

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING AND PUBLIC MEETING
4 BEFORE COUNCIL COMMITTEE ON STREETS AND SERVICES

5 - - -
6 Room 400, City Hall
7 Philadelphia, Pennsylvania
8 Wednesday, 12/12/01, 1:07 p.m.
9 - - -

10 BILL 010335 Revising parking regs on Pine Street.
11 BILL 010341 Establishing parking reg on Uber Street.
12 BILL 010496 Authorizing Richard Ley electric service
13 to his vendor truck.
14 BILL 010559 Authorizing revision of lines and grades
15 on portion of City Plan No. 58...
16 BILL 010603 Granting permission to N.C. Mangini
17 Newsstand to install electrical and phone service.
18 BILL 010606 Establishing a no-truck-parking and
19 tow-away zone regulation on Vine Street.
20 BILL 010616 Authorizing Ben Franklin Foods to
21 construct, 2 one-story building additions.
22 BILL 010618 Establishing a no-truck-parking and
23 tow-away zone regulation on Haverford Avenue
24 BILL 010619 Prohibiting loading, unloading of
25 passengers at off-street locations on City Avenue from
47th Street to Belmont Avenue.
BILL 010620 Use of Dumpsters - City Line Ave...
BILL 010659 Residential Eligibility for Municipal
Trash Collection.
BILL 010661 Authorizing Amtrak to construct a
pedestrian bridge.
BILL 010667 Relocating certain right-of-way for
drainage purpose, water main purposes, and gas main
purposes lying within lines of former Mifflin Street.

19 COUNCILMEMBERS PRESENT:

20 Frank DiCicco, Chair Richard T. Mariano
21 Darrell L. Clarke Donna Reed Miller
22 David Cohen Michael A. Nutter
23 W. Wilson Goode, Jr. Angel L. Ortiz
24 James F. Kenney Frank Rizzo
25

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2 COUNCILMAN DICICCO: I'm asking members of
3 the Streets and Services Committee to please come to
4 the chambers. Will members of the Streets and
5 Services Committee please report to the chambers.

6 - - -

7 COUNCILMAN DICICCO: Can I have your
8 attention, please. Thank you.

9 The Committee on Streets and Services now
10 in session. We have a quorum, and the members of
11 the committee are, to my extreme right, Councilwoman
12 Donna Reed Miller, Councilman Goode, Councilman
13 Mariano, Councilman Ortiz, and myself, the chair,
14 Councilman DiCicco.

15 There are other members of City Council in
16 attendance: Councilman Nutter and Councilman
17 Kenney.

18 Before I begin, I would like to thank
19 everyone for your patience in waiting and for taking
20 the time to come here today. I understand there's
21 been some arrangements made as to who will testify.
22 There are a number of people who are here from
23 various condo associations and co-ops, and I believe
24 that we're condensing some of that testimony
25 because, obviously, we're all here for the same

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2 thing.

3 So for the record, if we can, would all of
4 those who are here to deal with the legislation as
5 it relates to the condominium and the trash
6 collection just please stand.

7 Let the record reflect that there are
8 approximately 75 to 100 folks, I guess, here in
9 attendance today. Thank you. You may be seated.

10 The clerk will read the title of the first
11 bill.

12 THE CLERK: Bill 010659, an ordinance
13 amending Chapter 10-700 of the Philadelphia Code
14 concerning refuse and littering by adding a new
15 section entitled "Residential Eligibility for
16 Municipal Trash Collection," all under certain terms
17 and conditions.

18 COUNCILMAN DICICCO: Before we begin, I
19 need the folks who are standing out -- excuse me,
20 the folks who are standing along the rail, would you
21 please take a seat so the people behind you could
22 watch what's going on here. Thank you.

23 Sir? I'd ask all the gentlemen to remove
24 their hats as well, please.

25 Before we begin taking testimony on this

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2 bill, I would like to take this opportunity to thank
3 my colleague Councilman Kenney for bringing this
4 matter to our attention, and I believe the
5 Councilman has an opening remark. Councilman
6 Kenney.

