

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, May 22, 2013
10:40 a.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN JAMES KENNEY
COUNCILMAN DAVID OH

BILLS 120590, 120591, 120592, 120593, 120658,
120785, 121003, 130016, 130124, 130300,
130301, 130302, 130303, 130304, 130331,
130348, 130353, 130354, 130355, 130356,
130357, 130358, 130379, 130380, and 130381

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COUNCILMAN SQUILLA: Good

3

morning, everyone. Good morning.

4

Welcome to the Committee on Streets and

5

Services. We have a quorum present. To

6

my left, Councilman Henon, Councilman

7

Greenlee, and to my right, Councilman Oh.

8

Before we get started, I'm just

9

going to read a list of bills that are

10

going to be held for this hearing and

11

then we'll go into the hearing process.

12

Bill No. 130348, 130356,

13

130357, 130389, 120590, and 130388 all

14

will be held by the call of the sponsors.

15

And now, Mr. McMonagle, will

16

you proceed with the title of the first

17

bill.

18

THE CLERK: Bill No. 120591, an

19

ordinance establishing a parking

20

regulation on 15th Street, east side,

21

Conlyn Street to Grange Street; and

22

Bill No. 120592, an ordinance

23

establishing a parking regulation on

24

Copley Street, both sides, Manheim Street

25

to Clapier Street; and

1 5/22/13 - STREETS - BILL 120591, etc.

2 Bill No. 120593, an ordinance
3 establishing a parking regulation on
4 Carlisle Street, west side, Lindley
5 Avenue to Duncannon Street; and

6 Bill No. 121003, an ordinance
7 establishing a parking regulation on
8 Elkins Avenue, north side, Olney Avenue
9 to Wister Street.

10 (Witness approached witness
11 table.)

12 MS. BRACLEY: Good morning,
13 Council. My name is Dionne Bracley,
14 Deputy Manager for the Philadelphia
15 Parking Authority. Thank you for
16 allowing me to testify before Council.

17 The Philadelphia Parking
18 Authority has no objection to all of the
19 bills previously read before Council and
20 recommends favorable consideration.

21 Thank you again.

22 COUNCILMAN SQUILLA: Thank you.

23 Is there anyone else here to
24 testify on Bills 120591, 592, 593, and
25 121003?

1 5/22/13 - STREETS - BILL 120591, etc.

2 (No response.)

3 COUNCILMAN SQUILLA: Seeing

4 none, any questions?

5 (No response.)

6 COUNCILMAN SQUILLA: Seeing

7 none, Mr. McMonagle, please read the

8 title of the next bills.

9 THE CLERK: Bill No. 120785, an

10 ordinance establishing a one-way

11 regulation on West Seymour Street, from

12 Morris Street to Wayne Avenue, eastbound.

13 (Witness approached witness

14 table.)

15 COUNCILMAN SQUILLA: Thank you.

16 Please state your name for the

17 record and proceed with your testimony.

18 MR. DENNY: Good afternoon,

19 Mr. Chairman, members of the Committee.

20 Thank you for the opportunity to appear

21 before you today. My name is Charles

22 Denny, the Assistant Chief Traffic

23 Engineer for the Department of Streets.

24 I'm here to offer testimony on Bill No.

25 120785.

1 5/22/13 - STREETS - BILL 120591, etc.

2 The Streets Department has no
3 objections to this bill. The street was
4 converted to one-way operation on a trial
5 basis on November 18th, 2011.

6 Thank you for the opportunity
7 to appear before you today. I'd be happy
8 to answer any questions.

9 COUNCILMAN SQUILLA: Any
10 questions?

11 (No response.)

12 COUNCILMAN SQUILLA: Seeing
13 none, anyone else here to testify on Bill
14 No. 120785?

15 (No response.)

16 COUNCILMAN SQUILLA: Seeing
17 none, Mr. McMonagle, please read the
18 title.

19 THE CLERK: Bill No. 130301, an
20 ordinance regulating the direction of
21 movement of traffic on Warnock Street
22 between Montgomery Avenue and Berks
23 Street.

24 MR. DENNY: Good day again,
25 Mr. Chairman, Committee members. Thank

1 5/22/13 - STREETS - BILL 120591, etc.
2 you for the opportunity to appear here
3 today. My name is Charles Denny,
4 Assistant Chief Traffic Engineer. I'm
5 here to offer testimony on Bill No.
6 130301.

7 The Streets Department has no
8 objections to this bill. This change was
9 implemented on a trial basis on May 10th,
10 2013.

11 Thank you for the opportunity.
12 I'd be happy to answer any questions.

13 COUNCILMAN SQUILLA: Any
14 questions on this?

15 (No response.)

16 COUNCILMAN SQUILLA: Seeing
17 none, anyone else here to testify on Bill
18 No. 130301?

19 (Witness approached witness
20 table.)

21 COUNCILMAN SQUILLA: Please
22 proceed. State your name for the record
23 and proceed with your testimony.

24 MS. COLEMAN: My name is
25 Beverly Coleman. I'm here from Temple

1 5/22/13 - STREETS - BILL 120591, etc.
2 University, and I'm simply here to answer
3 any questions you may have about the
4 bill. We support the bill.

5 COUNCILMAN SQUILLA: You're
6 supporting the bill?

7 MS. COLEMAN: Yes, we do.

8 COUNCILMAN SQUILLA: Great.

9 Are there any questions?

10 (No response.)

11 COUNCILMAN SQUILLA: Seeing
12 none, is there anyone else here to
13 testify on Bill 130301?

14 (No response.)

15 COUNCILMAN SQUILLA: You might
16 as well stay, because I think the next
17 one is with you also.

18 Mr. McMonagle, please read the
19 title of the next bill.

20 THE CLERK: Bill No. 130302, an
21 ordinance establishing a no parking
22 regulation on North Warnock Street,
23 between West Montgomery Avenue and West
24 Berks Street, west side.

25 MR. DENNY: Thank you again for

1 5/22/13 - STREETS - BILL 120591, etc.
2 the opportunity to appear today. My name
3 is Charles Denny, Assistant Chief Traffic
4 Engineer. I'm here to offer testimony on
5 Bill No. 130302.

6 The Streets Department has no
7 objections to this bill. This change was
8 implemented on a trial basis on May 10th,
9 2013.

10 Thank you again. I'd happy to
11 answer any questions.

12 COUNCILMAN SQUILLA: Just state
13 your name again for the record.

14 MS. COLEMAN: My name is
15 Beverly Coleman from Temple University.

16 COUNCILMAN SQUILLA: Are there
17 any questions on this bill?

18 (No response.)

19 COUNCILMAN SQUILLA: Seeing
20 none, anyone else here to testify on Bill
21 No. 130302?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing
24 none, Mr. McMonagle, please read the
25 title of the next bill.

1 5/22/13 - STREETS - BILL 120591, etc.

2 THE CLERK: Bill No. 130304, an
3 ordinance establishing a no parking
4 regulation on Godfrey Avenue, from Tabor
5 Road to Whitaker Avenue, both sides.

6 COUNCILMAN SQUILLA: Please
7 proceed.

8 MR. DENNY: Thank you again for
9 the opportunity to appear before you
10 today. My name is Charles Denny,
11 Assistant Chief Traffic Engineer for the
12 Department of Streets. I'm here to offer
13 testimony on Bill No. 130304.

14 The Streets Department has no
15 objections to this bill. "No Truck
16 Parking Any Time" signs were installed on
17 April 23rd, 2013.

18 Thank you for the opportunity.
19 I'd happy to answer any questions.

20 COUNCILMAN SQUILLA: Thank you
21 for your testimony.

22 Any questions?

23 (No response.)

24 COUNCILMAN SQUILLA: Seeing
25 none, anyone else here to testify on

1 5/22/13 - STREETS - BILL 120591, etc.
2 130304?

3 (No response.)

4 COUNCILMAN SQUILLA: Seeing
5 none, Mr. McMonagle, please read the
6 title of the next bill.

7 THE CLERK: Bill No. 130358, an
8 ordinance establishing a one-way
9 regulation on East Price Street from
10 Sprague Street to Boyer Street,
11 westbound.

12 MR. DENNY: Thank you again for
13 the opportunity to appear here today. My
14 name is Charles Denny, Assistant Chief
15 Traffic Engineer for the Department of
16 Streets. I am here to offer testimony on
17 Bill No. 130358.

18 The Streets Department has no
19 objections to this bill. This street was
20 converted to one-way operation on a trial
21 basis on May 14th, 2012.

22 Thank you again. I'd be happy
23 to answer any questions.

24 COUNCILMAN SQUILLA: Thank you
25 for your testimony.

1 5/22/13 - STREETS - BILL 120591, etc.

2 Any questions?

3 (No response.)

4 COUNCILMAN SQUILLA: Seeing

5 none, anyone else here to testify on

6 130358?

7 (No response.)

8 COUNCILMAN SQUILLA: Seeing

9 none, Mr. McMonagle, please read the
10 title of the next bill.

11 THE CLERK: Bill No. 130124, an
12 ordinance amending Chapter 12-3000 of The
13 Philadelphia Code, entitled "Use Of An
14 Automated Red Light Enforcement System To
15 Prevent Red Light Violations," by
16 authorizing the installation of a red
17 light enforcement system at the
18 intersection of Stenton Avenue and Ogontz
19 Avenue, all under certain terms and
20 conditions.

21 (Witnesses approached witness
22 table.)

23 MS. O'CONNOR: Good morning.

24 My name is Corinne O'Connor. I'm the

25 Deputy Executive Director of the

1 5/22/13 - STREETS - BILL 120591, etc.
2 Philadelphia Parking Authority. I have
3 with me Edward Thornton, the Director of
4 On-Street at the Philadelphia Parking
5 Authority. I would like to thank
6 Chairman Squilla and the members of this
7 Committee for allowing me to testify
8 today. I would also like to thank
9 Councilwoman Bass for introducing this
10 legislation. I'm testifying in favor of
11 Bill 130124, which would add an
12 additional intersection to the red light
13 camera program in the City. This
14 intersection will be located at Stenton
15 Avenue and Ogontz Avenue.

16 I would like to commend Council
17 for its past excellent and, most times,
18 unanimous support for this program.
19 Since the first cameras were activated at
20 Grant Avenue and Roosevelt Boulevard in
21 February 2005, the program has been
22 successful in its main goals - decreasing
23 red light running, accidents, injuries,
24 and fatalities. There are now 108
25 cameras at 24 intersections, the latest

1 5/22/13 - STREETS - BILL 120591, etc.
2 being Bustleton and Byberry, Knights and
3 Woodhaven, and Grant and Academy. The
4 Authority has also the twenty-fifth red
5 light camera intersection soon to begin
6 its warning phase at Byberry and
7 Worthington Streets. Ogontz and Stenton
8 Avenue would be the twenty-sixth red
9 light intersection.

