we
16 also pulled out our copy of the July '03
17 Community Update report that you list is
18 raised by issues at Council hearings on May
19 7th and June 3rd, 2003. And so we've had
20 several hearings on this issue. This happens
21 to be the third formal hearing on this issue,
22 and so the issues we raise we'll put under
23 right now the issue of old business, because
24 we have some questions with regard to that.

25 The structure of the report says the

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2 same, we note, and we note here under Lighting
3 that you list 220 light fixtures that would be
4 installed. We note that at that time, the
5 church at 60th Street, 60th and Market, was
6 robbed for the first time in its history in
7 all of that, that that minister is now gone,
8 and you mentioned -- and we have the captain,
9 Captain Thrush, for the 16th District to us
10 here and prepared to answer any questions. We
11 thank him for all the work he does in the
12 16th. He's been a blessing to us.

13 But we also note that in this
14 report, one of the things that we want to talk
15 about, for example, is the minority business
16 participation and goals. We're happy to see a
17 young man who was trained, but we still hear
18 from the community all the time that there's
19 no way in for participation, whether it be
20 minority participation or community
21 participation, and then in spite of the fact
22 that we have this schedule that says we have
23 minority/community participation, in reality
24 there are very few people who have had an
25 opportunity to work on the project.

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2 So perhaps we can mention that as a
3 place to start and ask you to respond in that
4 regard.

5 We have an amendment to the
6 question.

7 Councilwoman Blondell Reynolds
8 Brown?

9 COUNCILWOMAN REYNOLDS BROWN:

10 Good afternoon. As you proceed to address
11 Chairlady Blackwell's question, please speak
12 to the process that's currently in place
13 designed to ensure that folks of color from
14 that community get equity and opportunity on
15 this project.

16 MS. FAYE MOORE: And this
17 particular question is related to the
18 employees, people working on the project?
19 We're going to ask Ms. Lily Clate, who heads
20 up our EEO/AA portion. That way, we don't run
21 the risk of giving you incorrect information.

22 COUNCILWOMAN BLACKWELL: Thank
23 you.

24 We note also that Councilman Michael
25 Nutter is here, and as you know, he's Chair of

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 Transportation and Public Utilities Committee.

3 MS. LILY CLATE: I'm Lily
4 Clate. I am the Project Manager for the
5 Affirmative Action Program for the Market
6 Street Elevated Project, and I'm happy to
7 answer any questions you may have regarding
8 the employment piece of this contract or this
9 project. Could you repeat again the question
10 that you had? I'm sorry.

11 COUNCILWOMAN REYNOLDS BROWN:
12 Could you start with the process used to
13 ensure that the outcome is one that reflects
14 people of color and residents of the community
15 gaining opportunity on the project, period.

16 MS. LILY CLATE: SEPTA is
17 working very closely with the contractors, the
18 prime contractors and the subcontractors, as
19 their work comes about to ensure that they are
20 performing outreach and have strong recruiting
21 strategies in place so that we can identify
22 workers for the project.

23 One of the things that they're
24 required to do is to give us an assessment as
25 to what numbers of people they may need, when

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2 they may need them, what trades they would
3 need and the unions they would be affiliated
4 with.

5 In addition to that, we have allowed
6 people from the community to come to -- we
7 refer them to the construction work sites out
8 at 63rd Street, out at 49th and Market, which
9 are the two contracts that we're working.
10 That's the Market Street constructors for the
11 stations contract and the PKF contract at that
12 particular time. And people have been going
13 there and they have been filling applications
14 out and being hired for positions as they're
15 available. Primarily the operating engineers
16 and laborers have been the main employment
17 areas at this time.

18 We've also been referring people
19 through the training program, which is DAP,
20 where we have so far had 30 people from the
21 community that have been brought on board for
22 the training program. They're working hours,
23 gaining construction work experience, and we
24 have at this time four that have been hired as
25 a full-time union employee. Mr. Johnson is

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 one of those employees.

3 So far, we have 70 people from the
4 residents that have been hired and working on
5 this project.

6 COUNCILWOMAN REYNOLDS BROWN:
7 PKF, in the testimony on Page 4, it speaks to
8 the, quote, terminated for cause. Was one of
9 the reasons for termination related to
10 inability to help SEPTA in its goals around
11 minority participation?

12 MS. FAYE MOORE: No. That was
13 not one of the primary reasons, no.

14 COUNCILMAN MARIANO:
15 Councilwoman, can I ask a question on your
16 questions?

17 COUNCILWOMAN REYNOLDS BROWN:
18 Please.

19 COUNCILMAN MARIANO: When
20 Councilwoman Blondell Reynolds Brown
21 questioned, I was talking to one of the
22 staffers over there, so I might have missed
23 this. You're talking about some people got
24 some jobs from the community. Can you tell me
25 what unions and what jobs they got? Because I

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2 think it's important to the people in this
3 Committee and the people in this Council that
4 they're not just getting jobs for the life of
5 the project. It's jobs that they can enter
6 into apprenticeship programs to follow
7 through.

8 MS. LILY CLATE: Yes. I refer
9 you to our Affirmative Action Progress Report
10 as of September 2004, and that provides a
11 breakdown of the different trades that have
12 been utilized so far, and it gives you the
13 number of hours that have been worked.

14 COUNCILMAN MARIANO: My
15 question is -- I can't find that. Maybe
16 Frances has a copy for me.

17 MS. FAYE MOORE: Six pages in.

18 COUNCILMAN MARIANO: Do we know
19 offhand what unions are getting in? And my
20 second part of that question is, are they
21 going to get a job -- for instance, I'm a
22 member of Electricians Local 98.

23 I just don't want to see people put
24 on for the life of that project. I want to
25 see a young man or a young woman from that

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2 community learn to be an electrician or a
3 carpenter or sheet metal worker or something
4 so when that project is done, they can support
5 their family for 20, 30, 40 years after this.

6 Is that happening or are we just
7 taking care of the people in the hood and then
8 getting out and forgetting about them?

9 MS. LILY CLATE: No. Once they
10 become a union cardholder, that's a career for
11 them.

12 COUNCILMAN MARIANO: A union
13 cardholder is just something you get. You
14 have to go to an apprenticeship program for
15 four or five years. You have to be prepared
16 for that apprenticeship program. In some
17 cases, people need to be -- myself, I needed
18 to be tutored on the math. I was out of high
19 school for a while.

20 This is not something, don't hand me
21 an apprenticeship program and then when the
22 project is over, nobody wants to talk to me
23 because I got thrown out of the apprenticeship
24 program or I blow hot on a marijuana test a
25 year later and I'm out.

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2 I mean, that's not SEPTA's thing,
3 but that's our thing. We want to make sure
4 people are getting into something that's a
5 lifelong trade for them. Can you answer
6 anything like that?

7 MS. LILY CLATE: One of the
8 things I can say, for example, on the
9 foundations contract, which is wrapping up
10 now, it's scheduled for completion December
11 this year, union workers from that particular
12 contract are gravitating over to, say, for
13 example, the foundations contracts and they
14 are being picked up there for employment
15 opportunities.

16 COUNCILMAN MARIANO: Like, for
17 instance, you have E.J. Electric here. I know
18 E.J. Electric. So obviously someone that's
19 working for E.J. Electric is in Local 98.
20 They're probably an apprentice, maybe a
21 journeyman if they live in the neighborhood
22 and they're already in it, but when E.J.
23 leaves, that person is going to need a job and
24 they're going to have to go back to the union
25 hall to get a job. I just wanted to make sure

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2 they're not a seasonal employee as opposed to
3 a registered apprentice. That would be our
4 hope, and I'm speaking for the Committee, I
5 hope. Do you know what I'm talking about?

6 MS. FAYE MOORE: I think we
7 need to also explain more about how
8 diversified apprenticeship --

9 MS. LILY CLATE: The
10 Diversified Apprenticeship Program.

11 MS. FAYE MOORE: Right. Part
12 of the reason that -- and I think it was
13 through some of the efforts of Senator
14 Williams who received funding for DAP. Part
15 of the reason that DAP and SEPTA's job access
16 program sort of joined hands, DAP would indeed
17 do some of the things you just described, get
18 them ready, life skill information, et cetera.
19 They would then get some practical on-the-job
20 training on this project, with the idea being
21 that within the time frame, that they could be
22 a trainee on our project. Someone would be so
23 impressed with them that they would then be
24 sort of picked to go further into
25 apprenticeships and then become that union

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2 member so they could have then the opportunity
3 to go from our job to anybody else's job in
4 the state, in the country, et cetera.

5 COUNCILMAN MARIANO: The state
6 has certain qualifications for registered
7 apprentices. For instance, my son is a
8 registered apprentice. He's a 19-year-old.
9 He doesn't have the job because I was an
10 electrician or a City Councilman. I'm sure he
11 would have got to be -- I'm being facetious.
12 I'm sure it has something to do with me being
13 an electrician and a City Councilman.

14 A lot of young men and women in the
15 Councilwoman's district and the Councilman's
16 district that don't know anyone and they don't
17 know that the first week in April every year
18 the electricians take applications.

19 They go down there. They see a
20 bunch of people that don't look a whole lot
21 like them. They see a lot of authority
22 figures. It's better. Because the business
23 manager understands, we've had this talk, and
24 he's a peer of mine, but there's a lot of
25 things that go on and it's not -- SEPTA is not

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2 a welfare agency, but we appreciate that.

3 I think state and federal, whatever
4 money it is, federal money, we need to make
5 sure that there's something that looks past
6 this particular project. I mean, we can give
7 a 20-year-old from the Councilwoman's district
8 something to make 10, 11, 12 dollars an hour
9 for a year, year and a half, two years up to
10 15. I want to see her making 38 dollars an
11 hour, plus enough money to support a family
12 for the next 20 years, and I think we should
13 be all doing that.

