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2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING - COMMITTEE ON STREETS and SERVICES

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5 Room 400, City Hall
6 Philadelphia, Pennsylvania
7 Thursday, April 7, 2005, 2:22 p.m.
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10 040851 - An Ordinance permitting three traffic
11 lanes on Walnut Street, between 40th
12 Street and Cobbs Creek Parkway, and
13 requiring that the lane markers on Walnut
14 Street be changed to reflect this change.
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17 041044 - An Ordinance authorizing the revision of
18 lines and grades on a portion of City
19 Plan No. 299 by striking from the City
20 Plan Domino Lane from Henry Avenue to
21 Hagner Street, under certain terms and
22 conditions.

23

24 041070 - An Ordinance amending Chapter 10-700 of
25 The Philadelphia Code, entitled "Refuse
and Littering," by increasing the fines
and penalties for the dumping of debris;
providing for the forfeiture of any
property used in such dumping; and making
certain technical changes, all under
certain terms and conditions.

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27 050017 - An Ordinance granting permission to
28 Bharat Patel, owner of the newsstand at
29 the southwest corner of Broad Street and
30 Arch Street, to construct, use and
31 maintain an electrical conduit with an
32 electrical service line and a
33 telecommunications conduit with a
34 telephone service line in and under the
35 public rights-of-way for the purpose of
36 supplying electrical service and
37 telephone service to the newsstand, under
38 certain terms and conditions.

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41 V A R A L L O Incorporated
42 Litigation Support Services
43 1835 Market Street, Suite 600
44 Philadelphia, Pennsylvania 19103
45 215.561.2220 215.567.2670

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- 2 050062 - An Ordinance amending Section 2 of an
3 Ordinance (Bill No. 020349) approved
4 September 6, 2002, entitled "An Ordinance
5 authorizing the revision of lines and
6 grades on a portion of City Plan No. 242
7 by striking from the City Plan and
8 vacating Cedar Park Avenue from
9 Sixty-ninth Avenue to Haines Street and
10 by placing on the City Plan a
11 right-of-way for drainage purposes, water
12 main purposes and gas main purposes,
13 under certain terms and conditions," by
14 extending the period for compliance with
15 the authorization conditions therein.
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- 17 050067 - An Ordinance authorizing Felix
18 Penzarella, 618 S. Front Street,
19 Philadelphia, PA 19147, owner of the
20 property 618 S. Front Street,
21 Philadelphia, PA 19147, his successors
22 and assigns, to construct and maintain a
23 rear building addition on Hancock Street,
24 under certain terms and conditions.
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- 26 050068 - An Ordinance amending Title 12 of The
27 Philadelphia Code, entitled "Traffic
28 Code," by enacting a new Chapter 12-700,
29 entitled "Prohibition Against Motor
30 Vehicle Cruising," to prohibit motor
31 vehicle cruising in an are abounded by
32 Lombard Street on the north, Front Street
33 on the east, Bainbridge Street on the
34 south, and Eleventh Street on the west
35 and in an area bounded by Chestnut Street
36 on the north, Twelfth Street on the east,
37 Spruce Street on the south and Thirteenth
38 Street on the west; all under certain
39 terms and conditions.
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- 41 050069 - An Ordinance authorizing American Music
42 Theater Festival T/A Prince Music Theater
43 ("Prince Music Theater"), the owner of
44 the property 1412 Chestnut Street,
45 Philadelphia, PA 19103 to relocate and
46 maintain one statue, the Allow Me statue,
47 which is currently located at 235 S. 17th
48 Street, Philadelphia, PA 19103, on the

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2 facade of 1412 Chestnut Street, all under
3 certain terms and conditions.
- 4 050070 - An Ordinance authorizing Temple
5 University, 1101 West Montgomery Avenue,
6 Philadelphia, PA 19122, its successors
7 and assigns, to construct, own and
8 maintain a building encroachment on the
9 east footway of North 13th Street
10 adjacent to the Temple University Student
11 Center, under certain terms and
12 conditions.
- 13 050108 - An Ordinance authorizing the Legendary
14 Blue Horizon ("Blue Horizon"), the owner
15 of the property 1314 North Broad Street,
16 Philadelphia, PA 19121 to maintain one
17 statue, the "Spirit of Philadelphia
18 Boxing" statue, which is currently
19 located on the facade of 1314 North Broad
20 Street, all under certain terms and
21 conditions.
- 22 050131 - An Ordinance authorizing the revision of
23 lines and grades on a portion of City
24 Plan No. 231 by striking from the City
25 Plan and vacating the legally open
portions of Pechin Street from
Cinnaminson Street to Lemonte Street;
under certain terms and conditions.
- 050134 - An Ordinance authorizing the Water
Commissioner on behalf of the City to
enter into an agreement with the owners
of the properties and their successors at
925 through 927, 925 Rear, 923, 923 Rear
Number 1, 923 Rear Number 2 and 923 Rear
Number 3 South Second Street for the
grant of a right-of-way to the City in
the bed of a private street, known as
Salter Street for drainage, sewer and
water main purposes, under certain terms
and conditions.
- 050135 - An Ordinance authorizing the Water
Commissioner on behalf of the City to
enter into an agreement with the owner of

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2 a property and their successors of
3 private roadways located within the
4 Independence Court Housing Development,
5 located in properties bounded by
6 Christian Street, Queen Street, Swanson
7 Street and the Southeast Right-of-way
8 Line of Interstate 95, for the grant of a
9 right-of-way to the City for drainage,
10 sewer and water main purposes, under
11 certain terms and conditions.
- 12 050136 - An Ordinance amending Section 9-204 of
13 The Philadelphia Code by providing that
14 all permitted vendor locations on both
15 sides of Twelfth Street between Arch
16 Street and Chestnut Street shall be
17 assigned only to vendors licensed to sell
18 prepared food, all under certain terms
19 and conditions.
- 20 050137 - An Ordinance amending Section 9-204 of
21 The Philadelphia Code by providing that
22 all permitted vendor locations on both
23 sides of Eleventh Street between Arch
24 Street and Chestnut Street shall be
25 assigned only to vendors licensed to sell
prepared food, all under certain terms
and conditions.
- 050138 - An Ordinance amending Section 9-204 of
The Philadelphia Code by providing that
all permitted vendor locations on both
sides of Eighth Street and Ninth Street
between Arch Street and Market Street
shall be assigned only to vendors
licensed to sell prepared food, all under
certain terms and conditions.
- 050139 - An Ordinance authorizing the Water
Commissioner on behalf of the City to
enter into an agreement with the owners
of the properties and their successors at
3101 through 3131 West Thompson Street
for the grant of a right-of-way for water
main purposes, under certain terms and
conditions.

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- 2 050140 - An Ordinance authorizing Vincent and
3 Barbara Termini, 824 Gatemore Road, Bryn
4 Mawr, PA 19010, owners of the property
5 Mr. Joe Cafe, 1514 S. 8th Street,
6 Philadelphia, PA 19147, their successors
7 and assigns, to construct, own and
8 maintain pedestrian scale light poles,
9 luminaires and underground electrical
10 service, under certain terms and
11 conditions.
- 12 050141 - An Ordinance amending Section 9-204 of
13 The Philadelphia Code by prohibiting
14 vending on both sides of 8th Street, from
15 Chestnut Street to Walnut Street and by
16 permitting vending on both sides of 8th
17 Street, from Market Street to Chestnut
18 Street.
- 19 050142 - An Ordinance authorizing the revision of
20 lines and grades on a portion of City
21 Plan No. 120 by striking from the City
22 Plan and vacating Carlisle Street from
23 Oxford Street to Cecil B. Moore Avenue
24 and by reserving and placing on the City
25 Plan a right-of-way for drainage
 purposes, water main purposes, gas main
 purposes and public utility purposes
 within the lines of Carlisle Street being
 stricken from the City Plan and vacated
 under authority of this Ordinance, under
 certain terms and conditions.
- 050143 - An Ordinance amending Section 2 of an
 Ordinance (Bill No. 020740) approved
 January 23, 2003, entitled "An Ordinance
 authorizing the revision of lines and
 grades on a portion of City Plan No. 58
 by striking from the City Plan and
 vacating Olive Street from Percy Street
 to Tenth Street; by striking from the
 City Plan and vacating Hutchinson Street
 from Olive Street to Brown Street and by
 reserving and placing on the City Plan a
 right-of-way for drainage purposes, water
 main purposes and public utility purposes
 within the bed of Hutchinson Street,

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2 under certain terms and conditions," by
3 extending the time for compliance with
the conditions stated therein.
- 4 050163 - An Ordinance authorizing Thomas Jefferson
5 University Hospitals, Inc. and Urban
6 Growth Property Limited Partnership to
7 construct and maintain a pedestrian
8 bridge over the across Tenth Street
between Chestnut Street and Sansom
Street, under certain terms and
conditions.
- 9 050167 - An Ordinance granting permission to
10 Rajendra Kothari, owner of the newsstand
11 at the southeast corner of 17th Street
12 and J.F.K. Boulevard, to construct, use
13 and maintain an electrical conduit with a
telephone service line in and under the
public rights-of-way for the purpose of
supplying electrical service and
telephone service to the newsstand, under
certain terms and conditions.
- 14 050191 - An Ordinance granting permission to Moore
15 College, owner of the property 1915 Race
16 Street, Philadelphia, PA 19103, to
17 operate and maintain an open air sidewalk
cafe on the north sidewalk of Race
Street, under certain terms and
conditions.
- 18 050200 - An Ordinance granting permission to
19 Popi's Enterprises, Ltd. located at 3120
20 - 3132 South 20th Street, Philadelphia,
21 PA 19145, to construct, use and maintain
22 a building encroachment, entrance
23 addition, north and south roof
24 embellishments, rigid fabric awnings,
25 canopy, pedestrian lights, underground
electrical conduit and open air sidewalk
cafe on, under and over the west footway
of South 20th Street, under certain terms
and conditions.
- 050205 - An Ordinance authorizing the Water
Commissioner on behalf of the City to

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enter into an agreement with the owners
of the properties and their successors at
3101 through 3131 West Thompson Street
for the grant of a right-of-way for water
main purposes, under certain terms and
conditions.

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PRESENT:

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COUNCILMAN FRANK DiCICCO, Chair
COUNCIL PRESIDENT ANNA C. VERNA
COUNCILMAN DARRELL L. CLARKE
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER

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

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5 CHAIRMAN DiCICCO: Thank you. Good
6 afternoon, everyone.

7 This is the Committee on Streets and
8 Services. We do have a quorum. Council
9 President Verna. To my left, Councilman
10 Clarke, Councilwoman Donna Reed Miller.
11 Myself, Frank DiCicco, Councilman DiCicco.
12 I'm the Chair of this Committee.

13 Bill Number 050139 is being held, as
14 are Bills Number 050191 and 050068. Those
15 three bills are being held at request of the
16 sponsors.

17 With that, the Clerk will read the
18 title of the first bill.

19 CLERK: Bill Number 050067, an
20 ordinance authorizing Felix Penzarella, 618
21 S. Front Street, Philadelphia, PA 19147,
22 owner of the property 618 S. Front Street,
23 Philadelphia, PA 19147, his successors and
24 assigns, to construct and maintain a rear
25 building addition on Hancock Street, under

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2 certain terms and conditions.

3 MR. WATSON: Good afternoon,
4 Chairman and members of the Committee. My
5 name is William Watson. I'm a construction
6 engineer with the Streets Department.

7 I am here to offer the following
8 testimony for Bill Number 050067. This bill
9 authorizes Felix Penzarella, owner of the
10 property 618 South Front Street, to construct
11 and maintain a rear building addition on
12 Hancock Street.

13 The four-story building which is a
14 separate structure from 618 South Front
15 Street, but on the same deeded lot, will be
16 used as a single-family dwelling, with ground
17 level garage, living areas on the second,
18 third and fourth floor penthouse levels.

19 Portions of the second, third and
20 fourth floor levels encroach over the public
21 right-of-way of Hancock Street.

22 The Streets Department has reviewed
23 the construction plans for this project. As
24 the encroachment does not adversely affect
25 the public right-of-way, the Streets

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2 Department recommends passage of this bill.

3 CHAIRMAN DiCICCO: Thank you.

4 Are there any witnesses here who
5 wish to testify for or against this bill?
6 Please approach the witness table, identify
7 yourself for the record, and proceed with
8 your testimony.

9 MR. SHERRICK: My name is John
10 Sherrick. I'm a member of the Queen Village
11 Neighbors Association Zoning Committee.

12 We had a hearing about this issue
13 regarding variances. We were opposed to the
14 project. When it went before the Zoning
15 Board of Adjustment, there was some sort of
16 clerical mistake made, and the project was
17 approved by the ZBA. We are still in
18 opposition to the project.

19 CHAIRMAN DiCICCO: Sorry about that.
20 When the clergy summons me, I respond.

21 I understand Mr. Penzarella wishes
22 to testify. Would you please come forward.

23 Good afternoon, sir. Please
24 identify yourself for the record and proceed
25 with your testimony.

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2 MR. PENZARELLA: My name is Felix
3 Penzarella. I live at 618 South Front Street
4 in Philadelphia.

5 CHAIRMAN DiCICCO: You wish to
6 comment?

7 MR. PENZARELLA: Yes. As far as
8 commenting, in regards to Queen Village and
9 the Neighbors Association, and any other
10 independent individual, who was opposed to
11 this situation, has no longer opposed
12 anything.

13 I've gone through the zoning
14 committees, I've gone through the appeals
15 courts. And even the final appeal was
16 dismissed totally.

17 So, I have total clearance to do
18 this at this point. Queen Village removed
19 themselves, actually.

20 CHAIRMAN DiCICCO: Do you have
21 anything in writing...

22 MR. WATSON: Yes, I do.

23 CHAIRMAN DiCICCO: ...to that
24 effect? It would be helpful. Gentleman here
25 will take that paperwork from you.

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2 CHAIRMAN DiCICCO: What I see here
3 are documents. Building permit, notice of a
4 decision from the Zoning Board which I
5 believe ruled in your favor, a court order
6 from Judge Annette Rizzo, and it looks like a
7 letter from your... someone's attorney. Mr.
8 Turner.

9 MR. PENZARELLA: Mr. Steen.

10 CHAIRMAN DiCICCO: Allen Turner.

11 MR. PENZARELLA: Oh, Allen Turner is
12 the law firm that Queen Village and Mr. Steen
13 had.

14 CHAIRMAN DiCICCO: But what I don't
15 see, unless I'm missing it, is any letter of
16 withdrawal of opposition or letter of support
17 from the Queen Village Neighbors Association.

18 And if I heard you correctly, you
19 state that the opposition from the community
20 has been withdrawn?

21 MR. PENZARELLA: Yes. It's right
22 there. It may state it on the second page of
23 the second appeal.

24 CHAIRMAN DiCICCO: Second page. All
25 right. And I apologize.

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2 Okay. Do you have anything else to
3 add?

4 MR. PENZARELLA: And the other thing
5 I'd like to add is that there was a petition
6 that was sent around to all the neighbors in
7 Queen Village at the time this all went on.