10 The intersection at Ogontz
11 Avenue and Stenton has long been a place
12 where pedestrians and motorists alike are
13 held hostage by the dangerous disregard
14 for traffic signals that have become an
15 epidemic here. This intersection has
16 both residential and businesses in close
17 proximity. A large church is located at
18 this intersection, and it is not an
19 exaggeration to say that you sometimes
20 put your life in your hands navigating
21 this area both as a motorist and a
22 pedestrian. I believe that red light
23 cameras will change the behavior of the
24 motorists here, as they have in other
25 parts of the City, to make walking and

1 5/22/13 - STREETS - BILL 120591, etc.
2 driving in this area a safer experience.
3 The establishment of red light cameras at
4 this intersection will continue to
5 enhance and extend this program to other
6 dangerous intersections in the City.

7 I ask that the Committee give
8 Bill No. 130124 a favorable
9 recommendation and request that the rules
10 be suspended to allow first reading at
11 the next Council session.

12 Thank you again for this
13 opportunity to testify before the
14 Committee this morning. I would be happy
15 to answer any questions you may have.

16 COUNCILMAN SQUILLA: Thank you.
17 Does anybody have any
18 questions?

19 (No response.)

20 COUNCILMAN SQUILLA: Do you
21 have any testimony?

22 MR. THORNTON: No, Mr.
23 Chairman.

24 COUNCILMAN SQUILLA: Thank you.
25 Seeing no other questions, is

1 5/22/13 - STREETS - BILL 120591, etc.
2 there anybody else here to testify on
3 Bill 130124?

4 (No response.)

5 COUNCILMAN SQUILLA: Seeing
6 none, thank you for your testimony.

7 MS. O'CONNOR: Thank you,
8 Councilman.

9 COUNCILMAN SQUILLA:
10 Mr. McMonagle, please read the title of
11 the next bill.

12 THE CLERK: Bill No. 120658, an
13 ordinance authorizing 2nd Street Brew
14 House to construct, own and maintain an
15 open-air sidewalk cafe at 1700 South 2nd
16 Street, under certain terms and
17 conditions.

18 (Witnesses approached witness
19 table.)

20 COUNCILMAN SQUILLA: Please
21 state your name for the record and
22 proceed with your testimony.

23 MS. BRISBON: Good morning,
24 Chairman Squilla and members of the
25 Streets and Services Committee. My name

1 5/22/13 - STREETS - BILL 120591, etc.
2 is Michelle Brisbon and I'm an
3 Engineering Supervisor with the
4 Department of Streets. I am here to
5 offer testimony on Bill No. 120658.

6 This bill authorizes 2nd Street
7 Brew House to construct, own and maintain
8 an encroachment in the form of an
9 open-air cafe on the sidewalk located at
10 1700 South 2nd Street. The cafe includes
11 a total of eight tables and 20 chairs.

12 Four tables and ten chairs will
13 be located adjacent to the building and
14 will encroach approximately 5 feet 2
15 inches onto the west footway of South 2nd
16 Street and leave approximately 6 feet 10
17 inches of clear, unobstructed footway.

18 And four tables and ten chairs
19 will be located adjacent to the building
20 and will encroach approximately 5 feet 2
21 inches onto the south footway of Morris
22 Street and leave approximately 6 feet 10
23 inches of clear, unobstructed footway.

24 The Streets Department has no
25 objections to these proposed

1 5/22/13 - STREETS - BILL 120591, etc.
2 encroachments and supports the passage of
3 this bill.

4 Thank you for your time. This
5 concludes my testimony. I'm pleased to
6 answer any questions you may have.

7 COUNCILMAN SQUILLA: Thank you.

8 MS. CHIU: Good morning,
9 Chairman Squilla and members of Streets
10 and Services Committee. I'm Sarah Chiu,
11 City Planner with the Philadelphia City
12 Planning Commission. I'm here to testify
13 on Bill No. 120658, which Councilmember
14 Squilla introduced on September 13th,
15 2012.

16 Bill No. 120658 would allow the
17 owner of the 2nd Street Brew House to
18 locate eight tables and 20 chairs on the
19 sidewalks of South 2nd Street and Morris
20 Streets. This placement will leave
21 slightly more than 6 feet of unobstructed
22 pedestrian footway for pedestrian
23 traffic.

24 At its meeting of October 16th,
25 2012, the City Planning Commission

1 5/22/13 - STREETS - BILL 120591, etc.
2 recommended approval for Bill No. 120658
3 as an item in accord with previous
4 policy.

5 And this concludes my
6 testimony. I appreciate the opportunity
7 to testify before you today and would be
8 pleased to answer any questions you may
9 have.

10 COUNCILMAN SQUILLA: Thank you.
11 Any questions for the panel?
12 (No response.)

13 COUNCILMAN SQUILLA: Seeing
14 none, is there anyone else here to
15 testify on Bill No. 120658?

16 (No response.)

17 COUNCILMAN SQUILLA: Seeing
18 none, Mr. McMonagle, please read the
19 title of the next bill.

20 THE CLERK: Bill No. 130300, an
21 ordinance authorizing Beacon on East
22 Girard Inc. doing business as Kraftwork
23 to construct, own and maintain an
24 open-air sidewalk cafe at 541 East Girard
25 Avenue, Philadelphia, PA, under certain

1 5/22/13 - STREETS - BILL 120591, etc.
2 terms and conditions.

3 COUNCILMAN SQUILLA: Please
4 proceed.

5 MS. BRISBON: Good morning,
6 Chairman Squilla and members of the
7 Streets and Services Committee. My name
8 is Michelle Brisbon and I'm an
9 Engineering Supervisor with the
10 Department of Streets. I'm here to offer
11 testimony on Bill No. 130300.

12 This bill authorizes Beacon on
13 East Girard Incorporated doing business
14 as Kraftwork to construct, own and
15 maintain an encroachment in the form of
16 an open-air cafe on the sidewalk located
17 at 541 East Girard Avenue. The cafe
18 includes a total of 18 tables and 36
19 chairs.

20 Four tables and eight chairs
21 will be located adjacent to the building,
22 and five tables and ten chairs will be
23 located along the curbline on the west
24 footway of Montgomery Avenue and will
25 encroach approximately 7 feet, leaving

1 5/22/13 - STREETS - BILL 120591, etc.
2 approximately 5 feet of clear,
3 unobstructed footway.

4 And six tables and 12 chairs
5 will be located adjacent to the building,
6 and three tables and six chairs will be
7 located along the curbline on the north
8 footway of East Girard Avenue and will
9 encroach approximately 7 feet 6 inches,
10 leaving approximately 8 feet 6 inches of
11 clear, unobstructed footway.

12 The Streets Department has no
13 objections to these proposed
14 encroachments and supports the passage of
15 this bill.

16 Thank you for your time. This
17 concludes my testimony. I'm pleased to
18 answer any questions.

19 MS. CHIU: Good morning,
20 Chairman Squilla and members of Streets
21 and Services Committee. I'm Sarah Chiu,
22 City Planner with the Philadelphia City
23 Planning Commission. I'm here to testify
24 on Bill No. 130300, which Councilmember
25 Greenlee introduced for Council President

1 5/22/13 - STREETS - BILL 120591, etc.
2 Clarke on April 18th, 2013.

3 Bill No. 130300 authorizes an
4 open-air sidewalk cafe's encroachment
5 consisting of 18 tables and 36 chairs.
6 This will encroach approximately 7 feet 6
7 inches onto the north footway of East
8 Girard Avenue, leaving a minimum 8 feet 6
9 inches of clear, unobstructed footway.
10 Additionally, there will be 7 feet
11 encroachment onto the west footway of
12 Montgomery Avenue, leaving a minimum 5
13 feet of clear, unobstructed footway.
14 City Planning Commission policy requires
15 a minimum of 6 feet of clear and
16 unobstructed footway for pedestrians on
17 Montgomery Avenue.

18 Montgomery Avenue is considered
19 as a city neighborhood street and, as
20 such, it carries heavy pedestrian traffic
21 to the City's ice rink facility and
22 Fishtown Recreation Center, which are
23 located right behind the cafe's property.
24 Additionally, Fishtown community library,
25 a City pool, and Penn Treaty Middle

1 5/22/13 - STREETS - BILL 120591, etc.
2 School are all located within a block
3 across the street.

4 The Planning Commission had
5 considered this bill at its meeting of
6 May 21st, 2013 with the recommendation of
7 approval for Bill No. 130300 with
8 amendment to remove all tables and chairs
9 along the curbline of Montgomery Avenue
10 in order to meet the minimum footway
11 requirement for pedestrians. This
12 amendment will allow two tables and four
13 chairs on Montgomery Avenue and nine
14 tables and 18 chairs on Girard Avenue.

15 This concludes my testimony. I
16 appreciate the opportunity to testify
17 before you today and would be pleased to
18 answer any questions you may have.

19 COUNCILMAN SQUILLA: Thank you.
20 Any questions here for this
21 witness?

22 Mr. Greenlee, Councilman
23 Greenlee.

24 COUNCILMAN GREENLEE: Thank
25 you, Mr. Chairman.

1 5/22/13 - STREETS - BILL 120591, etc.

2 I think we went through this on
3 another issue. If I'm right, the Streets
4 Department is recommending this with no
5 amendments, correct?

6 MS. BRISBON: Correct.

7 COUNCILMAN GREENLEE: And the
8 Planning Commission is requesting an
9 amendment. If I'm right, as the law
10 reads right now, it's consistent with the
11 Streets Department?

12 MS. CHIU: Correct.

13 COUNCILMAN GREENLEE: But you
14 have different guidelines, if you will,
15 right?

16 MS. CHIU: Right.

17 COUNCILMAN GREENLEE: And you
18 would like to see it different in the
19 future, correct?

20 MS. CHIU: Correct.

21 COUNCILMAN GREENLEE: But right
22 now, the way the Streets Department has
23 it is what the law is; am I right?
24 Correct?

25 COUNCILMAN SQUILLA: Yes.

1 5/22/13 - STREETS - BILL 120591, etc.

2 MS. CHIU: Yeah, I believe so.

3 COUNCILMAN GREENLEE: All
4 right. And I think I'm speaking for
5 Council President Clarke when I say this,
6 because we did this on another bill. At
7 this point, we're going to be consistent
8 with the law, which is the Streets
9 Department policy.

10 So it's not our plan to put in
11 an amendment, Mr. Chairman. Thank you.

12 COUNCILMAN SQUILLA: Thank you.

13 Also I'd like to recognize
14 Councilwoman Bass, who is present at the
15 hearing.

16 Thank you. Is there anyone
17 else here to testify on Bill No. 130300?

18 (No response.)