14 I've been out of this for a while.
15 I've been here for longer than I'd like to
16 admit, my third term. I used to be able to
17 look at these and tell you who are union
18 contractors, who is not. I don't know who is
19 anymore.

20 MS. FAYE MOORE: It's harder to
21 tell now.

22 COUNCILMAN MARIANO: I'd be
23 embarrassed. I would say if there's some
24 non-union contractors on there, there's no way
25 to track them guys, except through the state.

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2 At least we know if it's Local 98 or Local 8
3 or Local 19, we know where they are, we see
4 them, they come around, they talk to us. But
5 we need to constantly, as elected officials,
6 to make sure these young people are getting a
7 trade, so when we're long gone from this
8 earth, they're able to support families and do
9 things like that.

10 I would just like to see, if at all,
11 if possible, we can have some follow-up on
12 what happens to them when this project is
13 done.

14 MS. FAYE MOORE: We could do
15 that. We could also --

16 COUNCILMAN MARIANO: I know you
17 got a lot on your plate, but if it's not too
18 expensive.

19 MS. FAYE MOORE: Hey, no
20 problem. We can also --

21 COUNCILMAN MARIANO: Then
22 there's no raise for the fare either? No
23 problem either?

24 MS. FAYE MOORE: I won't go
25 that far now.

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2 COUNCILMAN MARIANO: I had to
3 throw it in there.

4 MS. FAYE MOORE: See, I was on
5 a roll there for a while.

6 But we have mentioned four that are
7 already in apprenticeship programs or
8 whatever. We can actually follow up with
9 those four individuals and tell you what
10 unions.

11 COUNCILMAN MARIANO: That's
12 what I would like to know.

13 MS. FAYE MOORE: We can find
14 that out.

15 COUNCILMAN MARIANO: Thank you
16 very much.

17 Thank you, Councilwoman.

18 COUNCILWOMAN REYNOLDS BROWN:
19 Surely.

20 You were on the question of process,
21 outreach recruitment. You can continue.

22 MS. LILY CLATE: Yes. Yes,
23 ma'am.

24 MS. FAYE MOORE: But the
25 training piece, which is what DAP supplied, is

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2 critical, because they get them job-ready.

3 MS. LILY CLATE: Yes. But in
4 terms of the employees that are needed to meet
5 the actual work hours for the project, that
6 recruitment and outreach is critical for us,
7 and we're working closely with the contractors
8 to ensure that they do have viable recruitment
9 strategies in place, that they are reaching
10 out to the community for their employment
11 opportunities.

12 COUNCILWOMAN REYNOLDS BROWN:
13 Then who is to be held responsible when the
14 goal is not hit, the contractor or SEPTA?

15 MS. LILY CLATE: Technically
16 the contractor is being held responsible.
17 SEPTA is monitoring their performance in
18 meeting that goal, their goals. We're also
19 working with the Office of Federal Contract
20 Compliance, who is also responsible for
21 monitoring mega contracts such as this Market
22 Street Project, to ensure that minorities and
23 female are getting equal opportunities for
24 employment.

25 COUNCILWOMAN REYNOLDS BROWN:

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2 To the number 30, how many of that are women,
3 how many -- let's back up with the numbers,
4 because you started to give us a breakdown of
5 where you started and where you are now, which
6 is four. So provide those numbers again for
7 me.

8 MS. LILY CLATE: We have a
9 total of 30 trainees that are participating or
10 have participated in the program.

11 COUNCILWOMAN REYNOLDS BROWN:
12 And they've been in training for how long,
13 approximately?

14 MS. LILY CLATE: Approximately,
15 what, about a year and a half maybe. About a
16 year and a half.

17 MS. FAYE MOORE: The training
18 efforts can stretch that amount of time, but
19 some of the individuals have been in there
20 varying time frames, some three months, some
21 six months. So it could vary by individual,
22 but overall, the program has been in place
23 about a year and a half.

24 COUNCILWOMAN REYNOLDS BROWN:
25 Okay. All right. So you have 30 trainees who

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2 have been in for a year and a half. Work me
3 to the number of four. That's the number that
4 have graduated; is that correct?

5 MS. LILY CLATE: Yes. Well,
6 what happens is, there is a number of hours
7 that the trainees are allowed to work. For
8 example, each trainee is scheduled to work
9 1,000 hours or have 1,000 training hours.
10 Once that trainee has completed those hours,
11 they are eligible to be hired to go through --
12 at that time, they may have gone through the
13 apprenticeship, so that they can be placed on
14 as a union worker.

15 The four that were mentioned here
16 have gone through that process and, as a
17 result, have been hired. They are now being
18 captured as regular workers, productive or --
19 I guess you can say productive-type workers
20 where they're actually being counted for work
21 hours.

22 COUNCILWOMAN REYNOLDS BROWN: A
23 full-time union employee?

24 MS. LILY CLATE: On the
25 certified payrolls, for example.

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2 COUNCILWOMAN REYNOLDS BROWN:

3 One thing I've learned in my time here is,
4 there's the apprentice stage, then there's the
5 journeyman stage, and then what else after
6 that?

7 COUNCILMAN MARIANO: It's

8 apprentice and journeyman. They'll call a
9 journeyman a mechanic, but it's the same
10 thing.

11 COUNCILWOMAN REYNOLDS BROWN:

12 So they've been hired as what now? What are
13 they?

14 COUNCILMAN MARIANO:

15 Apprentices.

16 MS. LILY CLATE: They're

17 apprentices.

18 COUNCILWOMAN REYNOLDS BROWN:

19 And what assurances, if any, are in the
20 process to help them move through the
21 journeyman stage so that once the SEPTA
22 initiative is behind them, they are officially
23 union members? Does your process factor that
24 in? Should your process factor that in? I'm
25 simply asking.

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2 MS. LILY CLATE: They are
3 sponsored by that employer, that contractor.

4 COUNCILWOMAN REYNOLDS BROWN:
5 Okay.

6 MS. LILY CLATE: Once they get
7 into that program, that contractor has taken
8 them on. They will be sponsoring them forward
9 into the union.

10 COUNCILMAN MARIANO: But once
11 they get into the apprenticeship program when
12 that job ends, it's pretty much up to them and
13 the union.

14 MS. FAYE MOORE: Exactly.

15 COUNCILMAN MARIANO: Because
16 that contractor can go out of business. It's
17 up to you, you have to maintain your hours
18 just to keep a record and turn it in every
19 month, and that can be reviewed by the states
20 or whatever. Every trade is different, but
21 it's like 1,000 hours to your next pay raise.
22 So every hour you work, you want to work as
23 much as you can so you get your next pay
24 raise. It eventually hits a plateau at
25 whatever a journeyman's rate is.

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2 COUNCILWOMAN REYNOLDS BROWN:

3 One final question and then I'll hold for
4 here. Are there any safeguards in the
5 contract that you have with the contractors to
6 ensure that once the project is over and that
7 trainee, now journeyman, still remains with
8 that company? Do you follow me?

9 MS. LILY CLATE: No. There
10 is -- no.

11 MS. FAYE MOORE: We follow you,
12 but the answer is no.

13 COUNCILWOMAN REYNOLDS BROWN:
14 It's essentially up to the contractor?

15 MS. FAYE MOORE: And that
16 worker.

17 COUNCILWOMAN REYNOLDS BROWN:
18 Got it. Okay, then. Thank you.

19 MS. LILY CLATE: You're
20 welcome.

21 COUNCILWOMAN BLACKWELL: Thank
22 you.

23 Councilman Nutter?

24 COUNCILMAN NUTTER: Thank you,
25 Madam Chair.

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2 On that same issue, just so we can
3 be clear, and we've gone over this one more
4 than a few times, not just with SEPTA, the
5 last part of that is, if you go through the
6 program, you get your union card, you're taken
7 on now by the particular contractor. Is it
8 then true that for that person at that point,
9 whether they work or not is a function of
10 whether or not they get called to work by that
11 particular contractor?

12 MS. LILY CLATE: If they're a
13 part of the union, it's my understanding that
14 if the work with that particular contractor is
15 complete, through their business agent they
16 can work on another project or with another
17 contractor.

18 COUNCILMAN NUTTER: If they get
19 called.

20 MS. LILY CLATE: Yes.

21 COUNCILMAN NUTTER: So while it
22 is good to go through an apprenticeship
23 program, and we encourage that, and to get a
24 union card, we encourage that, it does not
25 necessarily mean that you now have any sense

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2 of what most of the rest of us in this room
3 would consider pretty much a guaranteed
4 employment. It's a function, obviously, of
5 what work is going on, what jobs that
6 particular contractor pursues and then whether
7 or not you individually get called; is that
8 correct?

9 MS. LILY CLATE: That's
10 correct, sir.

11 COUNCILMAN NUTTER: Is that how
12 it works?

13 COUNCILMAN MARIANO:
14 Councilman, let me be the unofficial expert on
15 this.

16 COUNCILMAN NUTTER: Absolutely.
17 Having been nowhere near this particular
18 process other than in this room.

19 COUNCILMAN MARIANO: Very
20 fortunate. There's only so much SEPTA or
21 anyone else could do. Rick Mariano, the
22 apprentice, once I get through my
23 apprenticeship program, you have to go
24 wherever the union tells you to go. Sometimes
25 you can get close to home. You go beg.

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2 Once you become a journeyman, at
3 least in the electricians -- every trade is
4 different, but they're all pretty much the
5 same -- you don't have to wait for the union.
6 You can get your own job. It's called
7 soliciting your own work. You can go out and
8 I can say, There's a job at 52nd and Market.
9 Nutter Electric is the electrical contractor.
10 Mike, would you hire me? You may know me from
11 apprentice school.