7 COUNCILMAN KENNEY: Thank you.

8 (Applause.)

9 COUNCILMAN DICICCO: I need a microphone
10 for Councilman Kenney.

11 COUNCILMAN KENNEY: Thank you.
12 Mr. Chairman, I'd like to thank you for the
13 opportunity for hearing the bill in such an
14 expedited fashion. This bill would expand
15 residential eligibility for municipal trash
16 collection to include condominiums and cooperatives.
17 I introduced this ordinance with you and Councilman
18 Cohen because we believe that trash collection is
19 one of the basic City services the City must provide
20 for all of its residential taxpayers, regardless of
21 whether their home is on the street or built on top
22 of another home.

23 It is important to note that this bill
24 does not stipulate in any way how the Streets
25 Department should collect anyone's trash. As this

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2 Council did with the issue of recycling, this bill
3 merely stipulates that these homeowners should be
4 eligible for the same trash collection as others and
5 allows the Streets Department to decide how to do
6 so.

7 I want to thank everyone for coming today
8 and I appreciate your time and testimony. I think
9 it's important to understand that people who own
10 condominiums and cooperatives pay real-estate taxes
11 just like every homeowner.

12 (Applause.)

13 COUNCILMAN KENNEY: This city provides
14 basic services to those taxpayers, like fire and
15 police protection, sanitation, and other such City
16 services. To exclude this class of homeowner and
17 residential taxpayer from this absolutely basic City
18 service, I think, is just an issue of basic
19 unfairness.

20 (Applause.)

21 COUNCILMAN KENNEY: And so as we move
22 forward on this hearing, I'd like to just keep that
23 in mind as we're attempting to retain and attract
24 residents to our city, people who can pay the taxes
25 that provide for services for other people in need,

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2 and I think it's important that we be fair to all of
3 them and hope that we can move bill this forward in
4 an expedited fashion.

5 Thank you, Mr. Chairman.

6 COUNCILMAN DICICCO: Thank you,
7 Councilman.

8 (Applause.)

9 COUNCILMAN DICICCO: Let the record also
10 reflect the fact that Councilman Rizzo and
11 Councilman Darrell Clarke are now in attendance as
12 well, and they're also members of this committee.

13 Robert Greenbaum and Cynthia Morrissey --
14 am I pronouncing that correctly?

15 (Witnesses come forward.)

16 COUNCILMAN DICICCO: This will be the
17 first panel. Is there anyone else on this panel
18 that I left out? It's just the three of you on the
19 first panel?

20 UNIDENTIFIED SPEAKER: It is the three of
21 us. Thank you, Councilman.

22 COUNCILMAN DICICCO: When you begin, just
23 please identify yourself for the record and spell
24 your last name for the stenographer and proceed with
25 your testimony. Thank you.

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2 MS. MORRISEY: Good afternoon, Councilman.

3 My name is Cynthia Morrisey, M-O-R-R-I-S-E-Y. I am
4 the President of the Philadelphia Condominium
5 Managers Association, which represents 44
6 condominium buildings in the City of Philadelphia,
7 which is between 8 and 10,000 condominium units. I
8 also manage Park Plaza Condominiums, which is on the
9 outskirts of Fairmount Park, which has 350 units.

10 I first want to thank Councilman Kenney,
11 Cohen, and DiCicco for introducing this bill and
12 finally letting us be heard. We have been fighting
13 for years and years that we have not been afforded
14 the same municipal services that have been afforded
15 to any other unit owner in the City of Philadelphia
16 simply because our owners choose to live vertically.

17 If I could and if you wouldn't mind
18 indulging me, I would just like to explain to you a
19 little bit about the concept of the condominium
20 owner. First and foremost, condominium homeowners
21 are residential homeowners. Condominiums formulate
22 a zero-based budget each year to pay for annual
23 operating costs. Condominiums are an organized
24 cluster of residential units. Condominiums hope to
25 share operating expenses that are common to a

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2 community.