19 COUNCILMAN SQUILLA: Seeing
20 none, Mr. McMonagle, please read the
21 title of the next bill.

22 THE CLERK: Bill No. 130331, an
23 ordinance authorizing Philadelphia
24 Chinatown Development Corporation to
25 construct, own and maintain various

1 5/22/13 - STREETS - BILL 120591, etc.
2 rights-of-way encroachments within the
3 public right-of-way on Vine Street, 10th
4 Street and Pearl Street, Philadelphia,
5 PA, under certain terms and conditions.

6 MS. BRISBON: Good morning,
7 Chairman Squilla and members of Streets
8 and Services Committee. My name is
9 Michelle Brisbon and I'm an Engineering
10 Supervisor with the Department of
11 Streets. I'm here to offer testimony on
12 Bill No. 130331.

13 This bill authorizes the
14 Philadelphia Chinatown Development
15 Corporation to construct, own and
16 maintain various encroachments into the
17 right-of-way of Vine Street, 10th Street,
18 and Pearl Street. These encroachments
19 include the upper portions of the
20 building and roof embellishments. The
21 upper portions of the building will
22 encroach no more than 5 feet into the
23 right-of-way and have a minimum clearance
24 of 17 feet above the sidewalk, and the
25 roof embellishments will encroach no more

1 5/22/13 - STREETS - BILL 120591, etc.
2 than 7 feet into the right-of-way and
3 have a minimum clearance of 50 feet above
4 the sidewalk.

5 The Streets Department has no
6 objections to these proposed
7 encroachments and supports the passage of
8 this bill.

9 Thank you for your time. This
10 concludes my testimony. I'm pleased to
11 answer any questions you may have.

12 MS. CHIU: Good morning,
13 Chairman Squilla and members of Streets
14 and Services Committee. I'm Sarah Chiu,
15 City Planner with the Philadelphia City
16 Planning Commission. I'm here to testify
17 on Bill No. 130331, which Councilmember
18 Squilla introduced on April 25th, 2013.

19 Bill No. 130331 is to authorize
20 various encroachments ranging from 2 feet
21 to 7 feet on Vine Street, Pearl Street,
22 and 10th Street. These encroachments are
23 above the air with a minimum clearance
24 distance of 17 feet above the sidewalk
25 level. The encroachment bill is to

1 5/22/13 - STREETS - BILL 120591, etc.
2 accommodate the proposed Chinatown
3 Eastern Tower Community Center, which is
4 a 23-story mixed-use residential and
5 commercial development.

6 The City Planning Commission
7 had recommended approval for this
8 development at its meeting of November
9 12th, 2011. The City Planning Commission
10 had already considered Bill No. 130331 on
11 May 21st, 2013 with a recommendation for
12 approval as an item in accord with
13 previous policy.

14 This concludes my testimony. I
15 appreciate the opportunity to testify
16 before you today and would be pleased to
17 answer any questions that you may have.

18 COUNCILMAN SQUILLA: Anyone
19 have any questions?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, is there anyone else here to
23 testify on Bill No. 130331?

24 (No response.)

25 COUNCILMAN SQUILLA: Seeing

1 5/22/13 - STREETS - BILL 120591, etc.
2 none, Mr. McMonagle, please read the
3 title of the next bill.

4 Thank you for your testimony.

5 THE CLERK: Bill No. 130381, an
6 ordinance amending Section 9-212 of The
7 Philadelphia Code, entitled "Newsstands,"
8 including by revising the requirements
9 relating to license issuance; location of
10 newsstands; design of newsstands;
11 abandonment; and removal; all under
12 certain terms and conditions.

13 COUNCILMAN SQUILLA: Thank you.
14 Please proceed.

15 MS. BRISBON: Good morning,
16 Chairman Squilla and members of the
17 Streets and Services Committee. My name
18 is Michelle Brisbon and I'm an
19 Engineering Supervisor with the
20 Department of Streets. I'm here to offer
21 testimony on Bill No. 130381.

22 This bill seeks to amend
23 Section 9-212 of The Philadelphia Code to
24 ensure that pedestrians are accommodated
25 when considering locations for newsstands

1 5/22/13 - STREETS - BILL 120591, etc.
2 and address the permitting of electronic
3 and digital media. This bill also
4 revises the timeframe required for the
5 Department to investigate abandonment and
6 removal of a newsstand.

7 I also want to note that
8 there's an amendment to this bill.

9 The Streets Department has no
10 objections and supports the passage of
11 this bill.

12 Thank you for your time. This
13 concludes my testimony. I'm pleased to
14 answer any questions you may have.

15 COUNCILMAN SQUILLA: Councilman
16 Greenlee.

17 COUNCILMAN GREENLEE: Thank
18 you, Mr. Chairman.

19 Just not a question, Ms.
20 Brisbon. I just want to thank you for
21 all the time you put into this and
22 dealing with the Newsstand Association,
23 which, if they're listening, I'll say I
24 didn't say this, sometimes could be a
25 little difficult to deal with, but I

1 5/22/13 - STREETS - BILL 120591, etc.
2 appreciate everything you've done, and it
3 looks like we're working this out to the
4 best of our ability.

5 And, Mr. Chairman, I think this
6 is going to be the first time that the
7 Scenic Philadelphia is going to be
8 speaking in favor of something I'm doing.
9 So I just want to say I'm extremely proud
10 of that.

11 Thank you, Mr. Chairman.

12 COUNCILMAN SQUILLA: Thank you.

13 Any other questions?

14 (No response.)

15 COUNCILMAN SQUILLA: Seeing
16 none, please state your name for the
17 record and proceed with your testimony.

18 MS. KINDT: Sure. Thank you so
19 much. My name is Stephanie Kindt. I'm
20 general counsel for Scenic Philadelphia.
21 And absolutely I am here in a very
22 positive place very pleased with Bill
23 130381. It is exactly what we had hoped
24 for. So I would like to commend
25 Councilman Greenlee on his leadership in

1 5/22/13 - STREETS - BILL 120591, etc.
2 taking this bill forward and commend the
3 Streets Department for crafting just a
4 well-thought-out bill. So it really
5 demonstrates that we can keep pedestrian
6 safety and traffic control devices and
7 all those issues in the forefront while
8 we still take care of the business
9 interest, the newsstand owners, along the
10 way.

11 So just to say thank you for
12 such a great bill and a good process.

13 COUNCILMAN SQUILLA: Does Mary
14 know you're here?

15 MS. KINDT: Mary is in
16 California.

17 COUNCILMAN SQUILLA: Okay. I
18 just wanted to make sure.

19 Are there any other questions?

20 (No response.)

21 COUNCILMAN SQUILLA: Thank you.
22 Seeing none, thank you for your
23 testimony. We appreciate your support.

24 Mr. McMonagle, please read the
25 title -- we have the amendment, correct?

1 5/22/13 - STREETS - BILL 120591, etc.

2 COUNCILMAN GREENLEE: Yes.

3 COUNCILMAN SQUILLA: Mr.

4 McMonagle, please read the title of the
5 next bill.

6 THE CLERK: Bill No. 130303, an
7 ordinance authorizing the revision of
8 lines and grades on a portion of City
9 Plan No. 55 by striking from the City
10 Plan and vacating the legally open
11 portions of Adams Avenue from Aramingo
12 Avenue to its terminus southeastwardly
13 therefrom, striking from the City Plan
14 and vacating Church Street from Aramingo
15 Avenue to its terminus southeastwardly
16 therefrom, and reserving and placing on
17 the City Plan rights-of-way for drainage
18 purposes within the lines of a portion of
19 Aramingo Avenue being stricken and within
20 the lines of Church Street being
21 stricken, all under certain terms and
22 conditions.

23 COUNCILMAN SQUILLA: Please
24 proceed.

25 MR. MORELLI: Good morning, Mr.

1 5/22/13 - STREETS - BILL 120591, etc.
2 Chairman and members of the Committee.
3 My name is Frank Morelli, Survey Bureau
4 Manager of the Department of Streets, and
5 the Department of Streets would like to
6 offer the following testimony on Bill No.
7 130303.

8 This is not an Administration
9 ordinance, but an ordinance requested by
10 Mr. Anthony R. Diarenzo, Director of Real
11 Estate for Conrail.

12 The purpose of this ordinance
13 is to authorize the striking from the
14 City Plan and vacating of the legally
15 open portions of Adams Avenue from
16 Aramingo Avenue to its terminus
17 southeastwardly therefrom, the striking
18 from the City Plan and vacating of Church
19 Street from Aramingo Avenue to its
20 terminus southeastwardly therefrom, and
21 reserving and placing on the City Plan of
22 rights-of-way for drainage purposes
23 within the lines of a portion of Aramingo
24 Avenue being stricken and within the
25 lines of Church Street being stricken.

1 5/22/13 - STREETS - BILL 120591, etc.

2 The streets proposed to be stricken are

3 not paved and are not in use by the

4 public traffic, and the Streets

5 Department is not desirous of

6 constructing streets at this location.

7 The drainage rights-of-way to be reserved

8 will encompass existing sewers within the

9 beds of these streets. The streets

10 proposed to be stricken traverse

11 Conrail's Aramingo Avenue Rail Yard.

12 Conrail has requested the striking of

13 these streets for homeland security and

14 public safety purposes.

15 This ordinance is supported by

16 the Department of Streets and is

17 recommended to your Committee for

18 favorable action.

19 MS. CHIU: Good morning,

20 Chairman Squilla and members of Streets

21 and Services Committee. I'm Sarah Chiu,

22 City Planner with the Philadelphia City

23 Planning Commission. I'm here to testify

24 on Bill 130303, which Councilmember Henon

25 introduced on April 18th, 2013.

1 5/22/13 - STREETS - BILL 120591, etc.

2 The purpose of Bill 130303,
3 which strikes and vacates Adams Avenue
4 and Church Street at this location, is
5 for security and public safety purposes.
6 The streets proposed to be stricken
7 traverse Conrail's Aramingo Avenue Rail
8 Yard and are not improved and not used by
9 public traffic.

10 The City Planning Commission
11 had considered this bill on May 21st of
12 2013 with the recommendation for approval
13 for Bill No. 130303.

14 This concludes my testimony. I
15 appreciate the opportunity to testify
16 before you today and would be pleased to
17 answer any questions that you may have.

18 COUNCILMAN SQUILLA: Thank you.

19 Are there any questions?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, anyone else here to testify on Bill
23 No. 130303?

24 (No response.)

25 COUNCILMAN SQUILLA: Seeing

1 5/22/13 - STREETS - BILL 120591, etc.
2 none, Mr. McMonagle, please read the
3 title of the next bill.