12 There's a couple minority
13 contractors in business. Larry McCray comes
14 to mind. I was actually Larry's apprentice,
15 and actually, I did all the work when Larry
16 was in charge of me. He became a big
17 contractor and I'm sitting here making a third
18 of the money that he makes. So figure out who
19 was smarter.

20 But then you can go to the union
21 hall.

22 COUNCILMAN NUTTER: I don't
23 think anyone has ever been in charge of you.

24 COUNCILMAN MARIANO: Thank you.
25 Thank you, Councilman. But what happens is,

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2 there's either work or there's not work. So
3 if there's no work, nobody works.

4 COUNCILMAN NUTTER: Got you.

5 COUNCILMAN MARIANO: White,
6 black or Puerto Rican, nobody works.

7 The problem here is -- let me call
8 it what it is. When you go down there and you
9 don't know anyone and you're not anyone's son
10 or no politician sends you, the hard part is
11 to feel comfortable amongst people you may not
12 be familiar with, regardless of your race or
13 ethnic background.

14 Things are getting a lot better.
15 Again, the things we need to do beyond
16 SEPTA -- you can only take people to water and
17 you can't make them drink, the old adage goes.
18 You're right, but once they become a
19 journeyman, it's pretty much up to them to be
20 able to -- if you go to a job and stand around
21 for eight hours, you're going to be the first
22 guy that gets laid off. If you can't pass --
23 for instance, they had drug tests on the
24 stadium. I'll bet you everybody didn't pass
25 the drug screen test, and they're random drug

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2 tests. You can figure out the rest.

3 COUNCILMAN NUTTER: I got it.

4 COUNCILMAN MARIANO: Thank you.

5 COUNCILMAN NUTTER: So that was
6 the one issue.

7 Second is, Councilman Reynolds Brown
8 raised the issue and I want to go back to it.
9 And we've had some conversations about this,
10 but this appears to be a very recent action.
11 The PKF contract, that happened today?

12 MS. FAYE MOORE: Yes.

13 COUNCILMAN NUTTER: And so what
14 does that now mean? And if you've gone over
15 this, just tell me that you did and I'll read
16 the testimony.

17 MS. FAYE MOORE: We've gone
18 over it, but I can repeat it.

19 COUNCILMAN NUTTER: That's
20 fine. No.

21 Do you have someone else lined up?

22 MS. FAYE MOORE: No. The
23 official notification went to two companies,
24 one PKF, the second to the surety as the
25 insurance company. We have to give the

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2 insurance company some amount of time to
3 assess what it's going to do.

4 COUNCILMAN NUTTER: I
5 understand. No problem.

6 Let's go back to the -- what is this
7 called? The Affirmative Action Progress
8 Report. You've got a variety of companies
9 listed, you've got hours, you've got trades.
10 For a different agency that comes to us or
11 actually has a regular reporting requirement
12 with us here in City Council, what I would
13 like to ask -- the pages are not numbered, but
14 you have construction area zip codes from
15 which you've now extrapolated that there were
16 40,000 hours and 10.54 percent of the work was
17 done by individuals from these areas.

18 When I came in, there was a
19 discussion going on. Councilwoman Reynolds
20 Brown was talking about 30 people who had gone
21 through a program and I think four had
22 graduated. All of these numbers get thrown
23 around.

24 What I would ask -- and this kind of
25 a co-chaired Committee, but Councilwoman

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2 Blackwell started this off. If you can get to
3 the sponsor of the Resolution and Chair of
4 Finance, we'd like to get down to the name
5 level in this conversation. I'd actually like
6 to know who we're talking about from the
7 different zip codes.

8 MS. LILY CLATE: We have that
9 information, sir.

10 COUNCILMAN NUTTER: I know you
11 do.

12 So whether it's worked on the site,
13 went through a program, graduated, didn't
14 graduate, all of this data, while this is very
15 important and quite interesting from a
16 statistical analysis, there are real people
17 that are affected by this and we would like to
18 know who they are.

19 MS. LILY CLATE: That's not a
20 problem.

21 MS. FAYE MOORE: I guess I'd
22 give one caution, and it's only that we have
23 avoided giving complete names because of some
24 degree of privacy. So what I think I'd like
25 to do is just get back to all the individuals

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2 and let them know their names are going to be
3 released just so they will know. Because,
4 again, these are public documents that will be
5 circulated all over the universe, and I'd like
6 for them to know that their names will
7 potentially be all over the universe.

8 COUNCILMAN NUTTER: Well, I
9 understand that, and I appreciate that.

10 MS. FAYE MOORE: If that's okay
11 with you.

12 COUNCILMAN NUTTER: That's why
13 I prefaced the comment by saying that we get
14 similar reports from, for instance, OHCD for a
15 variety of City-related projects. These are
16 all public projects, they're all public
17 documents. You work on a public project,
18 you're pretty much rest assured that somebody
19 knows about it.

20 So I think in an effort to make this
21 process as transparent as possible, it would
22 be helpful to know as we go through this that
23 it's not just numbers on a sheet of paper. We
24 believe the numbers, but it's helpful when you
25 have the background information to go with it.

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2 That's when you really get down to the
3 nitty-gritty of this.

4 MS. FAYE MOORE: We'll figure
5 out a process, but we know what you want.

6 COUNCILMAN NUTTER: Here comes
7 your good counsel getting ready to tell you
8 something, trying to get you out of trouble.

9 COUNCILWOMAN BLACKWELL: To add
10 on, we've been advised to compliment my
11 colleague's, the Co-Chair's, statement. We
12 understand that somewhere in the neighborhood
13 of 238 names were submitted. Something like
14 36 or 38 passed your training and either five
15 or nine people ended up working on the
16 project.

17 Now, that's the unofficial
18 information we just received. So we certainly
19 would appreciate -- and that's considering the
20 DAP program. So we would really like to
21 receive the detailed information that the
22 Co-Chair requested.

23 COUNCILMAN NUTTER: Do you have
24 a response?

25 MS. LILY CLATE: Well, some of

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2 the information that you're referring to is
3 contained in the report here on Page 5 of 6.

4 COUNCILMAN NUTTER: Is that the
5 December report?

6 MS. FRANCES JONES: Yes.

7 COUNCILMAN NUTTER: 5 of 6?

8 Okay.

9 MS. LILY CLATE: Yes. The last
10 bullet covers some of that information.

11 MS. FAYE MOORE: But it does
12 not address the pieces that you're referring
13 to, the number of people that started off and
14 how did we get down to the number that we came
15 with.

16 COUNCILMAN NUTTER: Let me ask
17 this question, and I'm sure it's somewhere
18 within one of these reports: How many people
19 are either working or have worked on this job?

20 MS. LILY CLATE: As of last
21 November, we had a total of approximately 800
22 people that had been employed.

23 COUNCILMAN NUTTER: November
24 2004?

25 MS. LILY CLATE: 2003.

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2 COUNCILMAN NUTTER: I'm sorry?

3 MS. LILY CLATE: 2003. We're
4 in the process of reconfiguring our database
5 to capture all of the most current
6 information. We will have that information by
7 the beginning of the year.

8 COUNCILMAN NUTTER: Well, what
9 is your latest data for 2004?

10 MS. LILY CLATE: We have only
11 our work hours through 2004, through September
12 of 2004, at this time.

13 COUNCILMAN NUTTER: But you
14 don't know how many people worked since last
15 November?

16 MS. FAYE MOORE: Not readily.
17 We changed vendors and we have to go back and
18 reconstruct some of the information. So we
19 have hours. Now we have to populate the
20 information we have, hours, with a real
21 person, and we're doing that as of November
22 2004.

23 COUNCILWOMAN BLACKWELL: And
24 the maximum hours indicated, something like
25 14,000 hours, come up to about six months

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2 maximum that anybody worked.

3 So at any rate, we have many aspects
4 of this project we'd like to mention and we'd
5 like to go on to the issue of parking and
6 what's happening. We have some posters on
7 either side that indicate some of the problems
8 with parking. We'd like to talk about the
9 lots. And we'd like to say that back when we
10 had hearings over a year ago, we talked about
11 using 48th Street from Market to Haverford for
12 parking. We talked about various lots,
13 because we have to allow parking for
14 neighborhood businesses, for vendors, as well
15 as for people, customers, as well as for
16 people who ride the Market Street Elevated
17 project.

18 We are very disappointed at what's
19 happening with regard to lots. We're very
20 disappointed with what's happening with regard
21 to people being ticketed. We already have
22 businesses who can't survive, who are closing
23 down. They're being ticketed. People are
24 being ticketed. And, of course, given what I
25 heard Judge Kelly say on the radio today, the

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2 worst is yet to come.

3 But in any rate, we're very
4 concerned about people who are already in
5 serious financial trouble receiving tickets,
6 as well as their patrons, possible patrons
7 being ticketed.

8 So we'd like to talk about parking
9 as you see it in terms vendors, the
10 businesses, customers and people who ride the
11 El tracks.

12 MS. FRANCES JONES: Frances
13 Jones, Government Affairs at SEPTA.

14 At this point, there are two lots,
15 one at 54th and Market Street and the other at
16 52nd and Arch, are in the process of being --
17 going under contract, and work will start
18 imminently in constructing them to make them
19 available for parking.

20 In addition, working very closely
21 with your office and Councilman Nutter's
22 office, there are approximately 16 parcels
23 that are over in Public Property that we're
24 working along with Public Property. We've
25 reviewed the lease. Your office has reviewed

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2 the lease, and it's now in Public Property.
3 And we're in the process of working with them
4 to establish parking, putting together a large
5 parcel with those 16 smaller parcels so that
6 there will be parking available for patrons or
7 for business people.

8 In addition, we're working closely
9 with and coordinating with the Philadelphia
10 Parking Authority to try to mitigate some of
11 the problems that the businesses and their
12 patrons were having around parking in the
13 project area.