3 A condominium divides the actual cost of
4 common expenses, trash being one of them, between
5 homeowners based upon the square footage that is
6 owned by each homeowner. A condominium is managed
7 by a board of directors that is comprised of
8 individual homeowners who are elected by the
9 homeowners at each particular condominium.

10 Condominiums are not commercial
11 enterprises; condominiums do not operate to make a
12 profit. Condominium owners are not renters, nor do
13 they pay rent to a landlord or a commercial entity.

14 Again, I reiterate, a condominium owner is
15 a residential homeowner. They pay real-estate taxes
16 and are entitled to the same municipal services that
17 any other resident and tax-paying unit owner is in
18 the City of Philadelphia.

19 Condominium owners are responsible for all
20 household expenses, including, but not limited to,
21 maintenance, repairs, and upkeep of their individual
22 home.

23 Condominium owners represent many people.
24 They represent people who are purchasing their first
25 home. They represent -- they may be a couple who

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2 once lived in the City who moved out to the suburbs
3 and are returning to the City. Condominium owners
4 represent an organized bloc of voters, which you
5 should know.

6 Having now given a description to you of
7 what a condominium and a condominium owner is and is
8 not, it's important to say to you that by simply
9 choosing to live vertically and to live with the
10 concept of ownership, it does not mean that
11 condominium owners should be subject to the
12 inequities that they have been forced to deal with.

13 It is easier for some to categorize
14 condominium into rate and/or service classes based
15 upon convenience rather than taking the time to
16 understand the condominium concept. Time and time
17 again, this confusion leads to condominium
18 homeowners being penalized for choosing to live
19 vertically rather than live beside one another on a
20 city block.

21 Some examples of these inequities are the
22 inequitable distribution of the proposed water rate
23 increase, the multifamily taxes, and the double
24 expense of trash hauling and recycling.

25 We urge you to support Bill No. 010659,

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2 and by doing so, you would be sending a very strong
3 message to each and every condominium unit owner in
4 the City of Philadelphia that you recognize their
5 plight and you're willing to fight with them and for
6 them to make them on a par with other single family
7 homeowners.

8 I thank you for your attention and I
9 welcome you to hear from some of our other
10 colleagues.

11 COUNCILMAN DICICCO: Thank you,
12 Miss Morrissey.

13 (Applause.)

14 COUNCILMAN DICICCO: I have a couple of
15 questions. Do you happen to know what the average
16 real-estate tax is paid by condo owners in the City
17 of Philadelphia?

18 MS. MORRISEY: I don't have that, no.

19 COUNCILMAN DICICCO: Do you happen to know
20 what the average square footage of a condo in the
21 City of Philadelphia is?

22 MS. MORRISEY: It can vary. I would say
23 it's probably anywhere from 12 to 1800 square feet,
24 depending on the size. Each building has a
25 different makeup.

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2 COUNCILMAN DICICCO: All right, thank you.

3 Any questions for this witness?

4 Councilman Ortiz.

5 COUNCILMAN ORTIZ: Yes. Do we have a
6 total population of condo owners?

7 MS. MORRISEY: I would say it's somewhere
8 between 8 and 10,000.

9 COUNCILMAN ORTIZ: And they are
10 distributed not just in Center City but across many
11 different neighborhoods across the City, right?

12 MS. MORRISEY: Absolutely. They go from
13 the Northeast to South Philadelphia. I don't know
14 that there are any in North Philadelphia, but they
15 are absolutely all across the City.

16 COUNCILMAN ORTIZ: All right. And let me
17 say we've gotten your letter about the issues, and
18 they've been very articulate and very well done.