4 THE CLERK: Bill No. 130353, an
5 ordinance authorizing the revision of
6 lines and grades on a portion of City
7 Plan No. 319 by striking from the City
8 Plan and vacating the legally open
9 portion of Pennway Street from Rhawn
10 Street to a point approximately
11 five-hundred fifty feet southwestwardly
12 therefrom, under certain terms and
13 conditions.

14 COUNCILMAN SQUILLA: Please
15 proceed.

16 MR. MORELLI: Good morning,
17 Mr. Chairman and members of the
18 Committee. My name is Frank Morelli,
19 Survey Bureau Manager of the Department
20 of Streets, and the Departments of
21 Streets would like to offer the following
22 testimony on Bill No. 130353.

23 This is not an Administration
24 ordinance, but an ordinance requested by
25 Mr. Gerald Santilli of the Tacony Academy

1 5/22/13 - STREETS - BILL 120591, etc.
2 Charter School.

3 The purpose of this ordinance
4 is to authorize the striking from the
5 City Plan and vacating of the legally
6 open portions of Pennway Street from
7 Rhawn Street to approximately 550 feet
8 southwardly therefrom. The portion of
9 Pennway Street proposed to be stricken is
10 not paved or improved, and the Department
11 of Streets is not desirous of
12 constructing a street at this location.
13 The purpose of this ordinance is to allow
14 for an increased parking area for the
15 Tacony Academy Charter School.

16 This ordinance is supported by
17 the Department of Streets and is
18 recommended to your Committee for
19 favorable action.

20 MS. CHIU: Good morning,
21 Chairman Squilla and members of Streets
22 and Services Committee. I'm Sarah Chiu,
23 City Planner with the Philadelphia City
24 Planning Commission. I'm here to testify
25 on Bill No. 130353, which Councilmember

1 5/22/13 - STREETS - BILL 120591, etc.

2 O'Neill introduced on May 2nd, 2013.

3 Bill No. 130353 strikes a paper
4 street in order to provide additional
5 legal parking spaces for Tacony Academy
6 Charter School's staff and visitors.
7 Pennway Street at this location is not
8 physically improved, not open to the
9 public traffic.

10 The Planning Commission had
11 considered this bill on May 21st, 2013
12 with a recommendation for approval.

13 This concludes my testimony. I
14 appreciate the opportunity to testify
15 before you today and would be pleased to
16 answer any questions you may have.

17 COUNCILMAN SQUILLA: Any
18 questions?

19 (No response.)

20 COUNCILMAN SQUILLA: Seeing no
21 questions, anyone else here to testify on
22 Bill No. 130353?

23 (No response.)

24 COUNCILMAN SQUILLA: Seeing
25 none, Mr. McMonagle, please read the

1 5/22/13 - STREETS - BILL 120591, etc.
2 title of the next bill.

3 THE CLERK: Bill No. 130354, an
4 ordinance authorizing the revision of
5 lines and grades on a portion of City
6 Plan No. 307 by striking from the City
7 Plan and vacating Water Street from Race
8 Street to its terminus southwardly
9 therefrom and placing on the City Plan a
10 right-of-way for various utility purposes
11 such as may be necessary within the lines
12 of said Water Street being stricken,
13 under certain terms and conditions.

14 MR. MORELLI: Good morning, Mr.
15 Chairman and members of the Committee.
16 My name is Frank Morelli, Survey Bureau
17 Manager of the Department of Streets, and
18 the Department of Streets would like to
19 offer the following testimony on Bill No.
20 130354.

21 This is not an Administration
22 ordinance, but an ordinance requested by
23 Mr. Daniel N. Reisman of Eckert Seamans
24 Cherin & Mellott, LLC.

25 The purpose of this ordinance

1 5/22/13 - STREETS - BILL 120591, etc.
2 is to authorize the striking from the
3 City Plan and vacating of Water Street
4 from Race Street to its terminus
5 southwardly therefrom and placing on the
6 City Plan a right-of-way for sewer and
7 drainage purposes, water main purposes,
8 and gas main purposes and public utility
9 purposes within the lines of said Water
10 Street. The portion of Water Street
11 proposed to be stricken is not currently
12 in use by public traffic, and the Streets
13 Department is not desirous of maintaining
14 a street at this location. The purpose
15 of this ordinance is to improve security
16 and increase the parking area for the
17 adjacent commercial properties.

18 This ordinance is supported by
19 the Department of Streets and is
20 recommended to your Committee for
21 favorable action.

22 MS. CHIU: Good morning,
23 Chairman Squilla and members of Streets
24 and Services Committee. I'm Sarah Chiu,
25 City Planner with the Philadelphia City

1 5/22/13 - STREETS - BILL 120591, etc.
2 Planning Commission. I'm here to testify
3 on Bill 130354, which Councilmember
4 Squilla introduced on May 2nd, 2013.

5 Bill No. 130354 strikes and
6 vacates Water Street in order to provide
7 additional legal parking spaces for the
8 adjacent commercial properties. Water
9 Street at this location is not open to
10 public traffic.

11 The Planning Commission had
12 considered this bill on May 21st with a
13 recommendation for approval of Bill No.
14 130354.

15 This concludes my testimony. I
16 appreciate the opportunity to testify
17 before you today and would be pleased to
18 answer any questions you may have.

19 COUNCILMAN SQUILLA: Thank you.

20 Are there any questions?

21 Councilman Oh.

22 COUNCILMAN OH: Thank you,
23 Mr. Chairman.

24 Where exactly is this portion
25 of Water Street? Is that --

1 5/22/13 - STREETS - BILL 120591, etc.

2 MS. CHIU: Right on the east
3 side of I-95, and it's -- actually, it's
4 for the Fringe Festival that the City had
5 conveyed to the commercial property
6 owner, and it's bounded by Delaware
7 Avenue south of Race Street and I-95.

8 COUNCILMAN OH: So that is
9 south of Vine Street?

10 MS. CHIU: Yes. South of Vine
11 Street, south of Race.

12 COUNCILMAN OH: All right.
13 Thank you very much.

14 COUNCILMAN SQUILLA: Thank you.
15 Are there any other questions?
16 (No response.)

17 COUNCILMAN SQUILLA: Seeing
18 none, I'd also like to recognize
19 Councilman Kenney, who is here present at
20 the hearing.

21 Mr. McMonagle, please read the
22 title of the next bill.

23 THE CLERK: Bill No. 130355, an
24 ordinance authorizing the plotting upon a
25 portion of City Plan No. 58 of a two feet

1 5/22/13 - STREETS - BILL 120591, etc.
2 wide area for public pedestrian use
3 extending along the southerly side of
4 Pearl Street, from Tenth Street to a
5 point approximately one-hundred
6 thirty-eight feet westwardly therefrom,
7 and the relocation of the curblines of
8 Pearl Street, from Tenth Street to a
9 point approximately one-hundred
10 thirty-eight feet westwardly therefrom,
11 so as to widen the cartway of said Pearl
12 Street, and authorizing the acceptance of
13 the grant to the City of the said area
14 for public pedestrian use, all under
15 certain terms and conditions.

16 MR. MORELLI: Good morning,
17 Mr. Chairman, members of the Committee.
18 My name is Frank Morelli, Survey Bureau
19 Manager of the Department of Streets, and
20 the Department of Streets would like to
21 offer the following testimony on Bill No.
22 130355.

23 This is not an Administration
24 ordinance, but an ordinance requested by
25 Mr. Robert Maloney of KlingStubbins.

1 5/22/13 - STREETS - BILL 120591, etc.

2 The purpose of this ordinance
3 is to authorize the plotting upon the
4 City Plan of a two foot wide area for
5 public pedestrian use extending along the
6 southerly side of Pearl Street, at the
7 ground floor level of the building
8 proposed to be constructed on the
9 abutting property, from Tenth Street to a
10 point approximately 138 feet westwardly
11 therefrom and the relocation of the
12 curblines of Pearl Street from Tenth
13 Street to a point approximately 138 feet
14 westwardly therefrom, so as to widen the
15 cartway of said Pearl Street. The
16 purpose of these actions is to facilitate
17 deliveries to the proposed building by
18 widening the Pearl Street cartway while
19 still maintaining sufficient sidewalk
20 area for pedestrian traffic.

21 This ordinance is supported by
22 the Department of Streets and recommended
23 to your Committee for favorable action.

24 MS. CHIU: Good morning,
25 Chairman Squilla and members of Streets

1 5/22/13 - STREETS - BILL 120591, etc.
2 and Services Committee. I'm Sarah Chiu,
3 City Planner with the Philadelphia City
4 planning Commission. I'm here to testify
5 on Bill No. 130355, which Councilmember
6 Squilla introduced on May 2nd, 2013.

7 Bill No. 130355 is to plot a
8 two feet wide pedestrian easement area in
9 order to provide a five feet public
10 sidewalk on the south footway of Pearl
11 Street, as well as to relocate the south
12 curbline to widen the cartway to ten
13 feet. This bill is to accommodate the
14 proposed Chinatown Eastern Tower
15 Community Center, which is a 23-story
16 mixed-use residential and commercial
17 development.

18 The City Planning Commission
19 had recommended approval for this
20 development at its meeting on November
21 12th, 2011. Therefore, the City Planning
22 Commission had considered Bill 130355 on
23 May 21st, 2013 with a recommendation for
24 approval as an item in accord with
25 previous policy.

1 5/22/13 - STREETS - BILL 120591, etc.

2 This concludes my testimony. I
3 appreciate the opportunity to testify
4 before you today and would be pleased to
5 answer any questions you may have.

6 COUNCILMAN SQUILLA: Thank you.
7 Are there any questions on
8 this?

9 (No response.)

10 COUNCILMAN SQUILLA: Seeing
11 none, anyone else here to testify on Bill
12 No. 130355?

13 (No response.)

14 COUNCILMAN SQUILLA: Seeing
15 anyone, thank you for your testimony.

16 Mr. McMonagle, please read the
17 title of the next bill.

18 THE CLERK: Bill No. 130379, an
19 ordinance amending Section 9-213 of The
20 Philadelphia Code, entitled "Farmers'
21 Markets," by adding the permissible
22 location of the west side of the 500
23 block of 43rd Street and adding as a
24 permissible location the sidewalk and
25 curb lane of the north side of Chester

1 5/22/13 - STREETS - BILL 120591, etc.
2 Avenue from 43rd Street for 500 feet
3 west, all under certain terms and
4 conditions.

5 (Witness approached witness
6 table.)