14 And so we are coordinating with the
15 different agencies that are responsible or
16 have some part in the parking issue in West
17 Philadelphia around the project.

18 COUNCILWOMAN BLACKWELL: And
19 let me note that we talked about this when we
20 had hearings back in May and July of '03.
21 It's not a new issue. We are very frustrated,
22 as they have to be the victims of this, about
23 it taking so long and about people being
24 ticketed. They already don't have a place to
25 park.

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2 Let me note that when this project
3 started, every aspect of this project has been
4 difficult. As you know, when we did the
5 initial walks, the sidewalks had big holes in
6 them, and we said that you've got to put metal
7 plates or something, and we had to work
8 through having sidewalks open and streets
9 closed. We had to work through advertising on
10 the El and putting signs on the fence so that
11 they would know businesses are open, like
12 Foreman Mills, for example, around the holiday
13 season back then and the 4th of July back
14 then.

15 So we feel that we should not have
16 to fight every day every aspect of the
17 project. It's very, very disappointing. And
18 I don't mind. I don't mind. It's my job and
19 my responsibility to work with businesses,
20 neighborhoods and residents, as well as
21 potential shoppers, but it is frustrating when
22 we have to go through these problems over and
23 over, the same problems year in and year out.
24 That is my frustration with this.

25 And now I understand that there's

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2 been -- and we know we've been trying to get
3 ready for this hearing -- that there's been
4 some talk about ticketing people who are in
5 the intersection since underneath the El track
6 people park. They can horizontally park,
7 except for the through streets, like Hirst
8 Street, Ludlow Street, except for through
9 streets so that people can get through.

10 Now, my concern is this: We don't
11 want people ticketed. Somebody has to be
12 there or there have to be signs made that say,
13 You can't park here or that there's a through
14 street. People don't necessarily notice it.
15 If they're told they can park under the El
16 platform, they just park. They may be in a
17 rush. Their mind is other places. They don't
18 have to know that they're not allowing other
19 traffic that may be going south like on Hirst
20 Street and they can't get through. They don't
21 know that.

22 But we do not support any system
23 that further exacerbates our problems by
24 asking the Parking Authority or the Police
25 Department to ticket or further penalize

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2 anybody associated with the project or people
3 who may shop there.

4 MS. FRANCES JONES:
5 Councilwoman, as a part of our outreach around
6 the project, we participated with the Parking
7 Authority, the local police districts, your
8 office and all the representatives from the
9 different elected officials' office and the
10 Managing Director's office to try to deal with
11 the parking issue to make sure that we were
12 all on the same page, particularly as it
13 related to the lack of on-street parking on
14 the street and the ability to parallel park
15 under the El.

16 And so it was a cooperative effort
17 with SEPTA, Parking Authority and the local
18 police.

19 We regret that apparently there have
20 been some people who have been ticketed, but,
21 again, we worked with the Parking Authority in
22 a cooperative effort, along with the police in
23 specific areas where the work was occurring.
24 And so it's unfortunate that people were
25 ticketed, but, again, there was a cooperative

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2 effort and a collaboration with the police and
3 the Parking Authority.

4 In addition, our consultants who are
5 out on the site on a day-to-day basis, when
6 there were questions or concerns about where
7 to park and how to park, our consultants were
8 there also to assist the business people, as
9 well as the patrons with any problems they had
10 around parking.

11 COUNCILWOMAN BLACKWELL: See, I
12 could accept that if -- and Captain Thrush is
13 here, he can correct me if I'm wrong. I could
14 accept that if -- and with all the people
15 there, you said a coordination plan. Nobody
16 checked with me. Nobody told me that there
17 was some coordinated plan, because the last
18 time we met about three weeks ago maybe, maybe
19 a month ago, nine out of ten of the businesses
20 were saying they're having big problems with
21 tickets that they can't pay.

22 Now, given the nature of this
23 project, this is why we are asking you for a
24 plan, a detailed plan -- I thought we would
25 have it today -- of what happens and when,

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2 meaning which blocks will be open when, which
3 blocks will be closed when. And maybe I
4 didn't notice that in your folder, but we need
5 detailed plans. Because you may ask
6 Mr. Tucker, for example, to monitor the 5600
7 block of Market, but then next week it
8 changes. And that's one of the reasons why
9 the businesses are closing, because as various
10 phases of the project open, it closes, you go
11 to the next block and then when you get back
12 to that block again, as soon as people get
13 used to going back to those stores, they close
14 it again.

15 And for whatever reason, the
16 project -- I don't know whether it's the
17 nature of the project or the nature of the
18 planning. That, I don't know. I haven't been
19 able to get on that end of it, only on the
20 problem end of it. So that people keep
21 getting ticketed, and it's not their fault if
22 they don't know the rules change all the time.

23 Given the fact if you try to talk to
24 Police Department, you talk to the Parking
25 Authority and you have your guy out there,

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2 then why do people continue to complain all
3 the time and why can't you say, sir, or have
4 somebody out there, if you got all these
5 people who are able to be out there and say,
6 You can't park there today, Ms. Jones, this is
7 going to be closed up for a week. It will be
8 closed up for ten days, but you can park there
9 next week, or something like that, other than
10 people not knowing.

11 Where there's no law, there's no
12 transgression. People are being penalized
13 when they don't know that things keep
14 changing.

15 MS. FRANCES JONES:
16 Councilwoman, I'd like just like to refer to
17 the phone cork board that's right in front of
18 you, which is a prime example of what we're
19 calling a parking alert, which is what we put
20 up and what we distribute in advance of any
21 changes going on.

22 So prior to any change occurring or
23 prior to a street close or anything like that,
24 we do provide information. We provide flyers.
25 We provide as much information as possible as

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2 we move to another phase in the project.

3 COUNCILWOMAN BLACKWELL: Well,
4 something is wrong because nine out of ten
5 people wouldn't complain that they're ticketed
6 if -- nobody wants to get a ticket. Who can
7 afford it? We can all lose our jobs, lose our
8 homes from paying these expenses.

9 I'm happy to pass these around.
10 I'll ask the Sergeant-of-Arms to make these
11 posters available so that everyone can see
12 them.

13 We understand they're legitimate
14 concerns, but if people know that the roles
15 keep changing, they can adjust, but you can't
16 expect people to adjust when they don't know
17 what's happening. And they don't know what's
18 happening.

19 Nobody wants to get a ticket.
20 Nobody. Nobody can afford them. Now if you
21 get a moving violation, they can lock you up,
22 go to your house, take your car, go to your
23 job. They can do all this stuff. So it's
24 gotten even worse. So we really, really don't
25 want people to feel that they're victimized by

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2 it.

3 As you know, we've had businesses
4 who the first year were complaining they were
5 losing 20 and 30 percent. Eight months later,
6 they were saying we're up to 40 and 50
7 percent. I've had businesses who come to me
8 saying, Councilwoman, I'm closing down. They
9 had to let their employees go. And then
10 they're saying, I can't stay open. If I'm a
11 restaurant, I can't afford to buy the food.
12 People won't come.

13 It's very, very frustrating to hear
14 businesses come to you with the pain in their
15 eyes and their inability to survive because of
16 problems like this that can be corrected, that
17 can be dealt with.

18 There's some problems that are
19 bigger than we are, since we're so far into
20 the project. I would dare to tell you, if I
21 had to do it again, I wouldn't support doing
22 this project in my district. Having said
23 that, we're this far into the project and
24 certainly we feel that issues like this can be
25 addressed.

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2 People shouldn't feel that they're
3 victims of being ticketed when they don't know
4 what the rules are.

5 MS. FRANCES JONES:
6 Councilwoman, your points are well taken and
7 we'll review our notification process, as well
8 as try to work more closely with the
9 businesses in the project area.

10 COUNCILWOMAN BLACKWELL: Thank
11 you very much.

12 MS. FAYE MOORE: And you will
13 indeed be included in the coordination
14 efforts.

15 COUNCILWOMAN BLACKWELL: Thank
16 you very much.

17 MS. FAYE MOORE: You're
18 welcome.

19 COUNCILWOMAN BLACKWELL:
20 Another issue that we'd like to mention is the
21 complaint about property damage due to utility
22 interruptions. One person complained last
23 summer when electric went out five to nine
24 times, causing complaints.

25 I mean, we could just go to Risk

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2 Management. But these are issues where beauty
3 shops and some of the beauty shops complained
4 about problems with utility, and you know
5 about utilities in hair shops and beauty
6 shops, you've got to have that stuff
7 functioning.

8 MS. FRANCES JONES: When we
9 were given notification in advance, we
10 notified the businesses in turn that the
11 electricity or the water or whatever was going
12 to be turned off. There were some instances
13 where we did not get notification or did not
14 find out until some time maybe less than 24
15 hours.

16 In some instances, there was one
17 particular occasion where there was some
18 disruption based upon something that occurred
19 right on the dime, right there. So there
20 wasn't time enough for notification. But
21 where we did know in advance, we tried to
22 notify the businesses to let them know that
23 there wasn't going to be water or there wasn't
24 going to be electric in advance.

25 COUNCILWOMAN BLACKWELL: Well,

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2 my question is, what am I supposed to say to
3 these people when they call and say, I have a
4 hair shop and I don't have lights? What are
5 we supposed to tell people when they're not
6 notified?

7 I don't understand. We can't do our
8 job because of all of these instances. This
9 is just one example of the many problems we
10 face. So we say that to all of you here. You
11 understand. What do you say to somebody who
12 calls and says, Councilwoman Blackwell, you
13 say you care about us, you say you represent
14 us, how come nobody tells me -- I have people
15 here and I don't have any lights, I don't have
16 any heat, I don't have any whatever the
17 situation is, I can't walk through pavement,
18 my people can't even get through the street.
19 Nobody tells me.