8 And I have signed signatures from
9 all of them -- I'd say 85 percent in the
10 neighborhood itself that surrounded Howard
11 Street actually was okay with the whole
12 thing. I have signatures.

13 CHAIRMAN DiCICCO: Do you have
14 copies or are they the originals? Do you
15 have copies?

16 MR. PENZARELLA: Yes, I do.

17 CHAIRMAN DiCICCO: They are copies.
18 And even a letter from my next-door neighbor
19 herself who gave the okay.

20 CHAIRMAN DiCICCO: Very good.

21 Sir, I apologize. I stepped away.
22 My sincere apologies. Would you repeat what
23 your concerns were for me one more time
24 please?

25 MR. SHERRICK: We had a meeting of

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2 the zoning committee regarding this project.

3 We generally meet with the area,
4 anything we think will be impacted by the
5 project. On something like this, we're lucky
6 to get two or three people out. We got at
7 least a good dozen people.

8 I would say they were uniformly
9 opposed to the project. They were concerned
10 about height issues and a number of other
11 things. It's been a while since the meeting.

12 We sent a letter to the Zoning Board
13 of Adjustment stating our opposition. When
14 the letter was read into the record for the
15 ZBA, for whatever reason they didn't read the
16 first line of the letter which said that we
17 were opposed to the project.

18 So, when I talked to the clerk at
19 the Zoning Board of Adjustment, I asked her
20 to put our letter right next to the
21 testimony.

22 And she said, yeah, you're right.
23 For whatever reason they didn't read the
24 first line. And the first line is Queen
25 Village Neighbors Association zoning

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2 committee is opposed to this application at
3 this time.

4 CHAIRMAN DiCICCO: What is the date
5 of that letter?

6 MR. SHERRICK: It is December 8,
7 2003.

8 CHAIRMAN DiCICCO: December 8th?

9 MR. SHERRICK: Yeah.

10 MR. PENZARELLA: 2003, he said.

11 CHAIRMAN DiCICCO: 2003.

12 MR. PENZARELLA: It's old news.

13 CHAIRMAN DiCICCO: Yeah. I was just
14 going to say, because I have a more recent
15 letter the same day ironically, December 8,
16 2004.

17 MR. SHERRICK: Oh, well, that's...
18 Maybe it might have just been a Word Perfect
19 mistake there, but it's on record with the
20 ZBA.

21 CHAIRMAN DiCICCO: Right. And it
22 appears that Queen Village Neighbors has
23 revisited the issue, and subsequently has
24 withdrawn their opposition.

25 MR. SHERRICK: I don't recall doing

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2 that. Could I take a look at that letter,
3 sir?

4 CHAIRMAN DiCICCO: Yeah. I'll have
5 somebody bring it up.

6 MR. SHERRICK: Okay.

7 CHAIRMAN DiCICCO: Your capacity is
8 representing the zoning committee.

9 MR. SHERRICK: Yes.

10 CHAIRMAN DiCICCO: Queen Village.

11 Have you had any discussions with
12 anyone over the last couple days about this,
13 to find out if what is being represented here
14 is accurate or not?

15 MR. SHERRICK: Well, this isn't from
16 Queen Village Neighbors.

17 CHAIRMAN DiCICCO: It's the
18 attorney.

19 MR. PENZARELLA: Who represents
20 Queen Village.

21 MR. SHERRICK: No, I haven't. But
22 we were... Basically what we were told was
23 that the attorney didn't think we could win
24 the case.

25 CHAIRMAN DiCICCO: I'm sorry?

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2 MR. SHERRICK: We were told that the
3 attorney didn't believe that we could win the
4 case, but our opposition to the project was,
5 you know, on record with the Zoning Board of
6 Adjustment. That's generally enough.

7 CHAIRMAN DiCICCO: I'll tell you
8 what I'm going to do, because there seems to
9 be some confusion. And maybe you were not
10 being informed as of recent developments.
11 What I'll do is, I will ask this bill be
12 voted out of committee favorably today.

13 If in the next seven days you find
14 that there's something contrary to what is
15 being testified to by Mr. Penzarella or
16 others, please notify my office in writing.

17 If not, I will proceed with passage
18 of the bill on second and final reading which
19 will be two weeks from today.

20 So if we vote it out today, sir, so
21 you'll understand, the first reading would be
22 next Thursday of the bill.

23 The second and final reading,
24 passage would be the following Thursday which
25 would be, I guess, the 21st, if I'm not

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2 mistaken.

3 So I'm just giving the benefit of
4 the doubt to the community organization,
5 realizing you took the time to come here
6 today to make sure that we're all on the same
7 page. And if there are any unresolved
8 issues, I'd certainly, you know, inject
9 myself into the process during the next 14
10 days or so.

11 Nothing can happen before then
12 anyway. I mean...

13 MR. PENZARELLA: May I make one
14 statement:

15 CHAIRMAN DiCICCO: Mr. Penzarella,
16 sure.

17 MR. PENZARELLA: Yes. As far as his
18 statements stating that he's here
19 representing the Queen Village Neighbors
20 Association, I take some --

21 CHAIRMAN DiCICCO: Listen, I
22 understand what you're saying.

23 I'm offering the opportunity, if he
24 is representing the community association,
25 Queen Village, if there are any issues, I'm

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2 sure that -- I have a great relationship with
3 that organization -- someone will call me and
4 I'll get something in writing.

5 If you find out that there is no
6 longer any opposition, sir, they'll express
7 that in writing to me as well, and we'll
8 proceed with the passage of this legislation.

9 But I will vote it out of committee
10 today. Ask for my committee to vote it out
11 favorably today. And that will start the
12 process.

13 So there won't be any more delay for
14 you, Mr. Penzarella, assuming everything is
15 accurate.

16 MR. PENZARELLA: Thank you very
17 much.

18 CHAIRMAN DiCICCO: Thank both of you
19 for coming in.

20 Any other questions for these
21 witnesses?

22 (No response.)

23 CHAIRMAN DiCICCO: Anyone else here
24 wish to testify on this bill?

25 (No response.)

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2 CHAIRMAN DiCICCO: Seeing none, the
3 clerk will read the title of the next bill.

4 CLERK: Bill Number 050163, an
5 Ordinance authorizing Thomas Jefferson
6 University Hospitals, Inc. and Urban Growth
7 Property Limited Partnership to construct and
8 maintain a pedestrian bridge over the across
9 Tenth Street between Chestnut Street and
10 Sansom Street, under certain terms and
11 conditions.

12 CHAIRMAN DiCICCO: Good afternoon.
13 sir. Please identify yourself for the record
14 and proceed with your testimony.

15 MR. MORELLI: Good afternoon, Mr.
16 Chairman, and members of the committee. My
17 name is Frank Morelli, Survey Bureau Manager
18 of the Department of Streets.

19 The Department of Streets would like
20 to offer the following testimony on Bill
21 Number 050163. This is not an administrative
22 ordinance but an ordinance requested by
23 Thomas Jefferson Hospital -- University
24 Hospital, Incorporated, and Urban Growth
25 Properties Limited Partnerships.

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2 The purpose of this ordinance is to
3 construct and maintain a pedestrian bridge
4 over and across 10th Street to connect the
5 parking garage to the hospital.

6 In March 2004 the Zoning Board of
7 Adjustment granted relief to allow the
8 construction of the parking garage and 11
9 first floor retail tenant spaces.

10 The plans and elevations approved by
11 the Zoning Board included a pedestrian sky
12 bridge over 10th Street between Chestnut and
13 Sansom Street, connecting the parking garage,
14 retail complex on the east side of 10th
15 Street, with Thomas Jefferson University
16 Hospital located on the west side of 10th
17 Street.

18 The sky bridge is critical to the
19 hospital's mission, to ensure that its
20 patients, staff and visitors can safely and
21 speedily travel between the hospital and the
22 parking garage, while being protected 24
23 hours a day from inclement weather, vehicle
24 and pedestrian traffic.

25 The sky bridge is also important to

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2 alleviate... Since it alleviates handicapped
3 and disabled access concerns, pursuant to
4 A.D.A.. This ordinance is supported by the
5 Department of Streets, and is recommended to
6 your committee for favorable actions.

7 CHAIRMAN DiCICCO: Thank you. Any
8 questions for this witness from the
9 committee?

10 (No response.)

11 CHAIRMAN DiCICCO: Anyone else here
12 to wishes to testify for or against this
13 bill?

14 (No response.)

15 CHAIRMAN DiCICCO: Seeing none, the
16 clerk will read the title of the next bill.

17 CLERK: Bill Number 050062, an
18 ordinance amending Section 2 of an Ordinance
19 (Bill No. 020349) approved September 6, 2002,
20 entitled "An Ordinance authorizing the
21 revision of lines and grades on a portion of
22 City Plan No. 242 by striking from the City
23 Plan and vacating Cedar Park Avenue from
24 Sixty-ninth Avenue to Haines Street and by
25 placing on the City Plan a right-of-way for

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2 drainage purposes, water main purposes and
3 gas main purposes, under certain terms and
4 conditions," by extending the period for
5 compliance with the authorization conditions
6 therein.

7 MR. MORELLI: Good afternoon, Mr.
8 Chairman, members of the committee. My name
9 is Frank Morelli, Survey Bureau Manager of
10 the Department of Streets.

11 The Department of Streets would like
12 to offer the following testimony on Bill
13 Number 050062. This is not an administrative
14 ordinance but an ordinance requested by Ms.
15 Dawn Nicole, Mount Airy Baptist Church, Cedar
16 Park Avenue, Philadelphia, PA.

17 The purpose of this ordinance is to
18 extend the time period to legally remove
19 Cedar Avenue between 69th Street and Haines
20 Street from the City Plan to facilitate
21 expanded parking and safety for Mt. Airy
22 Baptist Church.

23 Currently, whenever there are
24 religious services and other functions at the
25 church, the congregation has to find parking

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2 spaces in an already crowded neighborhood.
3 They often have to park blocks from the
4 church.

5 More convenient parking would
6 provide a much safer environment. This
7 ordinance is supported by the Department of
8 Streets and is recommended to your committee
9 for favorable action.

10 CHAIRMAN DiCICCO: Thank you. Any
11 questions for this witness from the
12 committee?

13 (No response.)

14 CHAIRMAN DiCICCO: Anyone else here
15 who wishes to testify for or against the
16 bill?

17 (No response.)

18 CHAIRMAN DiCICCO: Seeing none, the
19 clerk will read the title of the next bill.

20 CLERK: Bill Number 050143, an
21 ordinance amending Section 2 of an Ordinance
22 (Bill No. 020740) approved January 23, 2003,
23 entitled "An Ordinance authorizing the
24 revision of lines and grades on a portion of
25 City Plan No. 58 by striking from the City

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2 Plan and vacating Olive Street from Percy
3 Street to Tenth Street; by striking from the
4 City Plan and vacating Hutchinson Street from
5 Olive Street to Brown Street and by reserving
6 and placing on the City Plan a right-of-way
7 for drainage purposes, water main purposes
8 and public utility purposes within the bed of
9 Hutchinson Street, under certain terms and
10 conditions," by extending the time for
11 compliance with the conditions stated
12 therein.

13 CHAIRMAN DiCICCO: Good afternoon.
14 Please proceed with your testimony.

15 MR. WATSON: Good afternoon, Mr.
16 Chairman and members of the committee. My
17 name is Frank Morelli, Survey Bureau Manager
18 of the Department of Streets.

19 The Department of Streets would like
20 to offer the following testimony on Bill
21 Number 050143. This is not an administrative
22 ordinance but an ordinance requested by Mr.
23 Jian Li Wen, Sun Kee Tofu, 715 North 10th
24 Street, Philadelphia, PA.

25 The purpose of this ordinance is to

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2 extend the time period to strike and vacant
3 Olive Street and Hutchinson Street from the
4 City Plan, to enhance the safety and security
5 of the business, and to alleviate short
6 dumping in the area.

7 This action will also give Mr. Wen
8 room to expand his business. This will
9 provide additional revenue to the City in
10 both real estate and business related taxes,
11 as well as increased City wage taxes from
12 possible additional employees.

13 This ordinance is supported by the
14 Department of Streets and is recommended to
15 your committee for favorable action.

16 MR. SOFFER: Good afternoon, Mr.
17 Chairman, and members of the Streets and
18 Services Committee.

19 My name is Martin Soffer. I'm a
20 City Planner. I am here to testify on behalf
21 of the City Planning Commission.

22 The proposed ordinance authorizes
23 the striking from the City Plan and vacating
24 of two minor streets in the West Poplar
25 Section of North Philadelphia.

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2 The purpose of this ordinance is to
3 permit Sun Kee Tofu Company to construct a
4 10,000 square foot building addition, and to
5 provide adequate off-street employee parking.

6 The Planning Commission recommended
7 approval at its meeting of December 17, 2002.
8 Therefore, The Planning Commission recommends
9 approval of Bill 050143.

10 Thank you.

11 CHAIRMAN DiCICCO: Thank you.

12 Any questions for these witnesses
13 from the committee?

14 (No response.)

15 CHAIRMAN DiCICCO: Anyone else?

16 Yes. Anyone else here wish to testify,
17 please approach the witness table. Come
18 forward. Hi. Good afternoon. Please
19 identify yourself for the record and proceed
20 with your testimony.

21 MS. ROBINSON: Yes. Good afternoon.
22 My name is Judith Robinson.

23 I want to take you all back to
24 050142 because I want to --

25 CHAIRMAN DiCICCO: We haven't got --

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2 We've not done 142 yet.

3 MS. ROBINSON: Oh, you haven't. Oh,
4 good. All right.

5 Well, not to be out of order, but I
6 want to talk about streets in North
7 Philadelphia that you all are striking out.

8 CHAIRMAN DiCICCO: Is it specific to
9 the bill?

10 MS. ROBINSON: Yes. It's specific
11 to 050143.

12 CHAIRMAN DiCICCO: Okay. Thank you.

13 MS. ROBINSON: Okay. As it relates
14 to the streets being striking, I know this is
15 a small minor process, as it relates to
16 community development.

17 But what the concerns are for the
18 people of North Philadelphia is that we're
19 not getting input with community
20 participation.

21 So, we take this opportunity every
22 time you all strike a street just to have the
23 opportunity to speak up and say that every
24 transaction that you all are okaying, as it
25 relates to these streets being striked,

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2 represents an opportunity for African
3 Americans in these neighborhoods to work.

4 There is something per development
5 contracts and obligations in the Rendell
6 administration. Call it neighborhood benefit
7 strategy.

8 And we're just always looking for an
9 opportunity to make this known, that we want
10 to be a part of the process. We have people
11 that have expertise in building, et cetera,
12 from beginning to end.

13 We just want to be a part of it.
14 And every time you all have these forums, we
15 just want to come and say again, we have the
16 ability to work, and we want to be a part of
17 this.

18 So, I'm -- not to be out of order.
19 I'm referencing 050143, and I'm looking for
20 the opportunity to speak on 050142, so you
21 all are out of order in that regard. And
22 then the next one which would be in order is
23 one I'm concerned about, 050205. And I'll
24 get back in order. Thank you.

25 CHAIRMAN DiCICCO: Thank you.

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2 Any other witnesses on behalf of
3 this bill?

4 (No response.)