7 COUNCILMAN SQUILLA: Thank you.

8 Please proceed with your
9 testimony. State your name for the
10 record and proceed with your testimony.

11 MR. HAIGLER: Good morning,
12 Chairman Squilla and members of the
13 Committee of Streets and Services. My
14 name is Otis Haigler, Jr. and I am
15 Director of Neighborhood and Emergency
16 Services for the Department of Licenses
17 and Inspections. Today I am here to
18 provide testimony on Bill 130379, which,
19 if enacted, will amend Section 9-213,
20 entitled "Farmers' Markets," to add the
21 west side and curb lane of the 500 block
22 of South 43rd Street and the north side
23 of Chester Avenue from 43rd Street to a
24 distance of 500 feet to the list of
25 permissible locations where such activity

1 5/22/13 - STREETS - BILL 120591, etc.
2 may be conducted, under certain terms and
3 conditions.

4 The Department of Licenses and
5 Inspections offers no objections to the
6 enactment of this bill and is prepared to
7 enforce its provisions should it pass in
8 Council and become law.

9 Thank you for the opportunity
10 to provide the Department's testimony.
11 I'd be happy to answer any questions at
12 this time.

13 COUNCILMAN SQUILLA: Thank you.
14 Any questions?
15 (No response.)

16 COUNCILMAN SQUILLA: Seeing
17 none, is there anyone else here to
18 testify on Bill No. 130379?

19 (No response.)

20 COUNCILMAN SQUILLA: Seeing
21 none, Mr. McMonagle, please read the
22 title of the next bill.

23 THE CLERK: Bill No. 130380, an
24 ordinance amending Section 9-213 of The
25 Philadelphia Code, entitled "Farmers'

1 5/22/13 - STREETS - BILL 120591, etc.
2 Markets," by adding the north side of
3 Fairmount Avenue between 19th Street and
4 Uber Street as a permissible location,
5 all under certain terms and conditions.

6 COUNCILMAN SQUILLA: Please
7 proceed.

8 MR. HAIGLER: Good morning,
9 Chairman Squilla and all other members of
10 the Committee of Streets and Services.
11 My name is Otis Haigler, Jr. and I am the
12 Director of Neighborhood and Emergency
13 Services for the Department of Licenses
14 and Inspections. Today I am here to
15 provide testimony on Bill 130380, which,
16 if enacted, will amend Section 9-213,
17 entitled "Farmers' Markets," to add the
18 north side of Fairmount Avenue between
19 19th and Uber Streets to the list of
20 permissible locations where such activity
21 may be conducted, under certain terms and
22 conditions.

23 The Department of Licenses and
24 Inspections offers no objections to the
25 enactment of this bill, and I am prepared

1 5/22/13 - STREETS - BILL 120591, etc.

2 to answer any questions at this time.

3 COUNCILMAN SQUILLA: Thank you.

4 Are there any questions?

5 (No response.)

6 COUNCILMAN SQUILLA: Seeing

7 none, anyone else here to testify on Bill

8 No. 130380?

9 (No response.)

10 COUNCILMAN SQUILLA: Seeing

11 none, for the record, I just wanted to

12 state on Bill No. 130379 that

13 Councilwoman Blackwell is in favor of

14 that bill.

15 Mr. McMonagle, please read the

16 title of the next bill, please.

17 Thank you for your testimony.

18 MR. HAIGLER: Thank you.

19 THE CLERK: Resolution No.

20 130039, a resolution authorizing the

21 Committee on Streets and Services to hold

22 hearings to examine the current

23 specifications for street lighting

24 products and the Streets Department's

25 adherence to the current specifications.

1 5/22/13 - STREETS - BILL 120591, etc.

2 (Witnesses approached witness
3 table.)

4 COUNCILMAN SQUILLA: Good
5 morning. Please state your name for the
6 record and proceed with your testimony.

7 MR. MONTANEZ: Good morning,
8 Mr. Chairman and members of the
9 Committee. Thank you for the opportunity
10 to appear before you today. My name is
11 Richard Montanez, Chief Traffic and
12 Street Lighting Engineer for the
13 Department of Streets. I'm here today to
14 offer testimony on Resolution No. 130039.

15 The Streets Department
16 currently operates and maintains over
17 4,000 Center City pole lights, 5,685
18 brown round lights, 7,845 aluminum light
19 poles. The Streets Department has been
20 looking at additional manufacturers to
21 manufacture the poles. As we review,
22 test, and demonstrate the manufacturers'
23 poles, they are asked to submit
24 engineering drawings and design
25 calculations for approval. This is a

1 5/22/13 - STREETS - BILL 120591, etc.
2 similar process we underwent during the
3 fiberglass brown round pole process.

4 As an additional measurement,
5 the manufacturers are also asked to
6 become PennDOT Bulletin 15 approved.
7 Bulletin 15 is a list of approved
8 construction materials. These materials
9 are used by contractors doing work for
10 the Pennsylvania Department of
11 Transportation.

12 Safety is our first concern in
13 the Streets Department and we will not
14 deviate from this. All the manufacturer
15 poles are engineered to the same design
16 standards.

17 Thank you for your time. This
18 concludes my testimony. I am pleased to
19 answer any questions you may have.

20 COUNCILMAN SQUILLA: Thank you
21 for your testimony.

22 We have someone else here to
23 testify on this bill. We notice that
24 it's rather lengthy. If you want, if you
25 could just summarize it, we'll have the

1 5/22/13 - STREETS - BILL 120591, etc.
2 testimony for the record. We'll put it
3 in the record. But if you could
4 summarize the testimony and we'll go for
5 questions after that. Thank you.

6 MR. ROSFELDER: Good morning,
7 Mr. Chairman and the members of the
8 Committee. My name is Chris Rosfelder.
9 I've been working in the lighting and
10 pole industry for approximately 25 years
11 and I'm the Vice President of Sales and
12 Marketing for Spring City. Spring City
13 Electrical Manufacturing is a
14 manufacturer that provides the Center
15 City District light poles and fixtures
16 and other assemblies to the City, such as
17 Benjamin Franklin Parkway and Society
18 Hill style poles and fixtures.

19 The reason for our concern and
20 the purpose, I guess, of us calling this
21 to the attention of Council is our
22 concerns and the City's concerns of
23 conforming -- or, I guess, a confusion in
24 the marketplace for conforming to the
25 specifications. We applaud the City and

1 5/22/13 - STREETS - BILL 120591, etc.
2 participate with the City to help make a
3 better product over the last 15 to 20
4 years with the product that's always
5 evaluated and improved upon within the
6 City, changes in technology, changes in
7 manufacturing processes and so forth.

8 Our biggest concern is under
9 some of these evaluations, that there's a
10 confusion in the marketplace on what is
11 to be supplied, because a lot of the
12 evaluations that happen, I guess it is
13 brought out to the contractors and
14 vendors that anything can be supplied,
15 which makes it very difficult at bidding
16 process time.

17 So really it's just conforming
18 to the specifications at time of bid and
19 through the process, and if evaluation
20 does take place, it's outside of those
21 parameters.

22 That's...

23 COUNCILMAN SQUILLA: All right.
24 Thank you for your testimony. I have a
25 question and Councilman Oh has a question

1 5/22/13 - STREETS - BILL 120591, etc.
2 and Councilman Henon.

3 Who developed the
4 specifications?

5 MR. ROSFELDER: The
6 specifications were developed in the
7 early/mid '90s through either a design
8 team, a renowned designer locally,
9 Grenald Waldron, as well as multiple
10 manufacturers. Of course, the City had a
11 huge impact with the specifications and
12 what its requirements were to be, that
13 being PennDOT specifications from a
14 structural standpoint and, of course, the
15 IES standards, which is Illuminating
16 Engineering Society standards for street
17 and roadway lighting, as well as
18 manufacturers. And there was a huge
19 evaluation with about a dozen
20 manufacturers, multiple applications,
21 different types of product, and the one
22 that was chosen is the City standard that
23 is in place today.

24 COUNCILMAN SQUILLA: I know
25 during your written testimony you said

1 5/22/13 - STREETS - BILL 120591, etc.
2 that there is products that did not meet
3 the City performance specifications. Why
4 would you think they're inferior, those
5 products?

6 MR. ROSFELDER: Some of the
7 product -- it truly -- the inferior
8 aspects of it is, our belief is from the
9 testing standpoint and evaluation of how
10 the pole and fixtures progressed over the
11 last 15 to 20 years from a structural
12 aspect to a performance as well as the
13 light output that's provided on the
14 streetscape. So our biggest concerns,
15 again, is we don't have an issue with
16 evaluation of the product, but evaluation
17 through projects so that there's no
18 confusion again in the market as these
19 products bid that they know that they
20 adhere to, which the City enforces as
21 well, adhere to the specification. It's
22 more of letting them know that this is --
23 we're in the public forum. We want them
24 to adhere to the specifications at time
25 of bid.

1 5/22/13 - STREETS - BILL 120591, etc.

2 COUNCILMAN SQUILLA: Okay. One
3 last question. You had said that -- you
4 made some reference to safety as a
5 concern for taking into account any
6 modifications of existing specifications.
7 Do you believe, I guess, that the City,
8 the existing City specifications,
9 produces a safer product?

10 MR. ROSFELDER: The
11 specifications that are intact by the
12 City Streets Department are some of the
13 best in the industry as far as safety is
14 concerned. PennDOT specifications
15 alone -- my job enables me to deal with
16 different departments of transportations
17 all across the country, especially the
18 big markets such as Philadelphia, like
19 New York City, Boston, DC. All of them
20 have very stringent specifications and
21 guidelines to go by. I think -- and the
22 City of Philadelphia has one intact as
23 well.

24 Again, the issue would be that
25 any testing that would be done should be

1 5/22/13 - STREETS - BILL 120591, etc.
2 done possibly in -- either that it's
3 publicly known as far as an evaluation is
4 concerned or, more importantly, that not
5 during bids, because that's when the
6 confusion comes in. And the City spends
7 an awful amount of time trying to police
8 this as well as other manufacturers, and
9 it puts those manufacturers that are
10 bidding the product per the
11 specifications at a competitive
12 disadvantage.

13 COUNCILMAN SQUILLA: And who
14 maintains the street lamps?

15 MR. ROSFELDER: The street
16 lights, I believe, are --

17 MR. MONTANEZ: The Streets
18 Department maintains all the street
19 lights in the City of Philadelphia,
20 except for those who are maintained by
21 Center City District within Center City
22 and we also have MOUs with the University
23 of Pennsylvania to maintain some lights
24 there. Now we're getting ready to do an
25 MOU with Temple University.

1 5/22/13 - STREETS - BILL 120591, etc.

2 COUNCILMAN SQUILLA: So you
3 then order, I guess, the lamps for the
4 street lights and have them in stock so
5 if there's --

6 MR. MONTANEZ: The ones we have
7 an MOU for, Councilman, they maintain.
8 They do everything. They have an
9 agreement with an electrical contractor
10 to do all that work for them.