20 What are we supposed to tell people?
21 And how could a project of this magnitude with
22 multi-million dollars, how could a project of
23 this magnitude -- my goodness, for all we're
24 spending, you could put up some sidewalks in
25 all this time from the length of the project

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2 and redo them again at the end.

3 I don't understand why we don't hire
4 people to make it right, to give the public
5 respect. If you're spending -- what's the
6 total project, 527 million or something?

7 MS. FRANCES JONES: 567
8 million.

9 COUNCILWOMAN BLACKWELL: All
10 right, \$567 million. You tell me what's a
11 million or two more going to do to make life
12 more bearable for people who are victimized by
13 this project.

14 MS. FRANCES JONES:
15 Councilwoman, we share your concern and the
16 concern of those that are impacted in the
17 residential and the business community in West
18 Philadelphia, but by the very nature of the
19 magnitude of the project, in some instances,
20 our hands in tied and there's very little we
21 can do because it is a construction project
22 and all of the variables that are involved in
23 a project of this magnitude.

24 COUNCILWOMAN BLACKWELL: That
25 is so unacceptable. We also --

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2 MS. FAYE MOORE: I was going to
3 say, that was not the answer that I was
4 prepared to give. To the degree that we know
5 about events, we notify our Customer
6 Information Center that's out there. To the
7 degree that there are problems, we would
8 encourage them to get in touch with the CIC.
9 If it's something that we're doing, we should
10 know about it. We should indeed be giving
11 timely notice to individuals.

12 There are, unfortunately, some
13 instances where PECO is out there and PGW is
14 out there and other things are out there and
15 we don't know on a timely basis. Now, in
16 those instances, and I think those are some of
17 the ones to which Ms. Jones might be
18 referring, in those instances we don't always
19 have timely notice.

20 But I would also encourage anybody,
21 anybody that calls you, tell them to please
22 log in information with the Information Center
23 that's out there. We have Mr. Tucker and some
24 individuals, and they deal with those issues
25 immediately. So we can also help with that.

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2 Maybe the notification wasn't as timely as it
3 should have been beforehand, but we can
4 definitely respond to the issue very quickly.

5 COUNCILWOMAN BLACKWELL: When
6 did this project start?

7 MS. FRANCES JONES:
8 Approximately 1999.

9 COUNCILWOMAN BLACKWELL: So
10 we're talking 1999. That's when we announced
11 West Philadelphia to move. We formed a
12 non-profit corporation.

13 I respect everybody who works on the
14 project. I think that you do an excellent job
15 insofar as your power is concerned, but if --
16 from 1999 -- this is the end of 2004. If we
17 don't have a system in place now, when will we
18 have something that respects people, and how
19 can you expect these people not to be
20 frustrated?

21 We asked, for example, for Commerce
22 Department and you to work together on a
23 no-interest loan and grant program. We don't
24 have that. Even the programs for which these
25 folks applied, they tell them the money runs

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2 out and now their collateral, and now what
3 they have is so limited, but we don't see
4 special programs. We've asked for special
5 programs to be created for them, given what
6 has happened.

7 We don't see a big concern for these
8 businesses, to help them survive. Obviously,
9 they don't have anything left. How can they
10 have savings? How can they have anything left
11 at this point in the game, and how come we
12 don't have a grant program? Why don't we have
13 a low or no-interest loan program? And even
14 if we talked about it for the end of the
15 project, my God, we've been going on since
16 1999. This seems to me something now that
17 should be in place.

18 It's just unconscionable. We have a
19 moral responsibility to people, as well as an
20 elected responsibility. You have to do right
21 by people who elect us and who expect
22 leadership to stand up for them. And we're
23 not doing that.

24 Again, I believe in positive action
25 and I believe in a positive agenda, and that's

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2 why I haven't been looking forward to this
3 hearing. I don't like a negative agenda, but
4 I don't know what else to do when people keep
5 coming to me saying, We elected you, what are
6 you doing to help us? Then I have to do
7 what's at my disposal, which is to call
8 another hearing, that's why we had the last
9 two, and to try to see what we can do to
10 certainly get them some help. And it appears
11 that we are where we were, and, that is, that
12 we don't have these issues worked out.

13 We talked about in our other
14 hearings, we talked about the parking issues,
15 we talked about the lots, we talked about
16 lighting. At least we have some more lights.
17 We talked about all of the things that we
18 mentioning today. There's nothing new.

19 A scripture says there's nothing new
20 under the sun. Well, apparently that really,
21 really serves us well for this project. And
22 we've been asking, again, for a program that
23 we share. And \$567 million, we can't do
24 anything but watch people close down? That's
25 just not fair. It's not moral, and it

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2 certainly is not -- it's just not right.

3 We might as well go into one of the
4 other issues. We also understand that --
5 maybe we'll stay under old business first
6 before we go to new business.

7 Talk to us a little bit about the
8 escalators and what's happening there and the
9 bus route and how that's working.

10 MS. FAYE MOORE: The escalators
11 that you're talking about, the 46th and 60th
12 Street, those escalators? They have indeed
13 exceeded their useful life and we cannot
14 repair them. So in an effort to try to help
15 the area, we created what we call the 31S,
16 which is a shuttle bus. So it prevents people
17 from having to climb the two or three flights
18 of stairs.

19 I will tell you that from a
20 ridership perspective, it is not being overly
21 used. It is a very light ridership.

22 COUNCILWOMAN BLACKWELL: Well,
23 I suppose it has to be, because people just
24 don't know what to do.

25 I'd now like to call on some other

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2 folks who are here, unless you would like to
3 say something else, Ms. Moore or Ms. Jones.
4 I'll ask you to stand by.

5 MS. FAYE MOORE: Thank you for
6 your time.

7 COUNCILWOMAN BLACKWELL: Thank
8 you very much.

9 Captain Thrush, would you like to
10 say something, please?

11 This is our wonderful captain in the
12 16th District. That's an area where we have a
13 lot of activity. We have a lot of problems in
14 our community. It's a wonderful community,
15 but he's fielding all of the activities there,
16 as well as this Market Street El Project, and
17 we thank him for taking his time, and we saw
18 the other representatives from the 18th,
19 Lieutenant Carbanero and --

20 CAPTAIN THRUSH: I'm also
21 covering for the 19th. Actually, I'm talking
22 today for the whole Southwest Division.

23 COUNCILWOMAN BLACKWELL:
24 Absolutely.

25 CAPTAIN THRUSH: For the

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2 record, I'm Captain Sean Thrush of the 16th
3 District.

4 I would just like to share what you
5 just said with the frustration. I deal with
6 the community every day, like you do. And I'd
7 also like to say that they're doing a good
8 job. I do sit in on the meetings. It is a
9 very large project, and I think the key -- I
10 talk to Maury every day also -- is the
11 feedback from the community, because in order
12 to educate them or let them know what's going
13 on, that's the key.

14 They call me with the same
15 frustration that they're calling you, why did
16 I get these tickets? What did we do wrong?
17 And the bottom line is, where else can I park?

18 I just see you have the Parking
19 Alert No. 1. I got about 50 of them delivered
20 to my office last week. I've been
21 distributing them. That's a very positive
22 sign, because now we have a response for them.
23 I'm hopeful, as they just said, that the
24 temporary parking lots, that they will
25 become -- the sooner they're available, the

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2 better, because the people, as you said,
3 they're very frustrated. They don't want to
4 get the tickets. My officers don't want to
5 issue the tickets.

6 We're primarily at this point just
7 looking at public safety. We can't block the
8 streets. We can't block the intersections.
9 You can't block the sidewalks. It's common
10 sense, but people are frustrated, and I
11 understand that.

12 The police officers that are working
13 on that specific area have been educated. We
14 run tags now to find out -- if they're the
15 people that live in the area, we'll go knock
16 on the door. Often times if they recognize
17 the car, we'll put a 48 or a note on the
18 window, You shouldn't park here, it's
19 dangerous, it's not safe, but don't issue the
20 summons.

21 Some people just don't care.
22 They're that frustrated. They park the car
23 and say, Well, write the ticket. What else
24 can I do? And I'm sure you get those same
25 phone calls.

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2 COUNCILWOMAN BLACKWELL:

3 Absolutely. They tell me they can't put it in
4 their pocket, that's for sure.

5 CAPTAIN THRUSH: Overall I
6 think we're moving in the right direction. As
7 I said, that Parking Alert No. 1. And just to
8 summarize, if we can educate them, our
9 engineer first puts signs up, paints the
10 lines, put the notices up where the temporary
11 parking is, then educate the people, let them
12 know there's an alternative, we won't have as
13 much problem with the enforcement, because
14 they will, as I said, have an option. If they
15 know what the options are, it makes it a lot
16 easier for the Police Department.

17 COUNCILWOMAN BLACKWELL: Thank
18 you, Captain. And we agree, until we have
19 these parking areas straight, what do you
20 expect people to do? Not only that, the
21 Streets Department, we'll call on them next,
22 has agreed to do a study, because we had
23 hearings this morning on Walnut Street and the
24 problems with them going from three lanes to
25 two and a half.

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2 But this project is adjacent to the
3 El. They changed the traffic lights from 40th
4 to 63rd and now we're experiencing those
5 problems and these as well.

6 But as we said earlier, if people
7 knew what the issues were, knew how long --
8 because as soon as maybe somebody gets used to
9 that, then they change all the rules again.
10 And people certainly have a right to expect
11 that they know when they're violating the law
12 so that they can make a choice not to do that.

13 CAPTAIN THRUSH: Exactly.

14 COUNCILWOMAN BLACKWELL: We
15 thank you and your officers for trying to be
16 understanding, because it's just very
17 frustrating for people who don't know what to
18 do, don't know where to go and just can't seem
19 to get any relief for this.