19 MS. MORRISEY: That was our intent. Thank
20 you.

21 COUNCILMAN DICICCO: Thank you.

22 Councilman Clarke.

23 COUNCILMAN CLARKE: Thank you,
24 Mr. Chairman.

25 Good morning -- well, actually, good

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2 afternoon.

3 MS. MORRISEY: Good afternoon.

4 COUNCILMAN DICICCO: Or good evening.

5 COUNCILMAN CLARKE: I'm not sure you can
6 answer this question, but I'll give you a shot at
7 it, and I'll probably have to ask the Streets
8 Commissioner a similar question later on.

9 With respects to the various types of
10 trash collection services that the condominium
11 owners use given the fact that they're across the
12 City of Philadelphia, can you talk to me to some
13 degree about what you understand the different types
14 of services are, meaning the types of trucks, the
15 types of pickups, the ability to access the
16 condominiums? 'Cause that's something that I'm not
17 clear beyond my district because the bulk of the
18 condominiums are in Center City and in my
19 Councilmatic District, and I'm not sure about the
20 outlying areas.

21 Can you give me a sense of what types of
22 services are required?

23 MS. MORRISEY: I actually think each
24 building is different. At Park Plaza, we have
25 six-day-a week pickup. We also use front-end load

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2 machines -- I'm sorry, the trucks are front-end load
3 pickup.

4 Many of the buildings in Center City, I am
5 sure, have the same type of pickup. I don't know
6 about the Northeast, and I couldn't answer exactly
7 to what each and every one, how theirs is picked up.

8 COUNCILMAN CLARKE: Okay. I guess I'll
9 ask the Commissioner. I'm trying to get a sense of
10 if the traditional types of vehicles that we
11 currently have in our workforce could accommodate
12 some of the condominiums in the outlying areas and
13 then subsequently get a sense of what additional
14 equipment would be needed to accommodate the other
15 condominiums in the Center City area and other areas
16 throughout the City.

17 MS. MORRISEY: I think your commissioner
18 would know better. I don't know your equipment.

19 COUNCILMAN CLARKE: That's fine.

20 COUNCILMAN DICICCO: Councilman Ortiz.

21 COUNCILMAN ORTIZ: Currently, the garbage
22 pickup is done by a private company?

23 MS. MORRISEY: Correct.

24 COUNCILMAN ORTIZ: And the charge in that
25 is a part of the overall charge of maintenance that

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2 you have to pay and so on?

3 MS. MORRISEY: Correct. And at Park
4 Plaza, we pay about \$35,000 a year, which gets
5 passed through to each unit owner, so that they, in
6 effect, are paying twice in their taxes as well.

7 COUNCILMAN DICICCO: On that same point,
8 you said 35,000 for who?

9 MS. MORRISEY: We pay a private hauler to
10 come in and pick up our trash.

11 COUNCILMAN DICICCO: In your building?

12 MS. MORRISEY: Correct

13 COUNCILMAN DICICCO: Do you happen to know
14 what the cumulative cost to all of the condos in the
15 City may be?

16 MS. MORRISEY: I don't, but I believe
17 somebody else may be touching on that.

18 COUNCILMAN DICICCO: Thank you.

19 Any other questions of this witness?

20 (No further questions for this
21 witness.)

22 COUNCILMAN DICICCO: Mr. Greenbaum, you
23 decide who goes next.

24 Oh, sorry. Councilman Nutter. I
25 apologize.

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2 COUNCILMAN NUTTER: Thank you,
3 Mr. Chairman.

4 I just wanted to messages, as
5 Miss Morrissey indicated, she's also the manager over
6 at Park Plaza, 3900 Ford Road.

7 MS. MORRISEY: Correct.

8 COUNCILMAN NUTTER: And we've had the
9 occasion to work together on a number of situations,
10 and I'm glad that you had the opportunity to be here
11 today. I look forward to the opportunity to vote on
12 this bill. I think it's very, very important for
13 the condominium owners

14 MS. MORRISEY: Good. Thank you, and we
15 welcome your support.

16 (Applause.)