11 COUNCILMAN SQUILLA: Okay.
12 Now, is the City department policy I
13 guess that the City specifications must
14 be adhered to until they are changed. So
15 all the specifications right now have to
16 be followed?

17 MR. MONTANEZ: Yes.

18 COUNCILMAN SQUILLA: If the
19 specifications are changed, is it the
20 City's policy to utilize the
21 specification at the time of the contract
22 for the project subject to the contract?
23 I mean --

24 MR. MONTANEZ: Yeah. We
25 utilize the specifications that we bid

1 5/22/13 - STREETS - BILL 120591, etc.
2 with at the time of the project. If we
3 change our specifications, we need a good
4 reason why we would change that project,
5 such as cost savings or we're heading
6 towards a different project such as going
7 from HID, which is our current one, over
8 to LED lighting.

9 COUNCILMAN SQUILLA: Okay. Are
10 there any other questions?

11 Councilman Henon.

12 COUNCILMAN HENON: Sure. Thank
13 you, Chairman.

14 I have a few questions. So the
15 standards that you speak about in
16 coordination with the City and PennDOT to
17 give us our stringent industry city
18 standards, is that correct, is that in
19 compliance with national electrical codes
20 and any of our local electrical and
21 installation codes?

22 MR. MONTANEZ: Yeah. If you
23 remember -- and forgive me, because I'm
24 going to paraphrase -- back in the, I
25 believe it was, the '80s, Herb Denenberg

1 5/22/13 - STREETS - BILL 120591, etc.
2 did a study on the Philadelphia street
3 lights, and he actually did a hot dog,
4 electrified a hot dog out there.

5 COUNCILMAN HENON: I'm going to
6 say for the record I do not remember.

7 MR. MONTANEZ: I barely
8 remember.

9 MR. ROSFELDER: I don't
10 remember that either.

11 MR. MONTANEZ: So with that and
12 the fact that we were concerned about the
13 safety of our citizens, the City of
14 Philadelphia then decided to take the
15 brown rounds, roughly 20,000 poles, or
16 the aluminum poles and start
17 progressively changing them to fiberglass
18 poles. Our concern was the safety and
19 what Mr. Denenberg put in as a hazard to
20 the citizens.

21 We've done about half the
22 system so far. We still got about half
23 the system to switch over to aluminum
24 poles, which now don't conduct
25 electricity.

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2 COUNCILMAN HENON: So since the
3 '80s, we've only done half --

4 MR. MONTANEZ: Yes, sir.

5 COUNCILMAN HENON: -- of the
6 replacements?

7 MR. MONTANEZ: Yes, sir. It's
8 a lot of lights.

9 COUNCILMAN HENON: Is there a
10 time -- I mean, not to get off track on
11 why we're here, but now the question is,
12 is there a schedule for replacement, a
13 time schedule?

14 MR. MONTANEZ: Yes. We're
15 trying to do a couple hundred a year.
16 It's all being done by City forces.

17 COUNCILMAN HENON: Okay. So
18 the specs go out, and obviously when
19 anything comes to public safety and
20 hazard to the general public, it's a
21 major concern to making sure that
22 everything is up to code and specs and
23 safe.

24 So I have a commercial corridor
25 district, for example, who is in the

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2 middle of starting the second phase on
3 the replacement of some light standards,
4 and that will be hopefully installed to
5 specs and not be, I guess, cheated out on
6 any of the kind of materials. So the
7 question is, sir, you had mentioned about
8 the installation. So what is our real
9 concern here? It seems like the
10 engineering part of this is fine, right?
11 It's been tested, the engineering. You
12 test however it's measured, the light is
13 measured in lumens or NIDs or however
14 that is. To me it seems like an
15 installation concern and a material usage
16 according to specs.

17 What is the quality control for
18 the lights that are installed, whether
19 you have MOUs with Center City District
20 or any other districts and the Streets
21 Department? Do we have a quality control
22 team that checks the installation and the
23 materials and the multitude of
24 manufacturers that are providing material
25 for these light standards?

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2 MR. MONTANEZ: Yeah. All
3 poles, we require design -- or the
4 drawings and the calculations to be
5 signed and sealed by a licensed
6 professional engineer in the State of
7 Pennsylvania, and then furthermore, we
8 inspect all the work that happens out on
9 the right-of-way. I have inspectors that
10 go check every job and make sure
11 everything is up to the City standards.

12 COUNCILMAN HENON: So the
13 inspectors check to make sure that the
14 bid, the RFP, the public RFP bid for all
15 the safe and correct materials are being
16 used and installed properly?

17 MR. MONTANEZ: Yes.

18 COUNCILMAN HENON: Whether you
19 have MOUs with that district? So it's
20 the City's responsibility to inspect and
21 the quality control?

22 MR. MONTANEZ: Correct.

23 COUNCILMAN HENON: Is that
24 correct?

25 MR. MONTANEZ: Yes.

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2 MR. ROSFELDER: Can I elaborate
3 on that?

4 COUNCILMAN HENON: Sure.

5 MR. ROSFELDER: The City has
6 done a fantastic job with doing that, and
7 with the specifications that are in place
8 right now strictly call that out. And,
9 of course, again, as I said earlier, with
10 the PennDOT specifications, they're one
11 of the toughest in the country. And so,
12 again, that's a tip to Philadelphia.

13 The issue concerning is within
14 the marketplace, and in the City's
15 defense, it's hard to police these
16 projects prior to the time they are
17 installed. Yes, there's the drawings and
18 the calculations and so on that are
19 submitted and stamped and, of course,
20 then going out and inspecting the
21 product, but at the time of bid, with the
22 confusion that we see in the market right
23 now, the assumption is is that they can
24 supply and bid whatever. And, again, the
25 reason why we decided to have this here

1 5/22/13 - STREETS - BILL 120591, etc.
2 was to assist the City in a public forum
3 to announce to the communities and to the
4 contractors and the vendors that the City
5 standard is to be adhered to until the
6 specification changes and that's
7 indicated in the bids set forth, then
8 it's the City standard, which is the
9 Center City District pole and fixture.

10 COUNCILMAN HENON: I'm just --
11 you mentioned some confusion. My
12 confusion in hearing some of the
13 testimony here and what you both are
14 saying is -- you talk about your
15 confusion. I'm confused. Are there
16 subpar contractors who are not adhering
17 to the specs that are in breach of the
18 contract that are making installations?
19 Because that's what I'm taking away from
20 it. So cut all the fluff around any kind
21 of trying to be nice here. What is the
22 issue? Is the issue that we have either
23 subpar licensed contractors or
24 non-licensed contractors who aren't
25 adhering to the specs and using the

1 5/22/13 - STREETS - BILL 120591, etc.

2 material that has been RFP'd?

3 MR. MONTANEZ: We have to --
4 everybody has to be PennDOT approved that
5 works for us and has to be a licensed
6 electrician. So we do not use subpar
7 contractors and we won't allow subpar
8 contractors.

9 COUNCILMAN HENON: I'm just
10 still trying to figure out what the
11 confusion is. If you have an RFP that's
12 publicly bid and a qualified licensed
13 contractor, I don't care who they are,
14 they're qualified, they're licensed, and
15 they're in tax compliant, are they
16 adhering to -- are they making the
17 installation that they bid on from the
18 RFP per specs?

19 MR. MONTANEZ: Yes, sir.

20 COUNCILMAN HENON: And --

21 MR. MONTANEZ: They are in the
22 Streets Department, and if it's not, we
23 usually make them rip it out and do it
24 again.

25 COUNCILMAN HENON: Okay. And

1 5/22/13 - STREETS - BILL 120591, etc.
2 you inspect even those areas -- I'm just
3 going to say the Center City District
4 because you've been talking about it. So
5 you have an MOU with the Center City
6 District. They're responsible for hiring
7 qualified licensed contractors to make
8 the installation; is that correct?

9 MR. MONTANEZ: Correct.

10 COUNCILMAN HENON: Does that
11 relieve you per MOU of any
12 responsibility?

13 MR. MONTANEZ: No. The Streets
14 Department is still the first responder
15 to any emergency in the right-of-way.

16 COUNCILMAN HENON: I'm still a
17 little confused. Why are we here? I
18 mean, if -- and I mean that respectfully.
19 There's confusion and we're talking about
20 specs. There seems to be an inference
21 that maybe we're not getting the full
22 proper installation according to the
23 specs, and if that's something that we
24 need to take a look at moving forward,
25 then by all means I think for the sake of

1 5/22/13 - STREETS - BILL 120591, etc.
2 public health and safety, we should take
3 a look at our quality controls and make
4 sure that somebody is signing off on
5 installation according to specs.

6 That's all. I have no further
7 questions.

8 COUNCILMAN SQUILLA: Councilman
9 Oh.

10 COUNCILMAN OH: Thank you very
11 much, Mr. Chairman.

12 To clarify all our confusions,
13 let me ask you, Mr. Rosfelder, are you
14 saying that Philadelphia has strict and
15 good standards, but within the bid
16 process of these standards, there's some
17 elasticity, some range whereas there's a
18 little bit of confusion in the specs
19 themselves that allow suppliers to kind
20 of go to the bottom or take advantage of
21 a vague area of the specs?

22 MR. ROSFELDER: Recently I
23 think there's been some evaluation of new
24 products, and because of those
25 evaluations of new products has caused

1 5/22/13 - STREETS - BILL 120591, etc.

2 the confusion in the marketplace.

3 COUNCILMAN OH: The new
4 products, are they meeting the standards
5 or are they somehow not meeting the
6 standards?

7 MR. ROSFELDER: They're -- my
8 interpretation is they're not per the
9 City specifications at time of bid.

10 COUNCILMAN OH: So at time of
11 bid, they are not complying with the
12 standards that the City has issued?

13 MR. ROSFELDER: Yes.

14 COUNCILMAN OH: And there seems
15 to be some loophole or some vague area
16 that you are here to say that, Hey,
17 everybody, you should abide by these
18 standards that you know are out there but
19 for which there's some kind of a
20 vagueness or a gap. Is that what you're
21 saying?

22 MR. ROSFELDER: Yes.

23 COUNCILMAN OH: Okay. How can
24 the City close that gap? What would you
25 like them to do either in enforcement,

1 5/22/13 - STREETS - BILL 120591, etc.

2 inspection or in the bid language?

3 MR. ROSFELDER: For clarity, I
4 think -- well, as far as the bids are
5 concerned, if a project bid a year ago or
6 presently today or in the future with the
7 specifications at hand, it has to meet
8 those specifications at time of bid. So
9 to confirm that.

10 As far as an evaluation
11 process, I know in the past when we were
12 going through the evaluation to become a
13 City-approved manufacturer, maybe testing
14 and evaluation can be done at the City
15 yard or at a designated site that
16 everybody knows that this evaluation and
17 these evaluations are taking place, and
18 they're removed from the specification of
19 the bid process. So it's an evaluation,
20 but at the present time, again, that all
21 City specifications of the CCD standard
22 pole and fixture still have to be met for
23 the specifications at the time of bid.