20 But, again, we ask SEPTA to have
21 somebody there for these through streets, have
22 somebody there, get whomever and have them
23 there to let people know in the mornings or
24 rush hour or whenever that they can't park
25 there, so that the police are doing their

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2 part, so that we don't have the people being
3 victims again of a system that they didn't
4 create and of all of us who are supposed to
5 try to help them.

6 Thank you, Captain.

7 CAPTAIN THRUSH: Thank you.

8 COUNCILWOMAN BLACKWELL: Thank
9 you for all you do.

10 Kasim Ali, Streets Department.

11 Charles Denny, Streets Department. We thank
12 you.

13 These gentlemen do a wonderful job
14 for us, and as always with people who do a
15 great job, we know we call you all the time,
16 more than we should, but we appreciate your
17 commitment to our City.

18 MR. KASIM ALI: Okay. I'm
19 Kasim Ali. I'm the District Traffic Engineer
20 with the City Streets Department.

21 MR. CHARLES DENNY: Charles
22 Denny, the Assistant Chief Traffic Engineer.

23 COUNCILWOMAN BLACKWELL: I
24 guess we call you on so many aspects of this
25 project. We asked you to look at the Walnut

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2 Street traffic and how this affects that,
3 because we do have that legislation in Streets
4 Department dealing with the lanes of Walnut
5 Street.

6 Do you get a lot of involvement on
7 this project, and, if so, what kinds of issues
8 do they ask you to work with?

9 MR. KASIM ALI: Well, we have a
10 Committee formed. We periodically used to
11 meet at Parking Authority. SEPTA was indeed
12 part of it, Parking Authority, us and
13 basically all the relevant agencies and main
14 contractors. And the thrust of the whole
15 Committee -- including our enforcement people,
16 all the police districts.

17 The thrust of the Committee was
18 basically to find alternate parking so these
19 guys are not tempted, the local residents and
20 business owners, to park illegally or under
21 structure, which is a lot of times unsafe
22 also, because now that they are in second
23 phase where a lot of demolition is going to
24 take place, it will be more dangerous to park
25 in the vicinity.

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2 So I think we need to move that
3 forward in one way or the other. We all need
4 to work together. And once we identify the
5 lots we're going to use, which hopefully are
6 in the vicinity, then this problem is going to
7 go away.

8 COUNCILWOMAN BLACKWELL: Thank
9 you very much. I remember one of our early
10 meetings, maybe two years ago, I don't
11 remember, time goes so long, that we talked
12 about even 48th Street between Market and
13 Haverford. We looked at 46th Street, but that
14 looked overcrowded, and I suppose that nothing
15 happened with that request. I suppose that
16 SEPTA didn't push the issue, because we asked
17 them to look at that as an alternative at one
18 of our hearings a couple years ago.

19 So at any rate, we thank you for
20 your availability to be here at this hearing
21 in case we have other questions, and, again,
22 we thank you for a commitment to the citizens
23 of our City.

24 MR. CHARLES DENNY: I do have
25 one suggestion.

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2 COUNCILWOMAN BLACKWELL: Yes.

3 MR. CHARLES DENNY: That would
4 be marking X's in the street in areas where
5 the through streets are so people can identify
6 that that's a through street, an area they
7 couldn't park. So it's just simple paving
8 markings and marking an X.

9 COUNCILWOMAN BLACKWELL: Say
10 that again, Mr. Denny.

11 MR. CHARLES DENNY: Marking an
12 X in the street where the through streets are
13 so people can see the X, they can see that's
14 an area they shouldn't be parking in.

15 We use X's along the side to
16 indicate bus zones. We can use X's to
17 indicate areas where they shouldn't park along
18 the curb line. So we can use an X in the
19 middle underneath the structure in areas where
20 there's a through street to indicate people
21 shouldn't be parking there.

22 COUNCILWOMAN BLACKWELL: That's
23 an excellent suggestion.

24 Ms. Moore, could you have someone
25 work with Mr. Denny and Mr. Ali in that

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2 regard? That will help.

3 MS. FAYE MOORE: Of course.

4 COUNCILWOMAN BLACKWELL: See, I
5 tell you, when we communicate, something so
6 major can be worked out with not a lot to do.

7 Thank you very much. Thank you
8 both.

9 MR. CHARLES DENNY: You're
10 welcome.

11 COUNCILWOMAN BLACKWELL: Is
12 there anyone here from Commerce Department?
13 Thank you. Oh, yes. Thank you. Please come
14 forward. Thank you for your patience.

15 Thank you very much and thank you
16 for being in attendance at the meeting the
17 other day.

18 MR. BILL FOX: You're welcome.
19 Bill Fox from the Commerce Department,
20 Councilwoman.

21 COUNCILWOMAN BLACKWELL: Thank
22 you very much.

23 I know we didn't meet with you early
24 on, but we hoped that the Commerce Department
25 would -- we know at the end of the project we

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2 needed a low or no-interest loan, but we would
3 hope that Commerce would work with us now on
4 trying to help businesses where they are at
5 this point.

6 I knew that at somewhere along the
7 line it would be my job to try to fight for
8 funding, but I haven't even been given any
9 suggestions. Not from you, because you
10 weren't involved in the meetings, and we
11 appreciate your involvement now. Because I've
12 been talking over the years about what we need
13 to do to try to help businesses survive.

14 So I look forward to working with
15 you. Maybe you'll be our point person?

16 MR. BILL FOX: Yes. Our
17 Commerce Director, Stephanie Naidoff, has
18 asked me to be more involved, and we want to
19 be involved and hopefully we can come up with
20 some solutions to a few of these problems.

21 COUNCILWOMAN BLACKWELL: Thank
22 you. We'll stay in touch with you, because we
23 haven't been successful thus far, so we look
24 forward to having the opportunity to work with
25 you so that when we have our next hearing,

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2 we'll have something positive to report, and
3 thank you very much.

4 MR. BILL FOX: It's a pleasure
5 working with you and your staff, Councilwoman.

6 COUNCILWOMAN BLACKWELL: Thank
7 you.

8 Mr. Lance Haver. Thank you.

9 Thank you very much. We appreciate
10 your being here today.

11 MR. LANCE HAVER: Good
12 afternoon, Councilmen. My name, for the
13 record, is Lance Haver. I'm with the Mayor's
14 Office of Consumer Affairs. And I do
15 apologize. I will also be negative.

16 I think that part of the problem
17 here is the makeup of the SEPTA Board. The
18 SEPTA Board is heavily controlled by the
19 suburban interests. I would be curious to
20 know if any of the suburban projects like the
21 rebuilding of the Melrose Park Station have
22 had anywhere near the same type of problems,
23 whether the neighborhoods have had anywhere
24 near the same type of complaints as been
25 what's going on here.

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2 Second, the SEPTA Board has chosen
3 to hold all of its meetings at 3 o'clock on
4 Thursday afternoons. Recognizing this is
5 probably the major construction project in the
6 history of SEPTA, one would have hoped that
7 they would have at least had one or two
8 meetings at a Board level out in the community
9 so people could be heard. They've chosen not
10 to do that.

11 Three, when it came time to build
12 the Blue Route, the suburban interests were
13 very concerned about noise, yet when it comes
14 time to rebuild the El and think for the
15 future of the stores underneath the El, we
16 don't even talk about sound barriers. These,
17 I think, are indicative of the SEPTA's Board's
18 thought of the people in that neighborhood and
19 what we deserve versus what the people who
20 live out by the Blue Route deserve, and I
21 think that's a very real difference, and I
22 think it's unfortunate and I think it's
23 indicative of the type of problem that we
24 face.

25 COUNCILWOMAN BLACKWELL: Thank

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2 you very much.

3 We certainly totally agree. We have
4 tried to talk with Board members, with people
5 who know Board members. We met with our
6 Congressman. We've met with our state people.
7 We've met with everyone, trying to even get
8 some money, and as Booker T. Washington said,
9 "Lower your buckets where you are."

10 So last year we came up with a small
11 little stipend for businesses, and we're
12 trying to do it again this time, although
13 we're still caught up in the Mayor's cut-back
14 phase.

15 But we totally agree. The meetings
16 that we've gone to in the neighborhood were so
17 charged because people felt so disrespected.
18 I mean, for example, I've been to meetings
19 where they talked about all the hiring, and
20 then you have the whole 50 people in the front
21 of the room lined up, the whole audience lined
22 up, and say, What do you mean you're hiring,
23 and, Here I am, and, We were told to come
24 back, We were told to go to this meeting, We
25 were told to go to that meeting and, Here we

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2 are, nothing happening and nobody contacted
3 me.

4 I mean, from the beginning, it's
5 been absolutely horrendous. I don't go to
6 meetings where there's no agenda and where
7 people don't have a plan about where they want
8 to go. So, therefore, I prefer to try to do
9 it in a forum where we can have some dialogue
10 and not make empty promises or tell people
11 we're going to do things for which we do not
12 plan.

13 We appreciate and appreciate your
14 help and your continuing to work with us on
15 this issue, because we really, really do need
16 your input.

17 MR. LANCE HAVER: Thank you.

18 There would be one other thing. I
19 was wondering whether we would care to send a
20 bill to SEPTA for all the additional work the
21 Streets Department and the Police Department
22 have had to do as a way of creating a fund to
23 compensate some of the businesses that have
24 been damaged.

25 COUNCILWOMAN BLACKWELL: Oh,

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2 listen, we need to do something. For \$567
3 million, there must be some money some place.
4 I have no idea what has happened and how come
5 we haven't allowed for some business relief
6 out of that huge budget, why there hasn't been
7 some relief for these businesses that are
8 directly affected.

9 Thank you.

10 MR. LANCE HAVER: Thank you,
11 Councilwoman.

12 COUNCILWOMAN BLACKWELL: Thank
13 you. We'd love to work with you in that
14 regard. Thank you very much.

15 Next we have Mr. Jerry Jordan, Hank
16 Willis and Bill O'Connor. Come forward. We
17 are very, very happy to have you.