5 CHAIRMAN DiCICCO: Seeing none, the
6 clerk will read the title of the next bill.

7 CLERK: Bill Number 041044, an
8 ordinance authorizing the revision of lines
9 and grades on a portion of City Plan No. 299
10 by striking from the City Plan Domino Lane
11 from Henry Avenue to Hagner Street, under
12 certain terms and conditions.

13 MR. MORELLI: Good afternoon, Mr.
14 Chairman and members of the committee. My
15 name is Frank Morelli, Survey Bureau Manager
16 of the Department of Streets.

17 The Department of Streets would like
18 to offer the following testimony on Bill
19 Number 041044. This is not an administrative
20 ordinance but an ordinance requested by Mr.
21 Thomas Sitro, Sitro Communications, 5419
22 Oxford Avenue, Philadelphia, PA 19124, who
23 represents Walter Lewis and Bruce Tinneney.

24 Mr. Lewis and Mr. Tinneney need to
25 have the paper street known as Domino Lane

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2 stricken from the City Plan to erect 35
3 single-family dwellings.

4 They have already filed their appeal
5 which is pending before the Zoning Board of
6 Adjustment.

7 This ordinance is supported by the
8 Department of Streets and is recommended to
9 your committee for a favorable action.

10 MR. SOFFER: Good afternoon, Mr.
11 Chairman and members of the Streets and
12 Services Committee.

13 My name is Martin Soffer. I'm a
14 City Planner, and I'm here to testify on
15 behalf of the City Planning Commission.

16 The proposed ordinance authorizes
17 the striking from the City Plan and the
18 vacating of an unneeded paper minor street
19 located in the Roxborough section of
20 northwest Philadelphia.

21 The purpose of this ordinance is to
22 allow for the construction of 35
23 single-family dwellings on a new proposed
24 City street.

25 The Planning Commission approved

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2 this action as part of a revised preliminary
3 plat on December 14, 2004, and recommends
4 that Bill Number 041044 be approved.
5 Thank you.
6 CHAIRMAN DiCICCO: Thank you.
7 Any questions from the committee for
8 these witnesses?
9 (No response.)
10 CHAIRMAN DiCICCO: Anyone else here
11 wishes to testify on this bill?
12 (No response.)
13 CHAIRMAN DiCICCO: Seeing none, the
14 clerk will read the title of the next bill.
15 CLERK: Bill Number 050131, an
16 ordinance authorizing the revision of lines
17 and grades on a portion of City Plan No. 231
18 by striking from the City Plan and vacating
19 the legally open portions of Pechin Street
20 from Cinnaminson Street to Lemonte Street;
21 under certain terms and conditions.
22 MR. MORELLI: Good afternoon, Mr.
23 Chairman and members of the committee.
24 My name is Frank Morelli, Survey
25 Bureau Manager, Department of Streets.

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2 The Department of Streets would like
3 to offer the following testimony on Bill
4 Number 050131. This is not an administrative
5 ordinance but an ordinance requested by
6 Denise and Janine McGuin, Prudential Fox and
7 Roach Realtors, 653 Skippack Pike, Suite 200,
8 Blue Bell, PA 19422.

9 Pechin Street is what is commonly
10 referred to as a paper street. While it is
11 on the City Plan, and portions of it are
12 legally open, it has never been constructed,
13 and there are no plans to construct it in the
14 near future.

15 The proposed action seeks to strike
16 from the City Plan and vacate the legally
17 opened portions of Pechin Street from
18 Cinnaminson to Lamont Street.

19 Since it is a paper street, no one
20 has clear responsibility for the upkeep or
21 security of the area.

22 The adjoining property owners are
23 forced to trim the growth of the strip of
24 land and keep it from looking like a
25 wasteland.

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2 There are problems are compounded by
3 neighborhood youth who use the area for
4 drinking and other illegal activities,
5 following which they just toss their empty
6 beer cans on the lot.

7 Passage of this ordinance, allowing
8 the striking and vacating of Pechin Street
9 will result in a disappearance of this
10 problem area.

11 All of the immediate neighbors would
12 greatly appreciate the improved appearance of
13 the area in question.

14 This ordinance is supported by the
15 Department of Streets and is recommended to
16 your committee for favorable action.

17 MR. SOFFER: Good afternoon, Mr.
18 Chairman and members of the Streets and
19 Services Committee.

20 My name is Martin Soffer, City
21 Planner. And I'm here to testify on behalf
22 of the City Planning Commission.

23 This bill authorizes the striking
24 from the City Plan of a paper street located
25 in the Roxborough section of Northwest

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2 Philadelphia.

3 The purpose of this ordinance is to
4 remove the legal encumbrance of a paper
5 street that will never be built, and would
6 eliminate local site specific problems.

7 The Planning Commission staff
8 reviewed and tentatively approved this action
9 on January 7, 2005.

10 Therefore, the Planning Commission
11 recommends that Bill Number 050131 be
12 approved.

13 Thank you.

14 CHAIRMAN DiCICCO: Thank you.

15 Any questions for these witnesses
16 from the committee? Please approach the
17 bench, Miss Robinson. The bench. The table.
18 Thank you.

19 MS. ROBINSON: Just a brief
20 question. Regarding your committee here,
21 where is the rest of your committee, I
22 wonder.

23 CHAIRMAN DiCICCO: Pardon me?

24 MS. ROBINSON: Where's the rest of
25 your committee?

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2 CHAIRMAN DiCICCO: Councilman Nutter
3 was just in. He's in his office, actually
4 listening to the proceedings. He'll be back
5 shortly. I believe Councilman Ramos is out
6 of the country.

7 MS. ROBINSON: Right.

8 CHAIRMAN DiCICCO: And I'm not
9 certain about... I think Councilman Rizzo...
10 Councilman Cohen was in this morning. He
11 took ill and has left.

12 MS. ROBINSON: So that's all the
13 members of your committee here?

14 CHAIRMAN DiCICCO: Well, the three
15 of us, Councilman Nutter and the three
16 gentlemen who I just mentioned were not
17 available.

18 MS. ROBINSON: Okay. I just want
19 verification of that.

20 Thank you very much.

21 CHAIRMAN DiCICCO: Thank you.

22 Any other questions for these
23 witnesses from the committee?

24 (No response.)

25 CHAIRMAN DiCICCO: Anyone else here

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2 wishes to testify for or against the bill?

3 (No response.)

4 CHAIRMAN DiCICCO: Seeing none, the
5 clerk will read the title of the next bill.

6 CLERK: Bill Number 050142, an
7 ordinance authorizing the revision of lines
8 and grades on a portion of City Plan No. 120
9 by striking from the City Plan and vacating
10 Carlisle Street from Oxford Street to Cecil
11 B. Moore Avenue and by reserving and placing
12 on the City Plan a right-of-way for drainage
13 purposes, water main purposes, gas main
14 purposes and public utility purposes within
15 the lines of Carlisle Street being stricken
16 from the City Plan and vacated under
17 authority of this Ordinance, under certain
18 terms and conditions.

19 MR. MORELLI: Good afternoon, Mr.
20 Chairman, and members of the committee.

21 My name is Frank Morelli, Survey
22 Bureau Manager of the Department of Streets.

23 The Department of Streets would like
24 to offer the following testimony on Bill
25 Number 050142. This is not an administrative

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2 ordinance but an ordinance requested by Hopia
3 Seen and Michael Koonce, Redevelopment
4 Authority, 1234 Market Street, 16th Floor,
5 Philadelphia, PA 19107.

6 The request to strike and vacate
7 Carlisle Street from Oxford Street to Cecil
8 B. Moore Avenue was first proposed by Temple
9 University in 1999, Bill Number 990305, but
10 the school failed to meet all the conditions
11 of the ordinance within the one-year time
12 limit imposed by the ordinance.

13 In 2000 the university received a
14 time extension, Bill 000320, but again failed
15 to produce the necessary agreements.

16 This and the previous attempts were
17 to assemble the site for Jump Street Project.
18 Temple now feels the time is right for
19 another attempt to strike and vacate Carlisle
20 Street.

21 The areas is proposed for the
22 development of student housing, retail shops
23 and surface parking area. The proposed
24 student housing and the parking area would be
25 a valuable condition to Temple University.

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2 The retail shops would be of great
3 benefit of both Temple University, as well as
4 the surrounding community.

5 The ordinance is supported by the
6 Department of Streets, and is recommended to
7 your committee for favorable action.

8 MR. SOFFER: Good afternoon, Mr.
9 Chairman, members of the Streets and Services
10 Committee.

11 My name is Martin Soffer, City
12 Planner, I'm here to testify on behalf of the
13 City Planning Commission.

14 The proposed ordinance authorizes
15 the striking from the City Plan and the
16 vacating of an unneeded minor street located
17 in the Temple University North Central
18 section of North Philadelphia.

19 The purpose of this ordinance is to
20 assemble a 3.9 acre parcel for the
21 construction of Broadmore, a 280,000 square
22 foot commercial student residential complex,
23 by Tower Investments.

24 The Planning Commission previously
25 recommended approval of the street action at

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2 its meeting of May 20, 1999.

3 Therefore, the Planning Commission
4 recommends that Bill Number 050142 be
5 approved.

6 Thank you.

7 CHAIRMAN DiCICCO: Thank you.

8 Any questions for these witnesses?

9 Miss Robinson. Why don't you just
10 stay up there. It may be a little easier
11 until we get through these street strikings.
12 Might make it a little bit more...

13 MS. ROBINSON: Good afternoon. My
14 name is Judith Robinson, and I'm here to
15 testify on Bill Number 050142. Everything in
16 decency and in order.

17 Whenever there is a development in
18 any neighborhood, there should be a
19 neighborhood benefit strategy. I think we
20 all can agree on that.

21 It's no way that we should have
22 development of a \$75 million development --
23 correct me if I'm wrong -- without including
24 the people surrounding the development. I
25 think we already agreed on that a couple

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2 administrations ago.

3 And I don't understand why we have
4 so much a problem with this. This is
5 something I want to put in the record today,
6 because I think we may have a consensus.

7 I'm referring to a Resolution Number
8 177 -- 17779. This is regarding a service, a
9 community. It's called the Development
10 Service Agreement. It's also known as a
11 community service agreement.

12 And it presents all the details
13 about minority participation, foundations
14 that will be created with millions of
15 dollars, loan programs for our communities.
16 And it referenced the areas from 6th Street
17 on the east, Spring Garden on the south, 33rd
18 Street to the west, and Lehigh Avenue to the
19 north. That's the area I live in. Okay?

20 And it has all kinds of
21 ramifications, as far as the development of
22 our community. I just don't understand why
23 in a City of this size, with the
24 sophistication and education we have, that we
25 can't get these things done.

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2 Now, I'm referencing this service
3 agreement contract because I went to the
4 Redevelopment Authority. This is where the
5 service agreement contract originated.

6 Mr. Johnny Dougherty is the chairman
7 of the board, okay? Of the Redevelopment
8 Authority. He's also the business manager of
9 union 98.

10 Mr. Mike Ferrer is also on the
11 board. These are two union guys. So, all
12 the obstacles about the union won't allow us
13 and blah, blah, blah, we don't want to hear
14 it. I mean, I think this milestone project
15 right at the corner of Broad and Cecil B.
16 Moore, which according to Redevelopment
17 comments, is one of the choicest piece of --
18 parcels of real estate in North Philly.

19 And I'm a real estate broker. I
20 say, yeah, yeah. Okay? I live in that area.
21 I would be happy to walk to a movie theater.
22 So, please, don't think I'm trying to stop
23 the development.

24 I want inclusion, respect. Let me
25 make a little adjustment. Just last Friday

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2 my Councilman, Darrell Clarke, thought it was

3 appropriate to have a groundbreaking service

4 and not invite the people from the community.

5 Well, we came anyway, because we

6 have the service contract agreement, and we

7 wanted to hear it, too.

8 So that was our way of letting the

9 Councilman know that we want this service

10 contract adhered to. We want it done before

11 they get the digging too deep because we got

12 some folks that can handle construction from

13 start to finish. So, we want in.

14 And this is my way of letting you

15 know we're real serious about it. I want

16 this filed copy from the Redevelopment

17 Authority referencing this community service

18 agreement... I want in the future for the

19 Chairman of the Redevelopment Authority to

20 make this document known to the community.

21 This has future ramifications. How

22 would -- I know that this service agreement

23 exists. As an entrepreneur in that community

24 or a homeowner in that community, how would I

25 know about these foundations if they weren't

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2 publicized?

3 Let's put some sunshine on this
4 crap. Sunshine, they tell me, some smart
5 person said is disinfectant. Let's get some
6 of these germs out of the way, and let's be
7 respectful of each other.

8 In closing, I say, please, let's
9 have everything in decency and in order, and
10 let's move forward with some respect. I want
11 this in the record today. Thank you very
12 much. Two copies are here.

13 CHAIRMAN DiCICCO: It will be placed
14 in the record, Miss Robinson. Thank you.

15 MS. ROBINSON: Thank you.

16 CHAIRMAN DiCICCO: Any other
17 questions for these witnesses? Sir?

18 MR. SMITH: Good afternoon, Mr.
19 Chairman and members of the committee.

20 My name is Robert Smith, and I'm the
21 secretary for the board of Beach Interplex.

22 Our Chairman, Mr. Floyd Alston, is
23 ill today and not available to come and
24 testify. But he wanted me to say that Beach
25 Interplex is very much in support of the

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2 closure of Carlisle Street, as the overall
3 part of this project.

4 Beach Interplex is, in fact, an
5 equity partner with Tower Investments who is
6 building this project. and in terms of any
7 community service agreements, the agreements
8 are already signed. And Judith is welcome to
9 come to our office and see them at any time.

10 CHAIRMAN DiCICCO: Thank you. Thank
11 you for that information, sir. Appreciate
12 it. And I know that the District Council
13 person is always one who's been on the front
14 line making sure there is enough minority
15 participation in all aspects of government
16 contracts throughout the City.

17 And I have no reason to believe he
18 will not make certain that whatever is in
19 that agreement will be adhered to.

20 So, thank you.

21 MR. SMITH: Thank you.

22 CHAIRMAN DiICCO: Clerk will read
23 the title of the next bill.

24 CLERK: Bill Number 041070, an
25 ordinance amending Chapter 10-700 of the

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2 Philadelphia Code, entitled "Refuse and
3 Littering," by increasing the fines and
4 penalties for the dumping of debris;
5 providing for the forfeiture of any property
6 used in such dumping; and making certain
7 technical changes, all under certain terms
8 and conditions.

9 CHAIRMAN DiCICCO: Thank you, Mr.
10 Healey. Please proceed.

11 MR. HEALEY: Good afternoon, Mr.
12 Chairman, and other members of the Committee
13 of Streets and Services.

14 My name is Francis Healey. I
15 represent Police Commissioner Johnson. I'm a
16 special advisor in his office.

17 I'm here to testify regarding Bill
18 041070, as amended, regarding short dumping.

19 First, on behalf of Commissioner
20 Johnson, let me extend the Commissioner's
21 gratitude for including the department's
22 comments on this legislation.

23 As everyone well knows, illegal
24 dumping clearly undermines the quality of
25 life throughout the entire City.

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2 And for this reason, the
3 Philadelphia Police Department fully supports
4 the efforts of City Council to address this
5 issue.