24 Did I make myself clear? If
25 we're going to do evaluations, evaluate

1 5/22/13 - STREETS - BILL 120591, etc.
2 the product -- that it's known that
3 evaluations are taking place, but still
4 the specifications have to be maintained,
5 because future bids that are happening
6 presently and most recently, the
7 confusion was rampant and it was a lot of
8 effort to supply outside of those
9 specifications before it even gets to the
10 City.

11 COUNCILMAN OH: Okay. I am
12 hearing that you are representing your
13 company as a manufacturer who is
14 providing product for the City and that
15 you are disadvantaged somehow in the
16 process where you see competitors somehow
17 providing into the stream of the City's
18 products inferior products or substandard
19 products that you are somehow
20 disadvantaged in competition. Is that --

21 MR. ROSFELDER: Well, we're
22 bidding per the City standard.

23 COUNCILMAN OH: You are meeting
24 the City standard --

25 MR. ROSFELDER: We meet all of

1 5/22/13 - STREETS - BILL 120591, etc.
2 the City specifications.

3 COUNCILMAN OH: And somebody or
4 someones are not?

5 MR. ROSFELDER: Correct.
6 That's correct. They're not meeting the
7 specifications at the time of bid.

8 COUNCILMAN OH: And how are
9 they getting past that?

10 MR. ROSFELDER: I don't know.

11 COUNCILMAN OH: Okay. Is that
12 part of the resolution? Is this a
13 resolution to investigate this, or what
14 is this resolution?

15 MR. ROSFELDER: I think the
16 resolution is to state -- and, again, I'm
17 paraphrasing -- to state conforming to
18 all the specifications at time of bid,
19 and then they're outside -- if
20 evaluations take place, then those
21 evaluations either take place in a
22 designated area so that there is no
23 confusion to the market as far as the bid
24 process and the evaluation process,
25 basically separating them, not having the

1 5/22/13 - STREETS - BILL 120591, etc.
2 evaluation at midstream during the bid
3 process or installation.

4 COUNCILMAN OH: So prior to the
5 bid, these should be evaluated and
6 approved and then entered into the bid
7 process?

8 MR. ROSFELDER: Yeah. Yeah.
9 Any new specifications, if there's
10 alterations or modifications or changes.

11 COUNCILMAN OH: Is that an
12 amendment to the resolution that you're
13 looking for?

14 MR. ROSFELDER: I don't know.

15 COUNCILMAN GREENLEE: If I
16 could just interrupt, Councilman Oh. I
17 mean, the resolution is, I guess, a
18 little simpler than that. It just says
19 to hold hearings to examine the current
20 specifications for the products and the
21 Streets Department's adherence to the
22 specifications. So, I mean, it's
23 basically just an investigatory hearing.
24 I don't know if they're really asking for
25 anything directly. They're just -- it's

1 5/22/13 - STREETS - BILL 120591, etc.
2 just to gather information, if I could
3 help that way.

4 COUNCILMAN OH: All right.

5 I think you approve of our
6 process, is the bottom line.

7 MR. ROSFELDER: Absolutely.
8 And we participate with that.

9 COUNCILMAN OH: Okay.
10 Fantastic.

11 Thank you.

12 COUNCILMAN GREENLEE:
13 Councilwoman Bass.

14 COUNCILWOMAN BASS: Thanks.
15 Thank you.

16 It is a tad bit confusing, just
17 a little bit. But I guess I just wanted
18 to ask quickly, because in all of the
19 conversation, I wanted to make sure that
20 the City has in its place -- a plan in
21 place to make sure that we're dealing
22 with these particular issues, even though
23 there would be some hearings and further
24 discussion. But does the City have a
25 plan in place to deal with the confusion

1 5/22/13 - STREETS - BILL 120591, etc.

2 that happens during the bidding process?

3 MR. MONTANEZ: Yes, we do.

4 COUNCILWOMAN BASS: You do?

5 Okay. Do you want to elaborate a little
6 bit.

7 MR. MONTANEZ: Well, to
8 elaborate, a lot of the confusion -- a
9 lot of the things that's been coming is,
10 recently the City has been looking to go
11 from the HID market to the LED market,
12 which is the energy saving light that
13 we're trying to do. Some of the projects
14 we put out two, three years ago went with
15 the old technology. However, the current
16 projects, we've put in the new
17 technology. The community has come back
18 to us and asked for uniformity, can we
19 change the old standards so now
20 everything looks the same thing in their
21 community. Those projects, we are going
22 in there and amending the project. We
23 try to make sure that we don't break our
24 budget and we adhere to our budget. So a
25 lot of times we make sure our budget is

1 5/22/13 - STREETS - BILL 120591, etc.
2 met.

3 COUNCILWOMAN BASS: Is that a
4 work in progress or is that something
5 that's being implemented right now?

6 MR. MONTANEZ: We are in the
7 testing methods of most of them. The
8 reasons why we put them into projects
9 that we see coming four, five years down
10 the road already is because we are hoping
11 to adopt it by the end of this year.

12 COUNCILWOMAN BASS: Okay.

13 MR. MONTANEZ: So, therefore,
14 when we write our specs right now,
15 they're showing what we're planning for
16 the future.

17 COUNCILWOMAN BASS: Okay. I
18 think I got it.

19 COUNCILMAN SQUILLA: All right.
20 Thank you very much for your testimony.

21 Are there any other questions?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing
24 none, is there anyone else here to
25 testify on the Resolution 130039?

1 5/22/13 - STREETS - BILL 120591, etc.

2 (No response.)

3 COUNCILMAN SQUILLA: Seeing
4 none, this resolution will be held to the
5 call of the Chair. Thank you for your
6 testimony.

7 Mr. McMonagle, please read the
8 title of the last bill.

9 THE CLERK: Bill No. 130016, an
10 ordinance amending Section 10-722 of The
11 Philadelphia Code, entitled "Use of
12 Dumpsters," by revising certain
13 requirements for dumpsters and making
14 technical changes, all under certain
15 terms and conditions.

16 COUNCILMAN SQUILLA: Thank you.
17 Is there anyone here to testify
18 on Bill No. 130016?

19 (Witnesses approached witness
20 table.)

21 DEPUTY COMMISSIONER CARLTON:
22 Good morning, Chairman Squilla and the
23 honorable members of Streets and Service
24 Committee. My name is Donald D. Carlton,
25 Deputy Streets Commissioner for the City

1 5/22/13 - STREETS - BILL 120591, etc.
2 of Philadelphia. I am here to testify on
3 the impact of Bill 130016.

4 The 2009 law that requires
5 dumpsters to have medallions is a very
6 helpful tool with regard to enforcement
7 and litter control and maintenance of
8 dumpsters. It helps to identify haulers
9 and businesses associated with a
10 particular dumpster.

11 Under our current model,
12 haulers are responsible for the
13 maintenance of dumpsters. Without a
14 method to determine ownership, we will
15 enable some irresponsible haulers. For a
16 variety of reasons, many dumpsters are
17 not necessarily placed in front of
18 businesses from which they originate.
19 Placement can be a challenge due to
20 street design or limited spacing. We
21 need a system in place where dumpsters
22 are properly identified and our
23 investment value is maintained. The
24 Streets Department has to be able to
25 efficiently and accurately determine the

1 5/22/13 - STREETS - BILL 120591, etc.
2 business owners and haulers responsible
3 for a particular dumpster.

4 Our concern is that there is a
5 system -- that we have a system to
6 properly identify these dumpsters.

7 That concludes my testimony.
8 Thank you for the opportunity to testify
9 on this bill and I would be happy to
10 answer any questions.

11 COUNCILMAN SQUILLA: Thank you
12 for your testimony. I have one question
13 real quick before we proceed. So you
14 believe with this bill you still would be
15 able to enforce the dumpster regulations?

16 DEPUTY COMMISSIONER CARLTON:
17 With the discussed amendments, yes, I do
18 believe it will be enforced, yes.

19 COUNCILMAN SQUILLA: All right.
20 Thank you very much.

21 Please proceed with your
22 testimony.

23 MR. HAIGLER: Good morning,
24 Chairman Squilla and members of the
25 Committee of Streets and Services. I

1 5/22/13 - STREETS - BILL 120591, etc.
2 don't have any prepared testimony for
3 today. I will defer to the Streets
4 Department as far as their testimony and
5 their ability to enforce.

6 The only concern that I raise
7 is related to budgetary issues related to
8 the loss of revenue regarding the bill
9 and the amendments. From what I
10 understand, there are some revenue
11 implications in the bill and the
12 amendments to strike out requirements for
13 private dumpsters to be regulated under
14 the bill and amendments, and that will be
15 my only concern for the Department.

16 I understand that there is
17 approximately roughly over a million
18 dollars in revenue that has to be
19 considered that may be lost revenue to
20 the City of Philadelphia regarding that
21 issue. So we would need some time to
22 further discuss and study that issue
23 further.

24 COUNCILMAN SQUILLA: Okay. So
25 you would like time to discuss that

1 5/22/13 - STREETS - BILL 120591, etc.

2 further?

3 MR. HAIGLER: Yes.

4 COUNCILMAN SQUILLA: Right now
5 the initiative from the bill was to
6 actually clean up the dumpsters and
7 making sure that people were responsible
8 for the trash in the dumpsters, so forth
9 and so on.

10 MR. HAIGLER: That's correct.

11 COUNCILMAN SQUILLA: When we as
12 a city really don't perform a service as
13 far as picking up their trash. These are
14 condominiums that have their dumpsters
15 inside. These are businesses that have
16 enclosed dumpsters. We don't pick up the
17 trash. We don't -- when the trash comes,
18 they go to the facility, unload it, put
19 it back onto the private property. So
20 there's really nothing that we do. We're
21 still requiring them to have a medallion,
22 which is the one-time fee. If the
23 medallion breaks, we're looking at a fee
24 to replace the medallion, but just that
25 there would not be a yearly fee.

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2 So I understand your concern as
3 far as losing revenue, but I don't think
4 this was actually intended to --

5 MR. HAIGLER: There's still an
6 enforcement mechanism in place, and even
7 though I defer to what you just said as
8 far as the picking up of the trash and
9 such, but if dumpsters were to be in
10 violation of the code, somebody would
11 have to write that violation and see it
12 through the enforcement process. There
13 is a cost to that, and that would -- the
14 covering of the license fee as well as
15 the placement of the medallion would
16 assist with determining who the violator
17 is as well as covering the cost for
18 enforcement.