18 These are business owners who are
19 located and who are affected by this project.

20 We thank you for your patience. I
21 tell you, I'm embarrassed every time I see
22 you, because I know when people have been
23 wronged, and I do believe in God and believe
24 in trying to do the right thing by my job.
25 Certainly feel free to pull up a chair. We do

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2 respect you and we do apologize for all that
3 you've been going through.

4 Please identify yourself and begin
5 your testimony.

6 MS. JACKIE WILLIS: I'm Jackie
7 Willis. I'm here representing two things.
8 I'm representing our business, Will Press
9 Products, Hank and Jackie Willis, at 6011
10 Market Street, and I also am an officer of our
11 business association, 60th Street West Market
12 Street Business Association. So I'll bring up
13 concerns of both.

14 COUNCILWOMAN BLACKWELL: Thank
15 you.

16 MS. JACKIE WILLIS: I also have
17 pictures here, but only if someone wants to
18 look at them --

19 COUNCILWOMAN BLACKWELL: Thank
20 you.

21 MS. JACKIE WILLIS: -- of some
22 of the things that I'll be talking about.

23 I've already said what I'm
24 representing. There are concerns -- I want to
25 talk first about one of our concerns as a

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2 business. One of my major current concerns is
3 the construction of a huge pillar right in the
4 center of our door at 6011 Market Street.

5 COUNCILWOMAN BLACKWELL: A huge
6 what, Ms. Willis?

7 MS. JACKIE WILLIS: It's a
8 pillar, a post, cement post, right in the
9 center of our door.

10 Now, my husband and I have been
11 involved in meetings since the beginning of
12 this project, and one of those was that there
13 would not ever be a structure right in your
14 door. It would be between buildings or in
15 front of vacant buildings or in front of a
16 place with a space, but not right in front of
17 the door.

18 It encroaches on our property to the
19 amount of about seven feet and interferes with
20 future plans we might have had for that space.

21 In the early years of planning, we
22 were told by representatives of SEPTA that
23 such structures, as I just mentioned, would be
24 not placed between buildings to obscure the
25 front entrance of a business.

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2 SEPTA has not been in contact with
3 us regarding this obstruction to our business,
4 although we have informed them of our concern.
5 I have driven along Market Street, and very
6 seldom -- I didn't see anywhere where such a
7 structure as this, a huge cement structure,
8 was right in front of a door.

9 Other issues affecting all of our
10 businesses, and now I'm talking as an officer
11 of our business association, are the
12 following: Loss of revenue everyone knows
13 about, but no compensation, except what the
14 Councilwoman Jannie Blackwell has secured for
15 us, has come forth, and we have lost up to 75
16 percent of our business, many of us.

17 We have asked for a moratorium on
18 taxes. We are paying taxes just as before and
19 we have no income coming in. There are
20 discretionary funds that perhaps could be used
21 to relieve us of certain taxes that are
22 affecting us as businesses that are not doing
23 business because of this construction.

24 I feel there is less police presence
25 in our area now. It looks like a war zone,

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2 and I think we should see the presence of
3 police. We had foot patrols before. And with
4 those huge trucks and fences that are up, you
5 cannot see around certain corners and all, and
6 at night it looks very dangerous. So don't
7 forget us just because construction is going
8 on there. We still need policemen walking the
9 beats.

10 The Parking Authority met several
11 times regarding how they could help businesses
12 with their parking concerns. I went to one
13 meeting where they talked about giving tickets
14 to business people. They did it on Baltimore
15 Avenue, but nothing has happened. New laws
16 have come out regarding how we should park,
17 and as has already been mentioned here, people
18 have received tickets.

19 Other incidents, which we had to
20 refer to Baker & Associates, we did get a good
21 response. We're in contact with Michael
22 Tucker, and many cases he has responded, and
23 we appreciate that but, I think you should
24 still note about why we needed to call him.

25 There was a hose running. Now,

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2 there's a big hole in front of our store where
3 they're going to put the pillar and there was
4 a hose running from the construction site at
5 60th and Market draining into that hole. Now,
6 we know when it gets mushy and rainy and so
7 forth, that was going to be a problem, just
8 standing water, sitting in that hole. So we
9 had to call about that.

10 There was also at one point a
11 porter-potty sitting in front of businesses
12 when it should have been down on the corner
13 where the work was taking place, and the odor
14 of it was flowing in front of our businesses.

15 Now, these fences that are up can be
16 moved back and forth, but they put them in
17 such a way that it really is hard on people
18 living in the area to even get around these
19 fenced constructions. There was a fence at
20 Edgewood and Market so close to the phone
21 booth that no one could get around it with a
22 baby carriage or a shopping cart. So you
23 could not even come on the sidewalk leading up
24 to the businesses beyond that sidewalk.

25 COUNCILWOMAN BLACKWELL: Excuse

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2 me, Ms. Willis. I will pass these pictures
3 around so some of you can see what we're
4 talking about while she's speaking.

5 Thank you. Continue.

6 MS. JACKIE WILLIS: Right. You
7 actually could not get past the fence and the
8 post. And these are just things -- the fences
9 are made so they can be put in such a way that
10 traffic can take place.

11 Pedestrians or handicapped, you have
12 to be there to see how hard it was for them to
13 walk all around the way to get to one part of
14 the street, when with just some consideration
15 to the people there and locating them in such
16 a way that it would make transportation and
17 walking easy.

18 When work is at a standstill,
19 traffic is still blocked off. Now, they
20 mentioned that the contract at 63rd and Market
21 is no longer, that they're not even -- I mean,
22 that has ended, but look how long that has
23 been blocked off. We were blocked for about
24 four weeks from 60th to 63rd, and neither
25 traffic, walking or riding traffic, was going

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2 on at that point. And if it was, the people
3 who were walking, it was very hard and
4 difficult, especially for the elderly.

5 When they stop construction and no
6 work is going on, I cannot see why the fence
7 cannot be removed so that construction can
8 take place and some of these side streets can
9 be opened up.

10 About a couple of days before
11 Thanksgiving, I will say that they opened up
12 the street so traffic could flow on both sides
13 of the street, but we were hurting up to that
14 point. And, of course, as I mentioned before,
15 we need monetary help to offset our losses.
16 And that might be forthcoming, but a tax break
17 would also be helpful. But not only should we
18 consider the businesses, we should consider
19 the people that live in those areas, because
20 I've seen people struggle to just walk from
21 Edgewood to 60th Street.

22 Thank you.

23 COUNCILWOMAN BLACKWELL: Thank
24 you, Ms. Willis.

25 We note that for many of you,

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2 because the streets run the same as downtown,
3 they have had streets closed from Chestnut to
4 Arch and then you have little streets in
5 between, and a lot of seniors, you can't get
6 through the sidewalks, everything is a mess,
7 and then when it rains, it's muddy. It's been
8 a real, real -- it's been an absolute
9 horrendous problem.

10 And let me note that we've also
11 asked the Administration -- and I say this to
12 Commerce as well -- we have asked about the
13 taxes. We have asked that they be deferred or
14 forgiven or forgotten, something, some help,
15 but it appears that for some reason these
16 people, their plight has not been taken to
17 heart as it should be by those of us who have
18 the responsibility to try to help in this
19 matter.

20 And we would like to note that we
21 hope that somebody can come forward after they
22 make their remarks.

23 I wrote down five issues that
24 Ms. Willis spoke of. One are the pillars and
25 what happens with the holes that are being dug

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2 and the odors therein when it rains, et
3 cetera. Second was moratorium on taxes.
4 Third was their financial compensation during
5 this construction issue, and fourth was the
6 discrepancy regarding how funds are used and
7 fifth was fences.

8 It seems to me that that's easy.
9 The whole issue of fences being moved around,
10 they do them all the time, should not even be
11 a question.

12 So I stand corrected, if you would
13 like to correct those terse notes I made,
14 Ms. Willis.

15 MS. JACKIE WILLIS: That was
16 basically it.

17 COUNCILWOMAN BLACKWELL: Thank
18 you. Thank you.

19 MR. JERRY JORDAN: Good
20 afternoon, Ms. Blackwell.

21 COUNCILWOMAN BLACKWELL: Good
22 afternoon.

23 MR. JERRY JORDAN: My name is
24 Jerry Jordan and I own the restaurant at the
25 5211 Market Street, and I've been up there

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2 possibly four years. I remodeled the whole
3 restaurant. I put \$200,000 in the restaurant.

4 Before SEPTA started, I was doing a
5 good business. I have ten employees working
6 for me. After SEPTA started, I went from 100
7 percent down to 80. I had to lay off. And I
8 went from 80 down to 40, and from 40 to zero.

9 I still have to pay the bank each
10 week. That's \$500 a week. That's \$2,000 a
11 month. Whether I'm open or whether I'm
12 closed, they want their money.

13 The second thing is, I just heard
14 SEPTA speak about how to clean up 52nd Street
15 and keep everything -- I'm up there every day.
16 They have cars up underneath the El there.
17 They had a wreck, an accident, with a station
18 wagon car. They pushed it right up underneath
19 the bridge, right in front of my building up
20 underneath of there.

21 It hasn't been cleaned. It's dirty
22 from 53rd all the way down there to 50th and
23 Market. Mostly up there you have the hacks up
24 there that park their cars. You have a lot of
25 the people just walking around up there.

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2 Nothing has been cleaned. If some
3 of the SEPTA people that are here today go up
4 there right now, they'll see it's dirty from
5 one end to the other. They will see abandoned
6 cars under there. They will see cars --
7 there's been accidents pushed underneath of
8 there.