6 It's long been recognized that the
7 potential profits from illegal dumping far
8 outweigh the cost or fines.

9 In fact, the fines for dumping were
10 often viewed by unscrupulous contractors or
11 vendors or operators as merely the cost of
12 doing business. Until recently the City was
13 powerless to change this mind set.

14 Despite aggressive enforcement,
15 short dumping continues. It's a matter of
16 dollars and cents, not right or wrong.

17 However, with the recent amendments
18 from Harrisburg, the City now has the power
19 to truly make a difference to affect the
20 money.

21 Despite all the enforcement
22 initiatives, affecting the bottom line is
23 truly the only way to defer this type of
24 activity.

25 This amendment does just that. It

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2 will affect the bottom line of those
3 contractors or operators caught illegally
4 dumping.

5 Specifically, this amendment will
6 not only increase the monetary fines up to
7 \$5,000, but also authorize the seizure of any
8 vehicle used in the commission of the
9 dumping, regardless of value. This is
10 significant and worthy of the offense.

11 With this legislation, the cost of
12 illegal dumping will finally exceed the
13 benefit. And I'm sure -- And actually, I'm
14 sure it will have an immediate and dramatic
15 impact throughout City.

16 In fact, I'm certain that after the
17 first brand new 150 gets seized, it will have
18 a nice effect for the rest, the other would
19 be's.

20 For this reason alone, the Police
21 Department fully supports this amendment, and
22 again applauds City Council's efforts to
23 address this issue.

24 That concludes the testimony.

25 CHAIRMAN DiCICCO: Councilman

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2 Clarke.

3 COUNCILMAN CLARKE: Thank you, Mr.
4 Chairman. Good afternoon, gentlemen.

5 Currently... My understanding is
6 currently there is no forfeiture procedure,
7 as it relates to illegal dumping of vehicles
8 at all.

9 MR. HEALEY: The forfeiture
10 procedures that do exist are under Title 18
11 of the Crimes Code. And I believe -- I
12 haven't -- I'm not an expert on that code
13 section, but I believe after the second
14 offense is when the forfeiture provision
15 kicks in.

16 And I think the crime's also
17 upgraded from summary to a misdemeanor of the
18 third degree at that point.

19 But on the City level and under
20 Title 75 there has not been a forfeiture
21 provision. That's recently enacted, through
22 Harrisburg gave us the authority to do that.
23 As you know, previously we can only forfeit
24 something no more than \$300.

25 COUNCILMAN CLARKE: Right.

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2 MR. HEALEY: So now this actually
3 gives us the opportunity to take the truck
4 regardless of value.

5 COUNCILMAN CLARKE: And the first
6 time offense.

7 MR. HEALEY: I believe so, yes.

8 COUNCILMAN CLARKE: Will be eligible
9 now.

10 MR. HEALEY: For construction
11 violation, I believe it's a first-time
12 offense. The vehicle can be seized.

13 COUNCILMAN CLARKE: Okay.

14 MR. HEALEY: That's my understanding
15 of it.

16 COUNCILMAN CLARKE: Okay. Okay.
17 Thank you.

18 CHAIRMAN DiCICCO: Do you have
19 testimony?

20 MR. LEO: Good afternoon, Councilman
21 DiCicco and members of the Streets and
22 Services Committee.

23 My name is Frank Leo, and I'm the
24 Program Administrator for the Sanitation
25 Division of the Streets Department.

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2 I'm here today to present testimony
3 in support of Bill 041070. Bill 041070
4 amends Chapter 10-700 of The Philadelphia
5 Code, entitled Refuse and Littering, by
6 increasing the fines and penalties for the
7 dumping of debris, providing for the
8 forfeiture of any property used in such
9 dumping, and making certain technical
10 changes, all under certain terms and
11 conditions.

12 Essentially this bill amends The
13 Philadelphia Code, in order to implement
14 recent changes in state law, that will allow
15 the City to adopt increased penalties for
16 short dumping.

17 Under these provisions, the City
18 would seek fines of up to \$5,000, plus
19 forfeiture penalties for any vehicle used in
20 connection with short dumping.

21 Short dumping, the illegal dumping
22 of trash and other refuse, such as
23 construction debris, tires, used furniture,
24 and all sorts of hazardous materials, is a
25 serious problem in the City of Philadelphia.

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2 Short dumping poses a direct and
3 significant impact on the health, safety and
4 welfare of all who live, work and visit the
5 City.

6 Many of our streets, sidewalks and
7 parking lots and vacant lots have become
8 chronic dumping grounds for thousands of tons
9 of illegally dumped trash and debris.

10 Illegal dumping creates breeding
11 grounds for rodents and disease, safety
12 hazards to children, and pollution and
13 contamination via soil and stormwater runoff.

14 Also, in many cases where a
15 concentration of chronic dumping exists,
16 there are also higher rates of crime,
17 graffiti, and other conditions of blight that
18 contribute to the progressive degradation of
19 the area.

20 The effects of such degradation are
21 far-reaching and negatively impact upon the
22 overall aesthetic value and economy of the
23 City.

24 Such conditions raise the cost of
25 doing business and ultimately bring about the

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2 demise of many other businesses, and the
3 commerce and jobs they provide.

4 The Streets Department spends over a
5 million dollars per year on illegal dump
6 sites.

7 A 1995 study by the Pennsylvania
8 Economy League estimated direct costs of
9 illegal dumping, spread over a variety of
10 City agencies, to be \$5.4 million.

11 Without the new measures contained
12 in this bill, the maximum penalty that can be
13 applied to a party found guilty of illegal
14 dumping that contributes to these costs is
15 \$300.

16 Consequently, the Streets Department
17 endorses and recommends passage of this bill.

18 Enforcement of the provisions of
19 this bill will be applied by the Police
20 Department and any other authorized
21 personnel, including those in the Departments
22 of Streets and Licenses and Inspections.

23 Penalties for violations of 10-710,
24 subsection two, shall be a fine of up to
25 \$5,000, the forfeiture of any property used

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2 in the conduct of this violation, and/or such
3 equitable remedy as the court may deem
4 proper, including, without limitation, an
5 order to clean up the location at which the
6 violation occurred.

7 Thank you for the opportunity to
8 testify in support of this legislation today,
9 and I will now respond to any questions that
10 you may have.

11 CHAIRMAN DiCICCO: Thank you. Any
12 questions for these witnesses?

13 Miss Robinson.

14 MS. ROBINSON: Good afternoon.
15 Judith Robinson, testifying regarding Bill
16 Number 041070. I think this is a great bill.
17 Thank you all very much.

18 However, my concerns are about
19 enforcement. I live in the heart of North
20 Philadelphia where people think, with all the
21 vacant lots, that we like dumping.

22 And we don't. We are trying to be
23 following -- trying to follow all the litter
24 laws, et cetera. So, we would really like to
25 have this law enforced, those laws on the

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2 books and this one, too.

3 We're concerned about our sanitation
4 officers. What is the role of the sanitation
5 officer in finding out who are these folks
6 dumping in our neighborhood.

7 It looks to be that they are
8 contractors, et cetera. We see construction
9 debris. At times we see, like, a whole house
10 of furniture.

11 It looks, too, some members of our
12 community for some of our community meetings
13 as through the City has a relationship with
14 short dumpers because some of these lots that
15 are cleaned off within a week or less, they
16 are filled up again with debris.

17 So, we would like to know about
18 enforcement of this law. We think it's a
19 great thing, but we want to know how are you
20 all going to work differently to enforce this
21 law.

22 Thank you.

23 CHAIRMAN DiCICCO: Could either of
24 you gentlemen comment briefly on what you do
25 in regards to enforcement, and will there be

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2 any level of increased enforcement going
3 forward.

4 MR. HEALEY: I'll comment. From the
5 Police Department's perspective, we currently
6 do aggressively enforce short dumping.

7 We have several... I believe
8 several thousand arrests for citations for
9 short dumping over the last several years.

10 There is a dedicated unit through
11 Neighborhood Services that does investigate
12 short dumping locations and tries to identify
13 the dumpers or the short dumpers, and then
14 goes back and tries to cite the illegal
15 operators.

16 So with this bill in effect, what it
17 does is, our enforcement level may not change
18 very much, but the impact it will have on the
19 violators is much more severe versus a mere
20 summary citation, in some cases where they do
21 come back two and three days later.

22 In this situation, the vehicle that
23 they had originally dumped with would be
24 seized. Therefore, that should abate a great
25 deal of this type of behavior.

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2 CHAIRMAN DiCICCO: Thank you.

3 MS. ROBINSON: Thank you very much.

4 CHAIRMAN DiCICCO: Anyone else here
5 wish to...

6 COUNCILMAN CLARKE: Yeah.

7 CHAIRMAN DiCICCO: Councilman
8 Clarke.

9 COUNCILMAN CLARKE: In earlier
10 testimony about... I don't know if it's the
11 Streets Department, there was a mention of
12 surveillance by... I don't know if it was by
13 police officers, as it related to locations
14 that were known dump sites.

15 MR. HEALEY: Correct.

16 COUNCILMAN CLARKE: Are they done by
17 police officers?

18 MR. HEALEY: That's done primarily
19 by the Neighborhood Services Unit when they
20 identify a specific location that's
21 constantly targeted. They will set up a
22 surveillance. But I'd rather not tell you
23 which locations right now.

24 COUNCILMAN CLARKE: Please don't
25 tell me where it is.

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2 MR. HEALEY: Right.

3 They do -- When they receive
4 information and under their own initiative
5 will start an undercover operation for those
6 surveillance; actually, sometimes multiple
7 locations at one time.

8 There's a lot of these dumpers
9 actually will divvy up the load between two
10 or three spots, so it's not completely
11 obvious at one time. We found that out from
12 experience.

13 So usually there's a route that
14 they'll pick, especially during certain times
15 of the year when certain type of construction
16 is more popular.

17 COUNCILMAN CLARKE: Do we or have we
18 entertained using video surveillance, as
19 opposed to...

20 MR. HEALEY: We haven't.

21 The whole issue of video
22 surveillance is actually coming for a hearing
23 next week.

24 COUNCILMAN CLARKE: Right.

25 MR. HEALEY: As a Police Department

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2 we're fully -- we'd accept looking into
3 anything that could help. Absolutely.

4 COUNCILMAN CLARKE: Okay. I'll see
5 you at the hearing next week. I'll bring it
6 up then.

7 CHAIRMAN DiCICCO: When we know of a
8 location where there's repeated short
9 dumping, who do we contact?

10 MR. HEALEY: Neighborhood Services
11 Unit.

12 CHAIRMAN DiCICCO: Police
13 Department.

14 MR. HEALEY: Yeah. Police
15 Department through the Neighborhood Services
16 Unit.

17 CHAIRMAN DiCICCO: I understand the
18 necessity and the importance of the large
19 scale short dumping, people pulling up with a
20 dump truck or pickup truck.

21 But I also -- and I know I've talked
22 about this in the past. I think it's just as
23 important, where people just bring a bag or
24 two of household trash. And it's always like
25 in a certain location.

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2 MR. SHERRICK: Correct.

3 CHAIRMAN DiCICCO: 10th and Federal,
4 southeast corner, which is on the perimeter
5 of Capitola Playground. It's a commonly used
6 short dumping -- not in the sense of the big
7 trucks pulling up, but people who either live
8 in apartments or live in houses a few blocks
9 away, walk their dog and whatever, and then
10 they drop a bag of trash. And then at the
11 end of the weekend, in particular, there is a
12 significant amount of trash.

13 Similarly we have problems on South
14 Broad Street. The debate is to whether or
15 not we want to remove the trash receptacles
16 or leave them in place.

17 But the trash receptacles is a mixed
18 blessing, if you will, because there's a
19 large number of rental units in and around
20 the South Broad Street corridor. There's a
21 new immigrant population that may not be
22 familiar with the sanitation codes from
23 wherever they come from. These things may be
24 more appropriate because they expect regular
25 pickup.

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2 But Broad Street on most days,
3 especially on a -- by Monday -- Sunday night
4 or Monday, it's horrible. It's the gateway
5 into the City from the south.

6 What, if anything, are we doing
7 about that? Again, it's not the big trucks
8 that are pulling up or the pickup truck.
9 Individual property owners, households or
10 tenants who live in apartments.

11 Cumulatively it adds up to a lot of
12 trash. Is there any enforcement with that?

13 People have gotten educated. They
14 no longer leave an envelope with their name
15 inside. I'm sure they don't do that. The
16 surveillance. Do we do anything like that?

17 MR. HEALEY: What we do is...
18 Regrettably -- I understand what you're
19 saying. A lot of times individuals will
20 start using a site after a commercial dumper
21 has dumped something. Like, there's a pile
22 there, they start adding on to it.

23 So I think addressing the commercial
24 operators is the first step. But we don't
25 lax enforcement on the individuals as well.

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2 We'll seize on an individual car. We'll take
3 action against an individual person who's
4 dumping.

5 When we pick up the sites, we don't
6 pick and choose who comes and dumps on them.
7 We'll cite or arrest anybody shows up at that
8 site, whether it's an individual with one bag
9 of trash or a pickup truck with a load of
10 bricks.

11 CHAIRMAN DiCICCO: See, I think
12 that... It's just a thought. I'm not
13 certain that it will turn out the way I
14 suspect it will, but if we can make examples
15 of people, individuals who live in
16 apartments, houses, wherever, and take the
17 liberty of dumping their trash at a
18 particular site -- And they do this with
19 regularity. This isn't just once in a while.
20 Not that it makes it right to do it once in a
21 while, but this is like almost a daily
22 occurrence, you know, a process for them to
23 leave their house at a certain time of the
24 night and drop it off.

25 If we were able to enforce that and

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2 get some publicity as a result of that,
3 especially in the neighborhood papers -- I'm
4 using South Philadelphia as an example.
5 South Philadelphia Review would show a
6 photograph or do a commentary about certain
7 people who were fined \$300, I think word will
8 begin to get out.

9 I just think that the problem is --
10 And it's not being critical of the Streets
11 Department, the police. We're kind of used
12 to these things.

13 It's like the abandoned car that no
14 one pays attention to. The first couple of
15 days it's a nuisance. By the end of the
16 week, well, you know, it's still there.

17 And all of a sudden, if it doesn't
18 get removed, people -- it just becomes part
19 of the landscape. People just kind of get
20 used to it.

21 And I think that would really be
22 important for quality of life issues
23 throughout the City if you had a more -- And
24 I actually think that if we did this -- I
25 know cost is always a concern -- that the

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2 revenues from the fines would far outweigh
3 the cost of the enforcement. I truly believe
4 that that would be the case.

5 MR. HEALEY: Under the current bill
6 I agree.

7 What we can do, if you want,
8 Councilman, I could talk to you after. You
9 can give me some specific locations and times
10 where different activity occurs, and I'll
11 relay it back to community services -- or not
12 community. I'm sorry. To neighborhood
13 services. And then once, if we do get a
14 significant number of arrests or citations,
15 we could --

16 CHAIRMAN DiCICCO: I appreciate
17 that. And if we're successful with the
18 arrest and citation, I certainly want to give
19 credit where credit is due and publicize it.