17 COUNCILMAN DICICCO: Thank you.

18 MS. MORRISEY: Thank you, Councilman.

19 COUNCILMAN DICICCO: Mr. Greenbaum.

20 MR. GREENBAUM: Thank you, Councilman
21 DiCicco. My name is Robert Greenbaum,
22 G-R-E-N-B-A-U-M. I am President of the Homeowners
23 Association of Society Hill Towers.

24 I would also like to thank Councilman
25 Kenney, Councilman DiCicco, and Councilman Cohen for

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2 introducing this bill, which is critical to the
3 homeowners that live in co-ops and condos. And I
4 think it's very important that everybody keep in
5 mind that people that live in condos and co-ops are
6 homeowners, just as the homeowners in South
7 Philadelphia, in Chestnut Hill, in Roxborough that
8 may live in a building that looks somewhat different
9 than what many of us perceive as the traditional
10 condominium.

11 Society Hill Towers is a high-rise
12 condominium that is three Towers, located down at
13 Second and Locust Street. There are, however,
14 condominiums located throughout the City that don't
15 look like the Towers; they look much more like
16 traditional row homes. And I think it's important
17 that we remember because many of us initially think
18 of high-rises as being the only type of condominium,
19 that there are other types of condominiums, many of
20 which don't present the preconceived problems that
21 picking up trash from a high-rise appear to present.

22 And if I can take a moment to address one
23 of the questions about the types of equipment that
24 are necessary. I have -- I am also a lawyer in
25 addition to being a resident of Society Hill Towers,

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2 and I have a client that for the past 40 years has
3 been in the waste removal business. And prior to
4 coming to testify today, I spoke with him, and he is
5 familiar with the type of trash collection system
6 that we have at the Towers. And I asked him whether
7 it was a problem for the City to pick up trash at
8 the Towers, and he said absolutely not.

9 The way our trash is picked up at the
10 moment is by a rear-end loader, which means the
11 trash truck, which looks exactly like the trash that
12 goes down the streets in South Philly that, you
13 know, you lift the trash can and throw it in the
14 back and you empty the trash out and pull the trash
15 can back out. This truck looks exactly the same
16 except it has a (indiscernible) system in addition
17 on it. And you pull two pieces of wire down that
18 you hook onto little knobs on the back of the
19 Dumpster and it pulls the container into the truck,
20 empties it, and sets it back down on the ground.

21 I am told that it would cost somewhere
22 between 3 and \$5,000 to modify a truck that the City
23 currently owns to make it possible to handle that
24 kind of pickup. That, by the way, would not take
25 that truck out of service if it was needed to pick

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2 up trash in Chestnut Hill or Roxborough or any other
3 community that has primarily single-family homes; it
4 would still be absolutely capable of performing both
5 types of tasks.

6 COUNCILMAN CLARKE: What about taking the
7 apparatus off and continuing to --

8 MR. GREENBAUM: Right, that's correct. It
9 mounts on the outside of the truck, and it's just
10 literally a set of wires that pull down and hook on
11 to these knobs and then pulls it up and dumps it
12 into the truck. It absolutely could continue to put
13 trash cans in on another day or even as part of the
14 same route.

15 This bill is about fairness and justice
16 and about treating homeowners the same. Condominium
17 and co-op homeowners are the same, as I said
18 earlier, as their neighbors. And if you look at the
19 Towers, we're surrounded by traditional
20 Philadelphia-style row homes. They pay the tax the
21 same way we pay our tax. If there's a condo that's
22 assessed at \$100,000 and a neighboring house that's
23 assessed at \$100,000, the tax bill is exactly the
24 same. We don't get as many services, however; we
25 don't get our trashed picked up.

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2 The Towers has about 700 homes. We spend
3 approximately \$50,000 a year to pick up our trash,
4 which turns out to be about \$70 per year per
5 homeowner.