19 COUNCILMAN SQUILLA: Well, we
20 would still have that. We still have the
21 medallion on there, and the Streets
22 Department would still be able to issue
23 violations if there were unsightly or if
24 they were out in the area where they
25 shouldn't be. Those fines would be

1 5/22/13 - STREETS - BILL 120591, etc.
2 initiated.

3 MR. HAIGLER: That will be
4 mostly in the public right-of-way,
5 correct.

6 COUNCILMAN SQUILLA: Well, I
7 mean -- right. Exactly. On the public
8 right-of-way or if a private dumpster
9 somehow ended up on the public
10 right-of-way when it wasn't supposed to
11 be.

12 MR. HAIGLER: But in the case
13 of a private dumpster where they would
14 still be licensed and they would still
15 have the requirements of the medallion,
16 then our department, Licenses and
17 Inspections, would inspect those areas
18 within the property line.

19 COUNCILMAN SQUILLA: Councilman
20 Greenlee.

21 COUNCILMAN GREENLEE: Thank
22 you, Mr. Chairman.

23 Just very quickly.
24 Mr. Haigler, just so I'm clear, when you
25 give out the figure \$1 million, is

1 5/22/13 - STREETS - BILL 120591, etc.
2 that -- I mean, the relaxing of the fees,
3 if you will, are just on the ones on the
4 private -- the amendment is going to be a
5 private property. I mean, would that
6 kind of figure be involved in just
7 enforcing that? Because I can't believe
8 there's that many of them.

9 MR. HAIGLER: There are --

10 COUNCILMAN GREENLEE: Because
11 I've been with this Committee when we
12 passed this last session, and obviously
13 the main emphasis we were trying to put
14 on was, as I said, the rats running
15 relays on Moravian Street and all like
16 that, the ones that were out consistently
17 on these streets. What we're trying to
18 clean up here or what we're trying to
19 deal with here is the ones that really
20 hardly ever touch the public right-of-way
21 except for just going to the truck to be
22 dumped. I mean, would there be that much
23 that we would enforce on those kind of
24 violations?

25 MR. HAIGLER: There are

1 5/22/13 - STREETS - BILL 120591, etc.
2 approximately between 6,900 and 7,300
3 private dumpster licenses that we issue.

4 COUNCILMAN GREENLEE: Right.

5 MR. HAIGLER: And, again, if we
6 were to de-regulate that, then that's a
7 significant amount of revenue that would
8 be lost by the City, and the City when we
9 have our inspectors that they go out,
10 they inspect maybe -- they might be at
11 the property for other reasons, but they
12 do inspect to determine whether or not
13 the dumpster is being maintained as well
14 as whether it's licensed at the time of
15 their inspection.

16 COUNCILMAN GREENLEE: But I
17 guess what I'm saying is, isn't that a
18 very small portion of the enforcement and
19 to have these people pay a yearly fee for
20 something that the vast majority of them,
21 if I'm right, is never going to be --
22 they're never going to be the problem.
23 They're not the problem we're trying to
24 address for the most part.

25 MR. HAIGLER: I understand what

1 5/22/13 - STREETS - BILL 120591, etc.
2 you're saying, Councilman, but I guess
3 I'm just here to present the --

4 COUNCILMAN GREENLEE: I
5 understand. And, again, I just back up
6 what the Chairman said. And, again, I
7 remember when these hearings came up last
8 session, obviously we're never against
9 getting the City a little bit more money,
10 but this was to clean up a real problem,
11 and I guess I just don't see the
12 dumpsters we're trying to address as
13 being much, if any, of the real problem.
14 I'll leave it at that.

15 DEPUTY COMMISSIONER CARLTON:
16 One thing, Councilman. The private
17 property dumpsters are listed as private
18 property right now currently in our
19 current format, but they still have the
20 right to be on the right-of-way two hour
21 before their collection. So I know
22 initially we were talking about dumpsters
23 that never see the right-of-way, but that
24 was our concern, because there's still
25 7,300 dumpsters that are listed as

1 5/22/13 - STREETS - BILL 120591, etc.
2 private, and some of those still hit the
3 right-of-way for some period of time
4 before they're collected. And, again,
5 our current system has it two hour before
6 they're collected they can be on the
7 right-of-way.

8 COUNCILMAN GREENLEE: But the
9 amendment we're doing is just talking
10 about the ones that, if I'm reading it,
11 that may cross the public right-of-way
12 for pickup, but may not be stored there
13 for pickup or any other purpose for any
14 period of time. So we're talking about
15 ones that are --

16 DEPUTY COMMISSIONER CARLTON:
17 Never on the right-of-way.

18 COUNCILMAN GREENLEE: Never,
19 right?

20 DEPUTY COMMISSIONER CARLTON:
21 The way the amendment was explained to me
22 is dumpsters that are never on the
23 right-of-way, that are serviced on the
24 property and --

25 COUNCILMAN GREENLEE: Just

1 5/22/13 - STREETS - BILL 120591, etc.
2 wheeled out by the company to dump and
3 then wheeled back in, right? So they're
4 on the public right-of-way for seconds, a
5 minute?

6 DEPUTY COMMISSIONER CARLTON: I
7 was under the impression that possibly
8 never on the right-of-way. Are we
9 talking about that they can actually pull
10 into the private property, service on the
11 private property, and then the vehicle
12 leaves? That was my interpretation.

13 COUNCILMAN GREENLEE: Well, I'm
14 just reading the amendment, and the
15 amendment says that may cross the public
16 right-of-way for pickup, but may not be
17 stored there. So I'm thinking about
18 something, you know, the guy that runs
19 the truck pulls it out of the private
20 property, maybe rolls it across the
21 sidewalk, dumps it, and then rolls it
22 right back in. So it's there for a very
23 obviously limited period of time, right?

24 DEPUTY COMMISSIONER CARLTON:
25 Yeah.

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2 COUNCILMAN GREENLEE: And the
3 point I was trying to make, I don't think
4 any of those kind of situations are a
5 problem.

6 DEPUTY COMMISSIONER CARLTON:

7 As --

8 COUNCILMAN GREENLEE: Not that
9 we were addressing, I guess.

10 DEPUTY COMMISSIONER CARLTON:

11 As long as businesses are being
12 forthright, it shouldn't be a problem.
13 You may have some businesses that because
14 of maybe a reduced fee that will say this
15 is never going to hit the right-of-way,
16 but they still hit the right-of-way.
17 But, again, as long as we have
18 medallions, we can identify them. That's
19 our issue.

20 COUNCILMAN GREENLEE: That's my
21 point. All right. Thank you.

22 MR. HAIGLER: Excuse me, Mr.
23 Chair. I have to go to another
24 appointment at this time and I would like
25 to ask to be excused at this point.

1 5/22/13 - STREETS - BILL 120591, etc.

2 COUNCILMAN SQUILLA: Yes. You
3 may be excused. We are completed as we
4 speak. So thank you so much for your
5 testimony and thanks for your time.

6 DEPUTY COMMISSIONER CARLTON:
7 Thank you.

8 COUNCILMAN SQUILLA: We
9 appreciate it.

10 Right now we'd like to end the
11 public hearing and go into a public
12 meeting.

13 Councilman Greenlee, would you
14 like to read the amendment for Bill No.
15 130016.

16 COUNCILMAN GREENLEE: Thank
17 you, Mr. Chairman. I move the adoption
18 of the amendment that was just recently
19 discussed to Bill No. 130016 that has
20 been distributed.

21 (Duly seconded.)

22 COUNCILMAN SQUILLA: All in
23 favor?

24 (Aye.)

25 COUNCILMAN SQUILLA: Any

1 5/22/13 - STREETS - BILL 120591, etc.

2 opposed?

3 (No response.)

4 COUNCILMAN SQUILLA: Thank you.

5 The ayes have it. That amendment has

6 been passed.

7 We'd like to end the public

8 meeting, go back into a public hearing.

9 And for the record, Bill No. 130016, as

10 amended, will be heard at the next

11 Streets and Services hearing on June 6th

12 at 2:00 p.m.

13 Now we'd like to end the public

14 hearing, go back into the public meeting.

15 And, Councilman Greenlee, would

16 you like to read the title of the bills.

17 COUNCILMAN GREENLEE: Thank

18 you, Mr. Chairman. I move the adoption

19 of the amendment to Bill No. 130381.

20 (Duly seconded.)

21 COUNCILMAN SQUILLA: All in

22 favor?

23 (Aye.)

24 COUNCILMAN SQUILLA: Any

25 opposed?

1 5/22/13 - STREETS - BILL 120591, etc.

2 (No response.)

3 COUNCILMAN SQUILLA: The ayes
4 have it. The amendment to Bill No.
5 130381 has passed.

6 COUNCILMAN GREENLEE: Mr.
7 Chairman, I move that Bill No. 130381, as
8 amended, be reported out of this
9 Committee favorably with a rules
10 suspension to allow for first reading at
11 our next session of Council.

12 (Duly seconded.)

13 COUNCILMAN SQUILLA: All in
14 favor?

15 (Aye.)

16 COUNCILMAN SQUILLA: Any
17 opposed?

18 (No response.)

19 COUNCILMAN SQUILLA: Bill No.
20 130381 has been amended and -- as
21 amended, be reported out of Committee
22 with a favorable recommendation and rules
23 suspension.

24 Excuse me one second. I'd like
25 to recognize Councilwoman Blackwell.

1 5/22/13 - STREETS - BILL 120591, etc.

2 COUNCILWOMAN BLACKWELL: Thank
3 you. I'd like to thank the Committee for
4 their support on Bill 130379 that we
5 support and the community supports.
6 Thank you all.

7 COUNCILMAN SQUILLA: Thank you,
8 Councilwoman.

9 Mr. Greenlee.

10 COUNCILMAN GREENLEE: Thank
11 you, Mr. Chairman. I move that the
12 following bills be reported out of this
13 Committee with a favorable recommendation
14 with a rules suspension to allow for
15 first reading at our next session of
16 Council: Bill Nos. 120591, 592, 593,
17 121003, 120785, 130301, 302, 304, 358 and
18 124, Bill No. 120658, 130300, 130331,
19 Bill 130303, 353, 354, 355, Bill No.
20 130379, and Bill No. 130380.

21 (Duly seconded.)

22 COUNCILMAN SQUILLA: All in
23 favor?

24 (Aye.)

25 COUNCILMAN SQUILLA: Any

1 5/22/13 - STREETS - BILL 120591, etc.

2 opposed?

3 (No response.)

4 COUNCILMAN SQUILLA: The ayes
5 have it. All bills read into the record
6 have been approved as read with a
7 suspension of the rules.

8 That would end our meeting for
9 today. Thank you for your attendance.
10 Have a good day.

11 (Committee on Streets and
12 Services concluded at 12:00 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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direct control and/or supervision of the
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