20 MR. HEALEY: That's fine.

21 CHAIRMAN DiCICCO: I mean, word has
22 to get out that this is no longer
23 permissible.

24 MR. HEALEY: Our Neighborhood
25 Services actually covers, in addition to this

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2 type of activity, as well as the abandoned
3 auto. So everything plays in.

4 CHAIRMAN DiCICCO: Thank you very
5 much.

6 MR. HEALEY: I'll get a couple
7 locations from you.

8 CHAIRMAN DiCICCO: Okay. Thanks. I
9 think it's important to try it, and let's see
10 what happens.

11 MR. LEO: I'll be glad as well to
12 get any locations, and we can address them.

13 CHAIRMAN DiCICCO: Well, I can tell
14 you right now. 10th and Federal on the
15 southeast corner is pretty notorious.

16 Broad and Tasker, especially on the
17 east side which would be the north -- I'm
18 sorry. The west side. The northwest corner
19 of Broad and Tasker, is horrible.

20 Up and down Broad Street. That
21 seems to be one of the primary locations for
22 short dumping.

23 And I suspect it's from people who
24 live in apartments. And unfortunately for
25 them, you know, these are properties that

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2 were converted into multi-family dwellings
3 many years ago, didn't provide access to the
4 yard but for the first floor tenant.

5 And there really is no place for
6 them to put trash. But the landlord should
7 be responsible for providing daily or every
8 other day trash removal.

9 And what happens is, the burden's
10 left on the taxpayers, and all the other
11 quality of life issues that affect us
12 negatively.

13 So thank you. Appreciate it.

14 The Clerk will read the title of the
15 next bill.

16 CLERK: Bill Number 040851, an
17 ordinance permitting three traffic lanes on
18 Walnut Street, between 40th Street and Cobbs
19 Creek Parkway, and requiring that the lane
20 markers on Walnut Street be changed to
21 reflect this change.

22 CHAIRMAN DiCICCO: I understand Mr.
23 Denny is not here. No one from the
24 administration is here to testify on this?

25 UNIDENTIFIED WOMAN: What bill was

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2 it?

3 CHAIRMAN DiCICCO: 851, Cobbs Creek
4 Parkway, the three lanes of traffic. Lane
5 markers, Councilwoman Blackwell's bill.

6 Okay. We will hold this bill until
7 the end of the hearing and hopefully have
8 someone from the Streets Department.

9 UNIDENTIFIED WOMAN: I'll go get
10 someone.

11 CHAIRMAN DiCICCO: Thank you.

12 We'll hold Bill Number 040851 until
13 the last bill to be called up in this
14 hearing.

15 Clerk will read the title of the
16 next bill.

17 CLERK: Bill Number 050134, an
18 ordinance authorizing the Water Commissioner
19 on behalf of the City to enter into an
20 agreement with the owners of the properties
21 and their successors at 925 through 927, 925
22 Rear, 923, 923 Rear Number 1, 923 Rear Number
23 2 and 923 Rear Number 3 South Second Street
24 for the grant of a right-of-way to the City
25 in the bed of a private street, known as

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2 Salter Street for drainage, sewer and water
3 main purposes, under certain terms and
4 conditions.

5 MR. McCLOSKEY: Yes. Good
6 afternoon.

7 CHAIRMAN DiCICCO: Excuse me. He's
8 trying to get your attention, sir.

9 MR. McCLOSKEY: Thank you.

10 Good afternoon, Mr. Chairman,
11 members of the committee. My name is Paul
12 McCloskey. I'm with the Water Department.

13 Shot Tower Housing Development
14 consists of seven single family houses
15 located in the Queens Village section of the
16 City.

17 It is currently being constructed on
18 properties on the southeast corner of Second
19 Street and a private street known as Salter
20 Street.

21 The sewer and the water main will be
22 constructed to City standards on Salter
23 Street from Second to approximately 150 feet
24 east of Second Street. The developer plans
25 to dedicate them to the City in accordance

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2 with the Philadelphia Code.

3 In order for the City to accept the
4 facilities, the developer and the surrounding
5 property owners must grant the City a
6 right-of-way for drainage, sewer and water
7 main purposes in the bed of the private
8 street.

9 This bill authorizes an agreement
10 for the City to accept the right-of-way. The
11 agreement provides language that the City may
12 place the right-of-way on a City Plan at a
13 later date.

14 We recommend that this bill be
15 favorably reported out of committee.

16 CHAIRMAN DiCICCO: Anyone else here
17 wishes to testify on this bill?

18 (No response.)

19 CHAIRMAN DiCICCO: Seeing none, the
20 clerk will read the title of the next bill.

21 CLERK: Bill Number 050135, an
22 ordinance authorizing the Water Commissioner
23 on behalf of the City to enter into an
24 agreement with the owner of a property and
25 their successors of private roadways located

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2 within the Independence Court Housing
3 Development, located in properties bounded by
4 Christian Street, Queen Street, Swanson
5 Street and the Southeast Right-of-way Line of
6 Interstate 95, for the grant of a
7 right-of-way to the City for drainage, sewer
8 and water main purposes, under certain terms
9 and conditions.

10 MR. McCLOSKEY: Good afternoon
11 again, Mr. Chairman, members of the
12 committee.

13 My name is Paul McCloskey. I'm with
14 the Philadelphia Water Department.

15 The Independence Court Housing
16 Development consists of 29 single family
17 houses in the Queen Village section of the
18 City.

19 It is currently being constructed on
20 properties bounded by Christian Street, Queen
21 Street, Swanson Street, and the southeast
22 right-of-way line of the Interstate 95.

23 The plan for the development will
24 have an interior private roadway system in
25 which the utilities of the development will

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2 be constructed.

3 The sewers and the water mains will
4 be constructed to City standards. The
5 developer plans to dedicate them to the City
6 in accordance with the Philadelphia Code.

7 In order for the City to accept the
8 facilities, the developer must grant the City
9 rights-of-ways for the drainage, sewer and
10 water main purposes in the beds of the
11 private roads.

12 This bill authorizes the agreement
13 to accept the right-of-ways. The agreement
14 provides language that the City may place the
15 right-of-ways on City plan at a later date.

16 We recommend that this bill be
17 favorably reported out of committee.

18 CHAIRMAN DiCICCO: Thank you.

19 Any questions for this witness?

20 (No response.)

21 CHAIRMAN DiCICCO: Anyone else here
22 wishes to testify?

23 (No response.)

24 CHAIRMAN DiCICCO: Seeing none, the
25 Clerk will read the title of the next bill.

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2 CLERK: Bill Number 050205, an
3 ordinance authorizing the Water Commissioner
4 on behalf of the City to enter into an
5 agreement with the owners of the properties
6 and their successors at 3101 through 3131
7 West Thompson Street for the grant of a
8 right-of-way for water main purposes, under
9 certain terms and conditions.

10 MR. McCLOSKEY: Can I question the
11 Clerk? Was that 205?

12 CHAIRMAN DiCICCO: Right, 205.

13 MR. McCLOSKEY: Good afternoon
14 again. My name is Paul McCloskey. I'm with
15 the Water Department.

16 The Brewerytown Square Housing
17 Development consists of 72 single family
18 houses. It is currently being constructed on
19 property bounded by Thompson Street, Master
20 Street, 31st Street and 32nd Street.

21 The developer is constructing water
22 main mid way between 31st and 32nd Street
23 from Thompson Street to Master Street.

24 The water main will be built to City
25 standards and dedicated to the City as a

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2 public facility, in accordance with
3 Philadelphia Code.

4 In order for the City to accept the
5 water main, the developer must grant
6 right-of-way for water main purposes.

7 This bill authorizes an agreement
8 for the City to accept the right-of-way. The
9 agreement provides language that the City
10 Plan may be placed on City Plan at a later
11 date.

12 We recommend this bill be favorably
13 reported out of committee.

14 CHAIRMAN DiCICCO: Thank you, Mr.
15 McCloskey.

16 Since there's no one else but me
17 here, I have no questions.

18 Anyone else wishes to testify?

19 (No response.)

20 CHAIRMAN DiCICCO: Seeing none, the
21 Clerk will read the title of the next bill.

22 CLERK: Bill Number 050136, an
23 ordinance amending Section 9-204 of The
24 Philadelphia Code by providing that all
25 permitted vendor locations on both sides of

1 Streets & Services - 4/7/05
2 Twelfth Street between Arch Street and
3 Chestnut Street shall be assigned only to
4 vendors licensed to sell prepared food, all
5 under certain terms and conditions.

6 CHAIRMAN DiCICCO: Good afternoon,
7 Mr. Haigler.

8 MR. HAIGLER: Good day, Councilman
9 DiCicco and members of the committee. I am
10 Otis Haigler, Jr., Director of Legislative if
11 Affairs for the Department of Licenses and
12 Inspections.

13 Today I'm here to provide testimony
14 on Bill Number 050136 which, if enacted, will
15 restrict vending on both sides of 12th Street
16 between Arch and Chestnut Streets, to vendors
17 that sell prepared food items.

18 In general, the department offers no
19 objections to the enactment of this bill.

20 However, the committee and Council
21 should be mindful that to enforce the
22 provisions of Bill 050136, the department
23 will have to expend its limited resources to
24 evict and relocate vendors who may have
25 operated legally for some time, since the

1 Streets & Services - 4/7/05
2 enactment of Bill 1205-AA, which governs
3 vending operations in Center City.

4 The provision of Bill 1205-AA became
5 law on January 3, 1992. And its purpose was
6 to establish 300 locations in specific areas
7 of Center City where vending operations would
8 be allowed.

9 Continued alterations to Bill
10 1205-AA and limitations placed on locations
11 where vending is permitted may have an impact
12 on this type of activity in Center City,
13 since legal locations to conduct vending
14 operations will be at a premium.

15 Thank you. I'll be happy to answer
16 any questions at this time.

17 CHAIRMAN DiCICCO: Any questions for
18 this witness?

19 (No response.)

20 CHAIRMAN DiCICCO: No one else here
21 to testify.

22 We will now... Just stay where you
23 are, Mr. Haigler, if you don't mind. We're
24 going to go back to Bill Number 040851 to
25 have some expert testimony on behalf of

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2 Councilwoman Blackwell.

3 MR. BOVAY: Good afternoon. My name
4 is Darwin Bovay. I'm from Councilwoman
5 Jannie Blackwell's Office. And I am here to
6 testify on Bill Number 040851.

7 It's my understanding that this bill
8 was discussed at the last hearing. And I
9 believe that my boss had a conversation with
10 the Streets Department, and there were some
11 issues that had to be dealt with.

12 And until those issues are dealt
13 with, my boss is looking to have this bill
14 reported out of committee, placed on the
15 calendar, to which she will be holding this
16 bill on the calendar until these issues are
17 resolved.

18 CHAIRMAN DiCICCO: Do you want a
19 suspension or do you want to just vote it
20 out? Maybe we could suspend it, and she
21 could still hold it and get first reading.

22 MR. BOVAY: That would be
23 preferable.

24 CHAIRMAN DiCICCO: We'll do a
25 suspension and she could still hold it.

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2 MR. BOVAY: That would be fine.

3 CHAIRMAN DiCICCO: Very good. I
4 understand that Mr. Denny or someone's coming
5 over to testify as well. No?

6 UNIDENTIFIED WOMAN: I'm sorry.

7 CHAIRMAN DiCICCO: We don't need
8 anyone else but Mr. Darwin here.

9 MR. BOVAY: And it's my
10 understanding nobody else will be testifying.
11 So I'm hoping you'll accept it.

12 CHAIRMAN DiCICCO: We'll vote it
13 out, and then the Councilwoman will hold it
14 as she sees fit. Thank you.

15 The Clerk will read the title of the
16 next bill.

17 CLERK: Bill Number 050137, an
18 ordinance amending Section 9-204 of The
19 Philadelphia Code by providing that all
20 permitted vendor locations on both sides of
21 Eleventh Street between Arch Street and
22 Chestnut Street shall be assigned only to
23 vendors licensed to sell prepared food, all
24 under certain terms and conditions.

25 CHAIRMAN DiCICCO: Mr. Haigler.

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2 MR. HAIGLER: Good day, Councilman
3 DiCicco and members of the committee.

4 I am Otis Haigler, Jr., Director of
5 Legislative Affairs for the Department of
6 Licenses and Inspections.

7 Today I'm here to provide testimony
8 on Bill Number 050137, which, if enacted,
9 will restrict vending on both sides of 11th
10 Street between Arch and Chestnut Street to
11 vendors that sell prepared food items.

12 In general, the department offers no
13 objections to the enactment of this bill.
14 However, the committee and Council should be
15 mindful that to enforce provisions of Bill
16 050137, the department will have to expend
17 its limited resources to evict and relocate
18 vendors who may have operated legally for
19 some time since the enactment of Bill 1205-AA
20 which governs vending operations in Center
21 City.

22 The provisions of Bill 1205-AA
23 became law on January 3, 1992, and its
24 purpose was to establish 300 locations in
25 specific areas of Center City where vending

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2 operations would be allowed.

3 Continued alteration to Bill 1205-AA
4 and limitations placed on locations where
5 vending is permitted may have an impact on
6 this type of activity in Center City, since
7 legal locations to conduct vending operations
8 will be at a premium.

9 Thank you. I'll be happy to answer
10 any questions at this time.

11 CHAIRMAN DiCICCO: Thank you, Mr.
12 Haigler.

13 Clerk will read the title of the
14 next bill.

15 CLERK: Bill Number 050138, an
16 ordinance amending Section 9-204 of The
17 Philadelphia Code by providing that all
18 permitted vendor locations on both sides of
19 Eighth Street and Ninth Street between Arch
20 Street and Market Street shall be assigned
21 only to vendors licensed to sell prepared
22 food, all under certain terms and conditions.

23 MR. HAIGLER: Good day, Councilman
24 DiCicco and members of the committee. I am
25 Otis Haigler, Jr., Director of Legislative

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2 Affairs for the Department of Licenses and
3 Inspections.

4 Today I'm here to provide testimony
5 on Bill 050138 which, if enacted, will
6 restrict vending on both sides of 8th and 9th
7 Streets between Arch and Market Streets to
8 vendors that sell prepared food items.

9 In general the department offers no
10 objections to the enactment of this bill.

11 However, the committee and Council
12 should be mindful that to enforce the
13 provisions of Bill 050138, the department
14 will have to expend its limited resources to
15 evict and relocate vendors who may have
16 operated legally for some time, since the
17 enactment of Bill 1205-AA which governs
18 vending operations in Center City.

19 The provisions of Bill 1205-AA
20 became law on January 3, 1992, and its
21 purpose was to establish 300 locations in
22 specific areas of Center City where vending
23 operations would be allowed.

24 Continued alterations to Bill
25 1205-AA and limitations placed on locations

1 Streets & Services - 4/7/05
2 where vending is permitted may have an impact
3 on this type of activity in Center City,
4 since legal locations to conduct vending
5 operations will be at a premium.