9 Something has to be done, and they
10 always say that they're going to try to do
11 something with us. Nobody has been around.
12 They bring you papers, Mr. Jordan, we're going
13 to do this or can we help do something. They
14 will say they're going to do it and don't do
15 it at all.

16 And I want to know, why is it that
17 you can't park on the street when you had
18 meters like before and still have to park
19 underneath the El? You at least have more
20 cars park on the street, because if you're
21 underneath that El, each post you only can put
22 two or three cars.

23 And then they say about the lots to
24 park. Now, in my restaurant, I have a lot of
25 older people, senior citizens, that come to

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2 eat. They're not going to walk two blocks at
3 a parking lot to come eat in my restaurant or
4 to shop. They'll keep riding and go somewhere
5 where they can park.

6 Now, SEPTA says, We're trying to do
7 something for the businesses. They're home.
8 They're home asleep while we're suffering.
9 And if we don't meet anything, we have
10 nothing, and there's nobody going to -- the
11 same thing with me. If I'm going to a
12 restaurant or going to a store and I see
13 there's nowhere to park, I'll keep riding.
14 I'm not going to have my wife get out of the
15 car and walk a block or a block and a half to
16 go eat or a block and a half to go and shop,
17 where there's so many other places.

18 And at nighttime, it is dark.
19 There's no lights but two lights up from 52nd
20 and Market down to 53rd. And I wish some of
21 the SEPTA people that's here today go out
22 there and take a ride up there. It's very
23 dark. You have two lights on one end to the
24 other, and it is dirty underneath of there
25 where those cars are, and you have abandoned

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2 cars. And I would appreciate it if they did
3 more action than do a lot of talking, because
4 we're the ones that are suffering.

5 I had to close my business down. I
6 had to lay off ten employees behind this, and
7 there's nothing else I could do until they
8 get -- now, they're going to come back next
9 year or so, because the beams that they put in
10 the middle there down in the ground, they have
11 to let that stay for a long while so it
12 settles. They're going to come back again and
13 close us down again. And then when they close
14 us down again, the people are not going to
15 come up there.

16 I asked people to come off the bus
17 and come down the steps from the El. I said,
18 Don't you like to shop up here?

19 The first thing they say, No. We
20 want to hurry up and get the bus home. They
21 say, There's nothing up there for us. And
22 it's a shame.

23 But I'd appreciate it if SEPTA put a
24 little more effort in doing things like they
25 say they're going to do. I appreciate this

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2 very much. Thank you.

3 COUNCILWOMAN BLACKWELL: Thank
4 you, Mr. Jordan. And we note -- and I know I
5 say this every time I talk about SEPTA, and,
6 that is, at 55th and Market, we were out there
7 when we had to prevail upon them to get porter
8 toilets, because the workmen were urinating on
9 people's steps and in their lines. I mean,
10 that is just the ultimate insult and
11 disrespect of a community.

12 And certainly, again, I don't
13 believe that it should be too difficult to
14 check on lighting. We ask that that be done
15 between SEPTA and --

16 Mr. Denny and Kasim, would you all
17 work with me on that and try to get some light
18 out there?

19 And, again, that's why this time we
20 asked when we passed this little stipend,
21 because it's not enough to even mention, that
22 we put 250,000 in it just to provide for a
23 cleanup so that we can have a neighborhood
24 group, keep the area clean so we don't have to
25 beg people to sweep every day.

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2 It's just so unbelievable that from
3 1999 till now we have to beg for every human
4 kind of service. We're not supposed to have
5 to do this.

6 Thank you.

7 MR. LOUIS YANCY: Good

8 evening --

9 COUNCILWOMAN BLACKWELL: Good
10 evening.

11 MR. LOUIS YANCY: --

12 Councilwoman. My name is Louis Yancy. I am a
13 landlord business man. I don't have a
14 business in the 5200 block, but I am the
15 landlord/owner of the property at 5248, 52nd
16 and Market, and I'm here because nobody --
17 well, I thought nobody was addressing the
18 landlords' issue in this whole manner where we
19 have to pay taxes and we have to abide by all
20 the rules and regulations of the City, but
21 we're not getting any compensation or we're
22 not getting any consideration.

23 Like Mr. Jordan has said, I've been
24 up there on 52nd and Market Street and it is
25 very dirty. There are lots of things. I'm

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2 not there every day like he is, but I do have
3 to go up there and check on my property even
4 though it has been vacant for months now,
5 because nobody wants to start a business up
6 and the one that had started up, he had to
7 fold up.

8 So most of my issues were addressed
9 by the other two, so I won't take up the
10 Council's time reiterating them, but we do
11 need some more consideration from SEPTA. And
12 once I asked about it when it first started,
13 they told me there was nothing I could do,
14 nothing for me as the landlord. It's like
15 "get out the office" almost, not literally
16 saying it, but almost just "get out the
17 office, you're not a business person." But I
18 am a business person. That is income for me,
19 and I have lost a lot of income based on the
20 fact that I can't get a tenant to rent my
21 property. And that's all I had to say.

22 Thank you.

23 COUNCILWOMAN BLACKWELL: Thank
24 you very much. We totally agree, and as you
25 know, we're trying to do a commercial corridor

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2 revitalization, and I don't know how we're
3 supposed to attract businesses to these areas.
4 And my greatest fear is that by the end of
5 '08, if we finish then, we won't have any
6 businesses open. So we'll have an El, a new
7 El, but we won't have any businesses there and
8 we will have blighted area underneath and we
9 will have no place for neighborhood people to
10 shop, who are used to dealing with their
11 neighborhood businesses, and seniors who can't
12 go in town to get their hair done or to go
13 shopping or to go to the supermarket or buy
14 the other items they need to have some decent
15 quality of life.

16 It's very, very frustrating to say
17 this over and over and over and over again,
18 and we're very unhappy to have to do that.

19 Do we have anyone else here who
20 would like to testify?

21 Thank you.

22 We note that we did talk with Bill
23 Wilson, who mentioned that he and Jim Baker
24 are going to be dealing with some new
25 initiative with regard to the SEPTA project,

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 and we look forward to any fresh energy that
3 we can have. Thank you.

4 MR. WALTER ANDERSON: Madam
5 Chairlady, my name is Walter L. Anderson. I'm
6 the owner of Andy's Auto Center at 58th and
7 Market, which I have been there for 35 years.

8 It looks to me that this is not City
9 renewal; it's black removal. Because the ones
10 of us that are old enough to remember, from
11 32nd and Market to 46th and Market were a lot
12 of black businesses there, and they got rid of
13 all of them.

14 I've lost about 80 percent of my
15 business since this thing has started. I'm
16 going to try my best to hold on, but we're
17 going to have to have some sort of relief, and
18 I imagine the only kind of relief we can get
19 now is taxes and financial.

20 Madam Chairlady, thank you very much
21 for allowing me to have something to say.

22 COUNCILWOMAN BLACKWELL: Thank
23 you, Mr. Anderson. We thank you and ask that
24 you try to hold on. And certainly we want to
25 know if anybody there has any response to the

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 concerns that the businesses have raised. If
3 you are not prepared, we would ask that you
4 prepare something that you can give to us by
5 the first of the week.

6 And let me say that at this point in
7 this whole process, we feel that if we don't
8 get some relief, then we're going to have to
9 decide what we, as their leadership, needs to
10 do to try to help them. I don't know what
11 that will be at this point, but I will tell
12 you, from 1999 to now, it's just too long, and
13 we are not prepared to continue to try to look
14 business folks in the face and tell them,
15 Well, we're sorry. Well, we keep asking them.
16 Well, well, well.

17 It's wrong. It's irresponsible on
18 all of our parts who deal with this issue, and
19 certainly we would be prepared to go to the
20 next level if we do not have some redress,
21 some talk about what we can do to help these
22 businesses. I can only tell you that we are
23 going to prepare to try to do something else
24 from our level and beyond.

25 So having said that, thank you

1 12/7/04 - Res. No. 040799 - Finance & Trans.
2 again. Is there anyone else here who would
3 like to comment?

4 (No response.)

5 COUNCILWOMAN BLACKWELL: We
6 thank you very much.

7 Councilman Cohen, we're about ready
8 to wrap it up. Would you like to have
9 something to say, sir?

10 The Chair notes that Councilman
11 Cohen is in the room. He's been a major
12 supporter of this project and of our concerns
13 for the neighborhoods and the residents from
14 the very beginning. We're very, very happy
15 that he could come to the hearing, and we
16 thank him for being here.

17 COUNCILMAN COHEN: I think it's
18 very important what everybody is doing. I
19 think it's an absolute disgrace what SEPTA is
20 proposing to do. I'm, therefore, delighted at
21 this hour to find so many people in the room
22 here.

23 So keep on your fight, with
24 Councilwoman Blackwell helping to lead the
25 fight. I think we're going to get a

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2 turnaround, but nobody knows how long that
3 will take and we've got to be ready to work
4 very hard every day of the week.

5 To think of Comcast having \$30
6 million made available as a special grant
7 after the \$66 billion offer to Disneyland and
8 no money for SEPTA, it makes one wonder what
9 life is all about in Pennsylvania.

10 Thank you.

11 COUNCILWOMAN BLACKWELL: Thank
12 you, Councilman.

13 We had like to thank all of those
14 folks who are there on the site who are trying
15 to do their part. I'd like to thank my staff,
16 especially Alisa Orduna-Sneed, Marty Cabry,
17 Jeff Felder, Darwin Beauvais. We'd like to
18 thank all well-meaning people who want to help
19 us have some positive resolve to this
20 horrendous problem.

21 Thank you very much. This hearing
22 will be recessed subject to the call of the
23 Chair, and I note we look forward to hearing a
24 response on the five issues we raised
25 certainly by the first of the week.

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2 Thank you very much.

3 (Committees on Finance and

4 Transportation hearing adjourned at 4:00 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on December 7, 2004, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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