6 Thank you. I'll be happy to answer
7 any questions at this time.

8 CHAIRMAN DiCICCO: Thank you, Mr.
9 Haigler.

10 Clerk will read the title of the
11 next bill.

12 CLERK: Bill 050141, an ordinance
13 amending Section 9-204 of The Philadelphia
14 Code by prohibiting vending on both sides of
15 8th Street, from Chestnut Street to Walnut
16 Street and by permitting vending on both
17 sides of 8th Street, from Market Street to
18 Chestnut Street.

19 MR. HAIGLER: Good day, Councilman
20 DiCicco and members of the committee.

21 I am Otis Haigler, Jr., Director of
22 Legislative Affairs for the Department of
23 Licenses and Inspections.

24 Today I am here to provide testimony
25 on Bill 050141 which, if enacted, will delete

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2 five current vending locations that were
3 established pursuant to the enactment of Bill
4 1205-AA on both sides of 8th Street between
5 Chestnut and Walnut, and also add three new
6 vending locations on both sides of 8th Street
7 between Market and Chestnut Streets.

8 In general the department offers no
9 objections to the enactment of this bill.

10 However, the committee and Council
11 should be mindful that to enforce the
12 provisions of Bill 050141, the department
13 will have to expand its limited resources to
14 evict and relocate vendors who may have
15 operated legally for some time, since the
16 enactment of Bill 1205-AA which governs
17 vending operations in Center City.

18 The provisions of Bill 1205-AA
19 became law on January 3, 1992, and its
20 purpose was to establish 300 locations in
21 specific areas of Center City where vending
22 operations would be allowed.

23 Continued alterations to Bill
24 1205-AA and limitations placed on locations
25 where vending is permitted may have an impact

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2 on this type of activity in Center City,
3 since legal locations to conduct vending
4 operations will be at a premium.

5 Thank you. I'll be happy to answer
6 any questions at this time.

7 CHAIRMAN DiCICCO: Thank you, sir.

8 Any questions?

9 (No response.)

10 CHAIRMAN DiCICCO: Clerk will read
11 the title of the next bill.

12 CLERK: Bill Number 050070, an
13 ordinance authorizing Temple University, 1101
14 West Montgomery Avenue, Philadelphia, PA
15 19122, its successors and assigns, to
16 construct, own and maintain a building
17 encroachment on the east footway of North
18 13th Street adjacent to the Temple University
19 Student Center, under certain terms and
20 conditions.

21 MR. WATSON: Good afternoon,
22 Chairman and members of the committee. My
23 name is William Watson. I'm a construction
24 engineer with the Streets Department.

25 I am here to offer the following

1 Streets & Services - 4/7/05
2 testimony for Bill Number 050070. This bill
3 authorizes Temple University, owner of the
4 property located at 1735 to 55 North 13th
5 Street, to construct, own and maintain a
6 building encroachment on the east footway of
7 North 13th Street, adjacent to the Temple
8 University Student Center.

9 The encroachment, which encompasses
10 a portion of the Student Center entrance and
11 atrium lobby is approximately 60 feet in
12 length and variable width.

13 The building encroachment, located
14 south of Montgomery Avenue, varies from
15 approximately two feet to eight feet into the
16 public right-of-way.

17 The Streets Department has reviewed
18 the construction plans for this project. As
19 the encroachment does not adversely affect
20 the public right-of-way, the Streets
21 Department recommends passage of this bill.

22 CHAIRMAN DiCICCO: Thank you.

23 No one here but me.

24 Clerk will read the title of the
25 next bill.

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2 CLERK: Bill Number 050017, an
3 ordinance granting permission to Bharat
4 Patel, owner of the newsstand at the
5 southwest corner of Broad Street and Arch
6 Street, to construct, use and maintain an
7 electrical conduit with an electrical service
8 line and a telecommunications conduit with a
9 telephone service line in and under the
10 public rights-of-way for the purpose of
11 supplying electrical service and telephone
12 service to the newsstand, under certain terms
13 and conditions.

14 MR. WATSON: Good afternoon,
15 Chairman and members of the committee. My
16 name is William Watson. I'm a construction
17 engineer with the Streets Department.

18 I'm here to offer the following
19 testimony for Bill Number 050017. This bill
20 grants permission to Bharat Patel, owner of
21 the newsstand at the southwest corner of
22 Broad and Arch Street, to construct, use and
23 maintain an electrical conduit with an
24 electric service line and a
25 telecommunications conduit with a telephone

1 Streets & Services - 4/7/05

2 service line in and under the public
3 right-of-way, for purposes of supplying
4 electric and telephone service to the
5 newsstand.

6 The Streets Department has reviewed
7 the construction plan for this project and
8 has no objection to the passage of the bill.

9 CHAIRMAN DiCICCO: Thank you.

10 Clerk will read the title of the
11 next bill.

12 CLERK: Bill Number 050069, an
13 ordinance authorizing American Music Theater
14 Festival T/A Prince Music Theater ("Prince
15 Music Theater"), the owner of the property
16 1412 Chestnut Street, Philadelphia, PA 19103
17 to relocate and maintain one statue, the
18 Allow Me statue, which is currently located
19 at 235 S. 17th Street, Philadelphia, PA
20 19103, on the facade of 1412 Chestnut Street,
21 all under certain terms and conditions.

22 MR. WATSON: Good afternoon, Mr.
23 Chairman and members of the committee. My
24 name is William Watson. I'm a construction
25 engineer with the Streets Department.

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2 I'm here to offer the following
3 testimony for Bill Number 050069.

4 This bill authorizes Prince Music
5 Theater, 100 South Broad Street, Suite 650,
6 the owner of the property 1412 Chestnut
7 Street, to maintain one cast bronze statue on
8 the south sidewalk of Chestnut Street
9 adjacent to the property.

10 The statue is approximately seven
11 feet high, three feet nine inches wide, and
12 four feet two inches deep. The center line
13 of the statue is located approximately three
14 feet north of the building facade.

15 The Streets Department has reviewed
16 the construction plans for this project. As
17 the encroachment does not adversely affect
18 the public right-of-way, the Streets
19 Department recommends passage of this bill.

20 CHAIRMAN DiCICCO: Thank you.

21 The Clerk will read the title of the
22 next bill.

23 CLERK: Bill Number 050108, an
24 ordinance authorizing the Legendary Blue
25 Horizon ("Blue Horizon"), the owner of the

1 Streets & Services - 4/7/05
2 property 1314 North Broad Street,
3 Philadelphia, PA 19121 to maintain one
4 statue, the "Spirit of Philadelphia Boxing"
5 statue, which is currently located on the
6 facade of 1314 North Broad Street, all under
7 certain terms and conditions.

8 MR. WATSON: Good afternoon,
9 Chairman and members of the committee. My
10 name is William Watson. I'm a construction
11 engineer with the Streets Department.

12 I'm here to offer the following
13 testimony for Bill Number 050108.

14 This bill authorizes the legendary
15 Blue Horizon, owner of the property 314 North
16 Broad Street, to maintain one statue, The
17 Spirit of Philadelphia boxing statue adjacent
18 to the property on the west sidewalk of North
19 Broad Street.

20 The statue which is approximately
21 nine feet high, five feet wide, and five feet
22 deep, will be placed on the sidewalk adjacent
23 to the exterior entrance stairway.

24 The Streets Department has reviewed
25 the construction plan for this project. As

1 Streets & Services - 4/7/05
2 the encroachment does not adversely affect
3 the public right-of-way, the Streets
4 Department recommends passage of this bill.

5 CHAIRMAN DiCICCO: Thank you.

6 The Clerk will read the title of the
7 next bill.

8 CLERK: Bill Number 050140, an
9 ordinance authorizing Vincent and Barbara
10 Termini, 824 Gatemore Road, Bryn Mawr, PA
11 19010, owners of the property Mr. Joe Cafe,
12 1514 S. 8th Street, Philadelphia, PA 19147,
13 their successors and assigns, to construct,
14 own and maintain pedestrian scale light
15 poles, luminaires and underground electrical
16 service, under certain terms and conditions.

17 MR. WATSON: Good afternoon,
18 Chairman and members of the committee. My
19 name is William Watson. I'm a construction
20 engineer with the Streets Department.

21 I'm here to offer the following
22 testimony for Bill Number 050140. This bill
23 authorizes Vincent and Barbara Termini,
24 owners of the property Mr. Joe's Cafe, 1514
25 South 8th Street, to construct, own and

1 Streets & Services - 4/7/05
2 maintain pedestrian scale light poles
3 luminaires and underground electrical service
4 conduit.

5 Four light posts are proposed for
6 the south footway of Greenwich Street. Two
7 are proposed for the west footway of South
8 8th Street.

9 Pedestrian scale lights will be
10 energized via an underground electrical
11 service conduit emanating from the property.

12 The Streets Department has reviewed
13 the construction plans for this project. As
14 the encroachment does not adversely affect
15 the public right-of-way, the Streets
16 Department recommends passage of this bill.

17 CHAIRMAN DiCICCO: Clerk will read
18 the title of the next bill.

19 CLERK: Bill Number 050167, an
20 ordinance granting permission to Rajedra
21 Kothari, owner of the newsstand at the
22 southeast corner of 17th Street and J.F.K.
23 Boulevard, to construct, use and maintain an
24 electrical conduit with a telephone service
25 line in and under the public rights-of-way

1 Streets & Services - 4/7/05
2 for the purpose of supplying electrical
3 service and telephone service to the
4 newsstand, under certain terms and
5 conditions.

6 MR. WATSON: Good afternoon,
7 Chairman and members of the committee. My
8 name is William Watson. I'm a construction
9 engineer with the Streets Department.

10 I'm here to offer the following
11 testimony for Bill Number 050167.

12 This bill grants permission to
13 Rajendra Kothari, owner of the newsstand at
14 the southeast corner of 17th and J.F.K.
15 Boulevard to construct, use and maintain an
16 electrical conduit with an electrical service
17 line and a telecommunications conduit with a
18 telephone service line in and under the
19 public rights-of-way for the purpose of
20 supplying electric service and telephone
21 service to the newsstand.

22 The Streets Department has reviewed
23 the construction plans for this project and
24 last no objection to the passage of the bill.

25 CHAIRMAN DiCICCO: Thank you. You

1 Streets & Services - 4/7/05

2 have a couple more.

3 Clerk will read the title of the
4 next bill.

5 CLERK: Bill Number 050200, an
6 ordinance granting permission to Popi's
7 Enterprises, Ltd. located at 3120 - 3132
8 South 20th Street, Philadelphia, PA 19145, to
9 construct, use and maintain a building
10 encroachment, entrance addition, north and
11 south roof embellishments, rigid fabric
12 awnings, canopy, pedestrian lights,
13 underground electrical conduit and open air
14 sidewalk cafe on, under and over the west
15 footway of South 20th Street, under certain
16 terms and conditions.

17 MR. WATSON: Good afternoon,
18 Chairman and members of the committee. My
19 name is William Watson. I'm a construction
20 engineer with the Streets Department.

21 I'm here to offer the following
22 testimony for Bill Number 050200.

23 This bill grants permission to
24 Popi's Enterprise, located at 3120-32 South
25 20th Street, to construct, use and maintain a

1 Streets & Services - 4/7/05
2 building encroachment, entrance addition,
3 north and south roof embellishments, rigid
4 frame awnings, canopy, pedestrian lights and
5 underground conduit and open air sidewalk
6 cafe on under and over the west footway of
7 South 20th Street.

8 The Streets Department has reviewed
9 the as-built construction drawings, the
10 sidewalk cafe plan and field verified the
11 dimensions.

12 As the encroachments do not
13 adversely affect the public right-of-way and
14 the proposed sidewalk cafe allows for
15 adequate pedestrian passage, the Streets
16 Department recommends passage of this bill.

17 CHAIRMAN DiCICCO: Thank you very
18 much.

19 This concludes the public hearing on
20 the Committee of Streets and Services. We
21 will shortly go into the public meeting.
22 Take a five-minute recess. Thank you.

23 (Brief recess.)

24

25

1 Streets & Services - 4/7/05

2 CERTIFICATE

3

4 I HEREBY CERTIFY that the proceedings and
5 evidence are contained fully and accurately in the
6 stenographic notes taken by me upon the public
7 hearing of The Philadelphia City Council, taken on
8 April 7, 2005, and that this is a true and correct
9 transcript of same.

10

11

12

13

14

15 _____
16 DAVID A. DEIK, RPR and
17 Commissioner of Deeds

18

19

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

25

1 Streets & Services - 4/7/05

2 COUNCIL OF THE CITY OF PHILADELPHIA

3 PUBLIC MEETING - COMMITTEE ON STREETS and SERVICES

4 - - -

5 Room 400, City Hall

6 Philadelphia, Pennsylvania

7 Thursday, April 7, 2005, 3:30 p.m.

8 - - -

9 040851 - An Ordinance permitting three traffic

10 lanes on Walnut Street, between 40th

11 Street and Cobbs Creek Parkway, and

12 requiring that the lane markers on Walnut

13 Street be changed to reflect this change.

14 041044 - An Ordinance authorizing the revision of

15 lines and grades on a portion of City

16 Plan No. 299 by striking from the City

17 Plan Domino Lane from Henry Avenue to

18 Hagner Street, under certain terms and

19 conditions.

20 041070 - An Ordinance amending Chapter 10-700 of

21 The Philadelphia Code, entitled "Refuse

22 and Littering," by increasing the fines

23 and penalties for the dumping of debris;

24 providing for the forfeiture of any

25 property used in such dumping; and making

 certain technical changes, all under

 certain terms and conditions.

 050017 - An Ordinance granting permission to

 Bharat Patel, owner of the newsstand at

 the southwest corner of Broad Street and

 Arch Street, to construct, use and

 maintain an electrical conduit with an

 electrical service line and a

 telecommunications conduit with a

 telephone service line in and under the

 public rights-of-way for the purpose of

 supplying electrical service and

 telephone service to the newsstand, under

 certain terms and conditions.

 - - -

 V A R A L L O Incorporated

 Litigation Support Services

 1835 Market Street, Suite 600

 Philadelphia, Pennsylvania 19103

 215.561.2220 215.567.2670

- 1 Streets & Services - 4/7/05
- 2 050062 - An Ordinance amending Section 2 of an
3 Ordinance (Bill No. 020349) approved
4 September 6, 2002, entitled "An Ordinance
5 authorizing the revision of lines and
6 grades on a portion of City Plan No. 242
7 by striking from the City Plan and
8 vacating Cedar Park Avenue from
9 Sixty-ninth Avenue to Haines Street and
10 by placing on the City Plan a
11 right-of-way for drainage purposes, water
12 main purposes and gas main purposes,
13 under certain terms and conditions," by
14 extending the period for compliance with
15 the authorization conditions therein.
- 16 050067 - An Ordinance authorizing Felix
17 Penzarella, 618 S. Front Street,
18 Philadelphia, PA 19147, owner of the
19 property 618 S. Front Street,
20 Philadelphia, PA 19147, his successors
21 and assigns, to construct and maintain a
22 rear building addition on Hancock Street,
23 under certain terms and conditions.
- 24 050068 - An Ordinance amending Title 12 of The
25 Philadelphia Code, entitled "Traffic
26 Code," by enacting a new Chapter 12-700,
27 entitled "Prohibition Against Motor
28 Vehicle Cruising," to prohibit motor
29 vehicle cruising in an are abounded by
30 Lombard Street on the north, Front Street
31 on the east, Bainbridge Street on the
32 south, and Eleventh Street on the west
33 and in an area bounded by Chestnut Street
34 on the north, Twelfth Street on the east,
35 Spruce Street on the south and Thirteenth
36 Street on the west; all under certain
37 terms and conditions.
- 38 050069 - An Ordinance authorizing American Music
39 Theater Festival T/A Prince Music Theater
40 ("Prince Music Theater"), the owner of
41 the property 1412 Chestnut Street,
42 Philadelphia, PA 19103 to relocate and
43 maintain one statue, the Allow Me statue,
44 which is currently located at 235 S. 17th
45 Street, Philadelphia, PA 19103, on the

- 1 Streets & Services - 4/7/05
- 2 facade of 1412 Chestnut Street, all under
- 3 certain terms and conditions.
- 4 050070 - An Ordinance authorizing Temple
- 5 University, 1101 West Montgomery Avenue,
- 6 Philadelphia, PA 19122, its successors
- 7 and assigns, to construct, own and
- 8 maintain a building encroachment on the
- 9 east footway of North 13th Street
- 10 adjacent to the Temple University Student
- 11 Center, under certain terms and
- 12 conditions.
- 13 050108 - An Ordinance authorizing the Legendary
- 14 Blue Horizon ("Blue Horizon"), the owner
- 15 of the property 1314 North Broad Street,
- 16 Philadelphia, PA 19121 to maintain one
- 17 statue, the "Spirit of Philadelphia
- 18 Boxing" statue, which is currently
- 19 located on the facade of 1314 North Broad
- 20 Street, all under certain terms and
- 21 conditions.
- 22 050131 - An Ordinance authorizing the revision of
- 23 lines and grades on a portion of City
- 24 Plan No. 231 by striking from the City
- 25 Plan and vacating the legally open
- portions of Pechin Street from
- Cinnaminson Street to Lemonte Street;
- under certain terms and conditions.
- 050134 - An Ordinance authorizing the Water
- Commissioner on behalf of the City to
- enter into an agreement with the owners
- of the properties and their successors at
- 925 through 927, 925 Rear, 923, 923 Rear
- Number 1, 923 Rear Number 2 and 923 Rear
- Number 3 South Second Street for the
- grant of a right-of-way to the City in
- the bed of a private street, known as
- Salter Street for drainage, sewer and
- water main purposes, under certain terms
- and conditions.
- 050135 - An Ordinance authorizing the Water
- Commissioner on behalf of the City to
- enter into an agreement with the owner of

1 Streets & Services - 4/7/05

2 a property and their successors of
3 private roadways located within the
4 Independence Court Housing Development,
5 located in properties bounded by
6 Christian Street, Queen Street, Swanson
7 Street and the Southeast Right-of-way
8 Line of Interstate 95, for the grant of a
9 right-of-way to the City for drainage,
10 sewer and water main purposes, under
11 certain terms and conditions.

12 050136 - An Ordinance amending Section 9-204 of
13 The Philadelphia Code by providing that
14 all permitted vendor locations on both
15 sides of Twelfth Street between Arch
16 Street and Chestnut Street shall be
17 assigned only to vendors licensed to sell
18 prepared food, all under certain terms
19 and conditions.

20 050137 - An Ordinance amending Section 9-204 of
21 The Philadelphia Code by providing that
22 all permitted vendor locations on both
23 sides of Eleventh Street between Arch
24 Street and Chestnut Street shall be
25 assigned only to vendors licensed to sell
 prepared food, all under certain terms
 and conditions.

 050138 - An Ordinance amending Section 9-204 of
 The Philadelphia Code by providing that
 all permitted vendor locations on both
 sides of Eighth Street and Ninth Street
 between Arch Street and Market Street
 shall be assigned only to vendors
 licensed to sell prepared food, all under
 certain terms and conditions.

 050139 - An Ordinance authorizing the Water
 Commissioner on behalf of the City to
 enter into an agreement with the owners
 of the properties and their successors at
 3101 through 3131 West Thompson Street
 for the grant of a right-of-way for water
 main purposes, under certain terms and
 conditions.

25

- 1 Streets & Services - 4/7/05
- 2 050140 - An Ordinance authorizing Vincent and
3 Barbara Termini, 824 Gatemore Road, Bryn
4 Mawr, PA 19010, owners of the property
5 Mr. Joe Cafe, 1514 S. 8th Street,
6 Philadelphia, PA 19147, their successors
7 and assigns, to construct, own and
8 maintain pedestrian scale light poles,
9 luminaires and underground electrical
10 service, under certain terms and
11 conditions.
- 12 050141 - An Ordinance amending Section 9-204 of
13 The Philadelphia Code by prohibiting
14 vending on both sides of 8th Street, from
15 Chestnut Street to Walnut Street and by
16 permitting vending on both sides of 8th
17 Street, from Market Street to Chestnut
18 Street.
- 19 050142 - An Ordinance authorizing the revision of
20 lines and grades on a portion of City
21 Plan No. 120 by striking from the City
22 Plan and vacating Carlisle Street from
23 Oxford Street to Cecil B. Moore Avenue
24 and by reserving and placing on the City
25 Plan a right-of-way for drainage
 purposes, water main purposes, gas main
 purposes and public utility purposes
 within the lines of Carlisle Street being
 stricken from the City Plan and vacated
 under authority of this Ordinance, under
 certain terms and conditions.
- 26 050143 - An Ordinance amending Section 2 of an
27 Ordinance (Bill No. 020740) approved
28 January 23, 2003, entitled "An Ordinance
29 authorizing the revision of lines and
30 grades on a portion of City Plan No. 58
31 by striking from the City Plan and
32 vacating Olive Street from Percy Street
33 to Tenth Street; by striking from the
34 City Plan and vacating Hutchinson Street
35 from Olive Street to Brown Street and by
36 reserving and placing on the City Plan a
37 right-of-way for drainage purposes, water
38 main purposes and public utility purposes
39 within the bed of Hutchinson Street,

- 1 Streets & Services - 4/7/05
- 2 under certain terms and conditions," by
- 3 extending the time for compliance with
- 4 the conditions stated therein.
- 5 050163 - An Ordinance authorizing Thomas Jefferson
- 6 University Hospitals, Inc. and Urban
- 7 Growth Property Limited Partnership to
- 8 construct and maintain a pedestrian
- 9 bridge over the across Tenth Street
- 10 between Chestnut Street and Sansom
- 11 Street, under certain terms and
- 12 conditions.
- 13 050167 - An Ordinance granting permission to
- 14 Rajendra Kothari, owner of the newsstand
- 15 at the southeast corner of 17th Street
- 16 and J.F.K. Boulevard, to construct, use
- 17 and maintain an electrical conduit with a
- 18 telephone service line in and under the
- 19 public rights-of-way for the purpose of
- 20 supplying electrical service and
- 21 telephone service to the newsstand, under
- 22 certain terms and conditions.
- 23 050191 - An Ordinance granting permission to Moore
- 24 College, owner of the property 1915 Race
- 25 Street, Philadelphia, PA 19103, to
- operate and maintain an open air sidewalk
- cafe on the north sidewalk of Race
- Street, under certain terms and
- conditions.
- 050200 - An Ordinance granting permission to
- Popi's Enterprises, Ltd. located at 3120
- 3132 South 20th Street, Philadelphia,
- PA 19145, to construct, use and maintain
- a building encroachment, entrance
- addition, north and south roof
- embellishments, rigid fabric awnings,
- canopy, pedestrian lights, underground
- electrical conduit and open air sidewalk
- cafe on, under and over the west footway
- of South 20th Street, under certain terms
- and conditions.
- 050205 - An Ordinance authorizing the Water
- Commissioner on behalf of the City to

1 Streets & Services - 4/7/05

2 enter into an agreement with the owners
3 of the properties and their successors at
4 3101 through 3131 West Thompson Street
5 for the grant of a right-of-way for water
6 main purposes, under certain terms and
7 conditions.

8 PRESENT:

9 COUNCILMAN FRANK DiCICCO, Chair
10 COUNCIL PRESIDENT ANNA C. VERNA
11 COUNCILMAN DARRELL L. CLARKE
12 COUNCILWOMAN DONNA REED MILLER
13 COUNCILMAN MICHAEL A. NUTTER

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1 Streets & Services - 4/7/05

2 - - -

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

4 - - -

5 CHAIRMAN DiCICCO: We resume the
6 public meeting on the Committee of Streets
7 and Services.

8 The Chair recognizes Councilman
9 Clarke.

10 COUNCILMAN CLARKE: Mr. Chairman,
11 make a motion that Bill Number 050067 be
12 reported out of committee with a favorable
13 recommendation; request for rules suspension
14 so as to allow reading at our next session.

15 COUNCILMAN NUTTER: Second.

16 CHAIRMAN DiCICCO: It has been
17 properly moved and seconded that Bill Number
18 050067 be reported out of committee with a
19 favorable recommendation; that the rules of
20 Council be suspended.

21 All those in favor signify by saying
22 aye.

23 (Chorus of "ayes.")

24 CHAIRMAN DiCICCO: Those opposed?

25 (No response.)

1 Streets & Services - 4/7/05

2 CHAIRMAN DiCICCO: The bill's
3 approved.

4 COUNCILMAN CLARKE: Mr. Chairman,
5 make a motion that Bill Number 050163 be
6 reported out of committee with a favorable
7 recommendation; request for rules suspension
8 so as to allow reading at our next session of
9 Council.

10 COUNCILMAN NUTTER: Second.

11 CHAIRMAN DiCICCO: It has been
12 properly moved and seconded that Bill Number
13 050063 be reported out of committee with a
14 favorable recommendation; that the rules of
15 Council be suspended.

16 All those in favor signify by saying
17 aye.

18 (Chorus of "ayes.")

19 CHAIRMAN DiCICCO: Those opposed?

20 (No response.)

21 CHAIRMAN DiCICCO: The bill's
22 approved.

23 Councilman Clarke.

24 COUNCILMAN CLARKE: Mr. Chairman,
25 make a motion that Bill Number 050062 be

1 Streets & Services - 4/7/05
2 reported out of committee with a favorable
3 recommendation; request for rules suspension.

4 COUNCILMAN NUTTER: Second.

5 CHAIRMAN DiCICCO: It has been
6 properly moved and seconded that Bill Number
7 050062 be reported out of committee with a
8 favorable recommendation; that the rules of
9 Council be suspended.

10 All those in favor signify by saying
11 aye.

12 (Chorus of "ayes.")

13 CHAIRMAN DiCICCO: Those opposed?

14 (No response.)

15 CHAIRMAN DiCICCO: The bill's
16 approved.

17 Councilman Clarke.

18 COUNCILMAN CLARKE: Mr. Chairman,
19 make a motion that Bill Number 050143 be
20 reported out of committee with a favorable
21 recommendation; request for rules suspension
22 so as to allow reading at our next session.

23 COUNCILMAN NUTTER: Second.

24 CHAIRMAN DiCICCO: It has been
25 properly moved and seconded that Bill Number

1 Streets & Services - 4/7/05

2 050143 be reported out of committee with a
3 favorable recommendation; that the rules of
4 Council be suspended.

5 All those in favor signify by saying
6 aye.

7 (Chorus of "ayes.")

8 CHAIRMAN DiCICCO: Those opposed?

9 (No response.)

10 CHAIRMAN DiCICCO: The bill's
11 approved.

12 Councilman Clarke.

13 COUNCILMAN CLARKE: Mr. Chairman,
14 make a motion that Bill Number 041044 be
15 reported out of committee with a favorable
16 recommendation; request for rules suspension
17 so as to allow reading at our next session.

18 COUNCILMAN NUTTER: Second.

19 CHAIRMAN DiCICCO: It has been
20 properly moved and seconded that Bill Number
21 041044 be reported out of committee with a
22 favorable recommendation; that the rules of
23 Council be suspended.

24 All those in favor signify by saying
25 aye.

1 Streets & Services - 4/7/05

2 (Chorus of "ayes.")

3 CHAIRMAN DiCICCO: Those opposed?

4 (No response.)

5 CHAIRMAN DiCICCO: The bill's

6 approved.

7 Councilman Clarke.

8 COUNCILMAN CLARKE: Mr. Chairman,

9 make a motion that Bill Number 050131 be

10 reported out of committee with a favorable

11 recommendation; request for rules suspension

12 so as to allow reading at our next session.

13 COUNCILMAN NUTTER: Second.

14 CHAIRMAN DiCICCO: It has been

15 properly moved and seconded that Bill Number

16 050131 be reported out of committee with a

17 favorable recommendation; that the rules of

18 Council be suspended.

19 All those in favor signify by saying

20 aye.

21 (Chorus of "ayes.")

22 CHAIRMAN DiCICCO: Those opposed?

23 (No response.)

24 CHAIRMAN DiCICCO: The bill's

25 approved.

1 Streets & Services - 4/7/05

2 COUNCILMAN CLARKE: Mr. Chairman,
3 make a motion that Bill Number 050142 be
4 reported out of committee with a favorable
5 recommendation; request for rules suspension
6 so as to allow reading at our next session.

7 COUNCILMAN NUTTER: Second.

8 CHAIRMAN DiCICCO: It has been
9 properly moved and seconded that Bill Number
10 050142 be reported out of committee with a
11 favorable recommendation; that the rules of
12 Council be suspended.

13 All those in favor signify by saying
14 aye.

15 (Chorus of "ayes.")

16 CHAIRMAN DiCICCO: Those opposed?

17 (No response.)

18 CHAIRMAN DiCICCO: The bill's
19 approved.

20 COUNCILMAN CLARKE: Mr. Chairman, I
21 move for the adoption of an amendment to Bill
22 Number 041070.

23 COUNCILMAN NUTTER: Second.

24 CHAIRMAN DiCICCO: It has been
25 properly moved and seconded to move for the

1 Streets & Services - 4/7/05
2 adoption of the amendment to Bill Number
3 041070.
4 All those in favor signify by saying
5 aye.
6 (Chorus of "ayes.")
7 CHAIRMAN DiCICCO: Those opposed?
8 (No response.)
9 CHAIRMAN DiCICCO: The amendment's
10 been approved.
11 Councilman Clarke.
12 COUNCILMAN CLARKE: Mr. Chairman, I
13 move that Bill Number 041070, as amended, be
14 reported out of committee with a favorable
15 recommendation; request for rules suspension
16 so as to allow reading at our next session.
17 COUNCILMAN NUTTER: Second.
18 CHAIRMAN DiCICCO: It has been
19 properly moved and seconded that Bill Number
20 041070, as amended, be reported out of this
21 committee with a favorable recommendation;
22 that the rules of Council be suspended.
23 All those in favor signify by saying
24 aye.
25 (Chorus of "ayes.")

1 Streets & Services - 4/7/05

2 CHAIRMAN DiCICCO: Those opposed?

3 (No response.)

4 CHAIRMAN DiCICCO: The amended bill
5 is approved.

6 COUNCILMAN CLARKE: Mr. Chairman,
7 make a motion that Bill Number 040851 be
8 reported out of committee with a favorable
9 recommendation; request for rules suspension
10 so as to allow reading at our next session.

11 COUNCILMAN NUTTER: Second.

12 CHAIRMAN DiCICCO: It has been
13 properly moved and seconded that Bill Number
14 040851 be reported out of committee with a
15 favorable recommendation; that the rules of
16 Council be suspended.

17 All those in favor signify by saying
18 aye.

19 (Chorus of "ayes.")

20 CHAIRMAN DiCICCO: Those opposed?

21 (No response.)

22 CHAIRMAN DiCICCO: The bill's
23 approved.

24 Councilman Clarke.

25 COUNCILMAN CLARKE: Mr. Chairman,

1 Streets & Services - 4/7/05

2 make a motion that Bill Number 050134 be
3 reported out of committee with a favorable
4 recommendation; request for rules suspension
5 so as to allow reading at our next session.

6 COUNCILMAN NUTTER: Second.

7 CHAIRMAN DiCICCO: It has been
8 properly moved and seconded that Bill Number
9 050134 be reported out of committee with a
10 favorable recommendation; that the rules of
11 Council be suspended.

12 All those in favor signify by saying
13 aye.

14 (Chorus of "ayes.")

15 CHAIRMAN DiCICCO: Those opposed?

16 (No response.)

17 CHAIRMAN DiCICCO: The bill's
18 approved.

19 Councilman Clarke.

20 COUNCILMAN CLARKE: Mr. Chairman,
21 make a motion that Bill Number 050135 be
22 reported out of committee with a favorable
23 recommendation; request for rules suspension
24 so as to allow reading at our next session.

25 COUNCILMAN NUTTER: Second.

1 Streets & Services - 4/7/05

2 CHAIRMAN DiCICCO: It has been
3 properly moved and seconded that Bill Number
4 050135 be reported out of committee with a
5 favorable recommendation; that the rules of
6 Council be suspended.

7 All those in favor signify by saying
8 aye.

9 (Chorus of "ayes.")

10 CHAIRMAN DiCICCO: Those opposed?

11 (No response.)

12 CHAIRMAN DiCICCO: The bill's
13 approved.

14 Councilman Clarke.

15 COUNCILMAN CLARKE: Mr. Chairman,
16 make a motion that Bill Number 050205 be
17 reported out of committee with a favorable
18 recommendation; request for rules suspension
19 so as to allow reading at our next session.

20 COUNCILMAN NUTTER: Second.

21 CHAIRMAN DiCICCO: It has been
22 properly moved and seconded that Bill Number
23 050205 be reported out of committee with a
24 favorable recommendation; that the rules of
25 Council be suspended.

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2 All those in favor signify by saying
3 aye.

4 (Chorus of "ayes.")

5 CHAIRMAN DiCICCO: Those opposed?

6 (No response.)

7 CHAIRMAN DiCICCO: The bill's
8 approved.

9 COUNCILMAN CLARKE: Mr. Chairman, I
10 move that the amendment to Bill Number 050136
11 be approved.

12 COUNCILMAN NUTTER: Second.

13 CHAIRMAN DiCICCO: It has been
14 properly moved and seconded the amendment to
15 Bill Number 050136 be approved.

16 All those in favor signify by saying
17 aye.

18 (Chorus of "ayes.")

19 CHAIRMAN DiCICCO: Those opposed?

20 (No response.)

21 CHAIRMAN DiCICCO: Councilman
22 Clarke.

23 COUNCILMAN CLARKE: Mr. Chairman, I
24 move that Bill Number 050136, as amended, be
25 reported out of committee with a favorable

1 Streets & Services - 4/7/05
2 recommendation; request for rules suspension
3 so as to allow reading at our next session.

4 COUNCILMAN NUTTER: Second.

5 CHAIRMAN DiCICCO: It has been
6 properly moved and seconded that Bill Number
7 050136, as amended, be reported out of this
8 committee with a favorable recommendation;
9 that the rules of Council be suspended.

10 All those in favor signify by saying
11 aye.

12 (Chorus of "ayes.")

13 CHAIRMAN DiCICCO: Those opposed?

14 (No response.)

15 CHAIRMAN DiCICCO: The bill is
16 approved.

17 Councilman Clarke.

18 COUNCILMAN CLARKE: Mr. Chairman, I
19 move that the amendment to Bill Number 050137
20 be approved.

21 COUNCILMAN NUTTER: Second.

22 CHAIRMAN DiCICCO: It has been
23 properly moved and seconded the amendment to
24 Bill Number 050137 be approved.

25 All those in favor signify by saying

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2 aye.

3 (Chorus of "ayes.")

4 CHAIRMAN DiCICCO: Those opposed?

5 (No response.)

6 CHAIRMAN DiCICCO: Councilman

7 Clarke.

8 COUNCILMAN CLARKE: Mr. Chairman, I
9 move that Bill Number 050137, as amended, be
10 reported out of committee with a favorable
11 recommendation; request for rules suspension
12 so as to allow reading at our next session.

13 COUNCILMAN NUTTER: Second.

14 CHAIRMAN DiCICCO: It has been
15 properly moved and seconded that Bill Number
16 050137, as amended, be reported out of this
17 committee with a favorable recommendation;
18 that the rules of Council be suspended.

19 All those in favor signify by saying
20 aye.

21 (Chorus of "ayes.")

22 CHAIRMAN DiCICCO: Those opposed?

23 (No response.)

24 CHAIRMAN DiCICCO: The bill is
25 approved.

1 Streets & Services - 4/7/05

2 Councilman Clarke.

3 COUNCILMAN CLARKE: Mr. Chairman, I
4 move that the amendment to Bill Number 050138
5 be approved.

6 COUNCILMAN NUTTER: Second.

7 CHAIRMAN DiCICCO: It has been
8 properly moved and seconded the amendment to
9 Bill Number 050138 be approved.

10 All those in favor signify by saying
11 aye.

12 (Chorus of "ayes.")

13 CHAIRMAN DiCICCO: Those opposed?

14 (No response.)

15 CHAIRMAN DiCICCO: Councilman
16 Clarke.

17 COUNCILMAN CLARKE: Mr. Chairman, I
18 move that Bill Number 050138, as amended, be
19 reported out of committee with a favorable
20 recommendation; request for rules suspension
21 so as to allow reading at our next session.

22 COUNCILMAN NUTTER: Second.

23 CHAIRMAN DiCICCO: It has been
24 properly moved and seconded that Bill Number
25 050138, as amended, be reported out of this

1 Streets & Services - 4/7/05
2 committee with a favorable recommendation;
3 that the rules of Council be suspended.
4 All those in favor signify by saying
5 aye.
6 (Chorus of "ayes.")
7 CHAIRMAN DiCICCO: Those opposed?
8 (No response.)
9 CHAIRMAN DiCICCO: The bill is
10 approved.
11 Councilman Clarke.
12 COUNCILMAN CLARKE: Mr. Chairman, I
13 move that the amendment to Bill Number 050141
14 be approved.
15 COUNCILMAN NUTTER: Second.
16 CHAIRMAN DiCICCO: It has been
17 properly moved and seconded the amendment to
18 Bill Number 050141 be approved.
19 All those in favor signify by saying
20 aye.
21 (Chorus of "ayes.")
22 CHAIRMAN DiCICCO: Those opposed?
23 (No response.)
24 CHAIRMAN DiCICCO: Councilman
25 Clarke.

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2 COUNCILMAN CLARKE: Mr. Chairman, I
3 move that Bill Number 050141, as amended, be
4 reported out of committee with a favorable
5 recommendation; request for rules suspension
6 so as to allow reading at our next session.

7 COUNCILMAN NUTTER: Second.

8 CHAIRMAN DiCICCO: It has been
9 properly moved and seconded that Bill Number
10 050141, as amended, be reported out of this
11 committee with a favorable recommendation;
12 that the rules of Council be suspended.

13 All those in favor signify by saying
14 aye.

15 (Chorus of "ayes.")

16 CHAIRMAN DiCICCO: Those opposed?

17 (No response.)

18 CHAIRMAN DiCICCO: The bill is
19 approved.

20 Councilman Clarke.

21 COUNCILMAN CLARKE: Mr. Chairman, I
22 move that the amendment to Bill Number 050017
23 be approved.

24 COUNCILMAN NUTTER: Second.

25 CHAIRMAN DiCICCO: It has been

1 Streets & Services - 4/7/05

2 properly moved and seconded the amendment to
3 Bill Number 050017 be approved.

4 All those in favor signify by saying
5 aye.

6 (Chorus of "ayes.")

7 CHAIRMAN DiCICCO: Those opposed?

8 (No response.)

9 CHAIRMAN DiCICCO: Councilman
10 Clarke.

11 COUNCILMAN CLARKE: Mr. Chairman, I
12 move that Bill Number 050017, as amended, be
13 reported out of committee with a favorable
14 recommendation; request for rules suspension
15 so as to allow reading at our next session.

16 COUNCILMAN NUTTER: Second.

17 CHAIRMAN DiCICCO: It has been
18 properly moved and seconded that Bill Number
19 050017, as amended, be reported out of this
20 committee with a favorable recommendation;
21 that the rules of Council be suspended.

22 All those in favor signify by saying
23 aye.

24 (Chorus of "ayes.")

25 CHAIRMAN DiCICCO: Those opposed?

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2 (No response.)

3 CHAIRMAN DiCICCO: The bill is
4 approved.

5 Councilman Clarke.

6 COUNCILMAN CLARKE: Mr. Chairman, I
7 move that the amendment to Bill Number 050069
8 be approved.

9 COUNCILMAN NUTTER: Second.

10 CHAIRMAN DiCICCO: It has been
11 properly moved and seconded the amendment to
12 Bill Number 050069 be approved.

13 All those in favor signify by saying
14 aye.

15 (Chorus of "ayes.")

16 CHAIRMAN DiCICCO: Those opposed?

17 (No response.)

18 CHAIRMAN DiCICCO: Councilman
19 Clarke.

20 COUNCILMAN CLARKE: Mr. Chairman, I
21 move that Bill Number 050069, as amended, be
22 reported out of committee with a favorable
23 recommendation; request for rules suspension
24 so as to allow reading at our next session.

25 COUNCILMAN NUTTER: Second.

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2 CHAIRMAN DiCICCO: It has been
3 properly moved and seconded that Bill Number
4 050069, as amended, be reported out of this
5 committee with a favorable recommendation;
6 that the rules of Council be suspended.

7 All those in favor signify by saying
8 aye.

9 (Chorus of "ayes.")

10 CHAIRMAN DiCICCO: Those opposed?

11 (No response.)

12 CHAIRMAN DiCICCO: The bill is
13 approved.

14 Councilman Clarke.

15 COUNCILMAN CLARKE: Mr. Chairman, I
16 move that the amendment to Bill Number 050108
17 be approved.

18 COUNCILMAN NUTTER: Second.

19 CHAIRMAN DiCICCO: It has been
20 properly moved and seconded the amendment to
21 Bill Number 050108 be approved.

22 All those in favor signify by saying
23 aye.

24 (Chorus of "ayes.")

25 CHAIRMAN DiCICCO: Those opposed?

1 Streets & Services - 4/7/05

2 (No response.)

3 CHAIRMAN DiCICCO: Councilman
4 Clarke.

5 COUNCILMAN CLARKE: Mr. Chairman, I
6 move that Bill Number 050108, as amended, be
7 reported out of committee with a favorable
8 recommendation; request for rules suspension
9 so as to allow reading at our next session.

10 COUNCILMAN NUTTER: Second.

11 CHAIRMAN DiCICCO: It has been
12 properly moved and seconded that Bill Number
13 050108, as amended, be reported out of this
14 committee with a favorable recommendation;
15 that the rules of Council be suspended.

16 All those in favor signify by saying
17 aye.

18 (Chorus of "ayes.")

19 CHAIRMAN DiCICCO: Those opposed?

20 (No response.)

21 CHAIRMAN DiCICCO: The bill is
22 approved.

23 Councilman Clarke.

24 COUNCILMAN CLARKE: Mr. Chairman,
25 make a motion that Bill Number 050140 be

1 Streets & Services - 4/7/05
2 reported out of committee with a favorable
3 recommendation; request for rules suspension
4 so as to allow reading at our next session.

5 COUNCILMAN NUTTER: Second.

6 CHAIRMAN DiCICCO: It has been
7 properly moved and seconded that Bill Number
8 050140 be reported out of committee with a
9 favorable recommendation; that the rules of
10 Council be suspended.

11 All those in favor signify by saying
12 aye.

13 (Chorus of "ayes.")

14 CHAIRMAN DiCICCO: Those opposed?

15 (No response.)

16 CHAIRMAN DiCICCO: The bill's
17 approved.

18 Councilman Clarke.

19 COUNCILMAN CLARKE: Mr. Chairman, I
20 move that the amendment to Bill Number 050167
21 be approved.

22 COUNCILMAN NUTTER: Second.

23 CHAIRMAN DiCICCO: It has been
24 properly moved and seconded the amendment to
25 Bill Number 050167 be approved.

1 Streets & Services - 4/7/05

2 All those in favor signify by saying

3 aye.

4 (Chorus of "ayes.")

5 CHAIRMAN DiCICCO: Those opposed?

6 (No response.)

7 CHAIRMAN DiCICCO: Councilman

8 Clarke.

9 COUNCILMAN CLARKE: Mr. Chairman, I

10 move that Bill Number 050167, as amended, be

11 reported out of committee with a favorable

12 recommendation; request for rules suspension

13 so as to allow reading at our next session.

14 COUNCILMAN NUTTER: Second.

15 CHAIRMAN DiCICCO: It has been

16 properly moved and seconded that Bill Number

17 050167, as amended, be reported out of this

18 committee with a favorable recommendation;

19 that the rules of Council be suspended.

20 All those in favor signify by saying

21 aye.

22 (Chorus of "ayes.")

23 CHAIRMAN DiCICCO: Those opposed?

24 (No response.)

25 CHAIRMAN DiCICCO: The bill is

1 Streets & Services - 4/7/05

2 approved.

3 Councilman Clarke.

4 COUNCILMAN CLARKE: Mr. Chairman,
5 make a motion that Bill Number 050070 be
6 reported out of committee with a favorable
7 recommendation; request for rules suspension.

8 COUNCILMAN NUTTER: Second.

9 CHAIRMAN DiCICCO: It has been
10 properly moved and seconded that Bill Number
11 050070 be reported out of committee with a
12 favorable recommendation; further
13 recommendation that the rules of Council be
14 suspended.

15 All those in favor signify by saying
16 aye.

17 (Chorus of "ayes.")

18 CHAIRMAN DiCICCO: Those opposed?

19 (No response.)

20 CHAIRMAN DiCICCO: The bill's
21 approved.

22 I failed to mention earlier -- I
23 think I may have failed to mention that
24 Councilman Nutter is also in attendance at
25 today's meeting.

1 Streets & Services - 4/7/05
2 Thank you, gentlemen and Madam
3 Miller, your attendance today.
4 Thank you.
5 (Public meeting concluded at 3:55
6 p.m.)
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CERTIFICATE

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I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the public meeting of The Philadelphia City Council, taken on April 7, 2005, and that this is a true and correct transcript of same.

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DAVID A. DEIK, RPR and

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Commissioner of Deeds

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