6 My understanding is that the Streets
7 Commissioner is going to be presenting testimony in
8 opposition to the bill based upon what he perceives
9 to be an inappropriately high cost or a cost that
10 the City cannot afford.

11 It strikes me that there are a couple of
12 responses to that. First of all, I did some quick
13 math, and he has projected, as I understand it, that
14 it would cost \$6 million a year to provide the
15 service to condo and co-op owners. At \$100 a home
16 or a unit, that would mean that there would have to
17 be 60,000 co-ops in this city. I can assure you
18 that there is nowhere near 60,000.

19 There are probably, as Miss Morrissey
20 indicated, somewhere between 8 and 10 -- if you're
21 really generous, 12,000 condominiums in the City.
22 The number is clearly way lower than 6 million.

23 Using the City's numbers, or the Street
24 Commissioner's numbers, with 15,000 condominiums, if
25 you were spending \$6 million, it would cost him \$400

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2 per year per household. If that's true -- and I
3 don't mean this to sound snide, but if that's true,
4 the City doesn't belong in the trash business, when
5 the Towers can have its trash hauled away for \$70 a
6 unit.

7 I'd like to turn for a moment to talk
8 about how other places deal with this very same
9 problem. Obviously, Philadelphia is not the only
10 place where there are condominiums and co-ops. New
11 Jersey, which was confronted with this matter and
12 was confronted not only in a political context but
13 also in a judicial context with litigation over
14 whether municipalities had to provide this service,
15 decided that the State legislature should step in.
16 And New Jersey has passed a law that requires the
17 municipality to either provide the service, pick up
18 the trash, or to pay the condominiums for picking up
19 the trash.

20 But clearly, the key is, the legislature
21 understood that it was a question of fairness and
22 equity. You have homeowners that aren't getting the
23 same level of service that their neighbors are
24 getting, and they're entitled to it.

25 New York has handled it in a slightly

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2 different way, although reaching an important
3 result. The courts in New York have held that the
4 municipalities must provide the service. That's
5 what we're asking City Council to require that of
6 the City of Philadelphia do: Provide the same
7 service to homeowners, this very basic municipal
8 service, that is provided to our neighbors.

9 Thank you.

10 COUNCILMAN DICICCO: Thank you for your
11 testimony.

12 Getting back to the New Jersey issue, is
13 that -- you said that they're required to pay the
14 condominium owners? Is that in the form of a tax
15 credit or is it a rebate?

16 MR. GREENBAUM: I believe it's a rebate,
17 although I'm not positive, Councilman DiCicco.

18 COUNCILMAN DICICCO: If you can get that
19 information, it would be helpful to this committee.

20 MR. GREENBAUM: Absolutely. I will be
21 happy to provide it to you, sir.

22 COUNCILMAN DICICCO: Thank you.

23 Any questions for this witness?

24 Councilman Clarke?

25 COUNCILMAN CLARKE: Just one. Thank you,

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2 Mr. Chairman.

3 You mentioned indirectly the workforce.

4 Do you have a sense of the workforce of the private
5 trash pickup companies? Are they like a union
6 workforce? Or do you have any idea what --

7 MR. GREENBAUM: I don't know whether
8 they're union. I would imagine it varies from
9 company to company. As you may be aware,
10 Councilman, there's been a significant consolidation
11 in the waste industry. I can tell you my client,
12 which sold out to BFI, which is now a part of Waste
13 Management, which is a part of somebody else, but
14 when my client ran his business, it was non-union,
15 although his wages, interestingly enough, were
16 higher than union wages.

17 COUNCILMAN CLARKE: We may end up losing
18 some workers.

19 MR. GREENBAUM: Well -- or we may find a
20 way of putting them to work in a more efficient way.

21 COUNCILMAN CLARKE: Okay, all right. I
22 was just wondering 'cause I know the labor costs
23 associated with a lot of work we do is a substantial
24 portion of what we spend, so I was wondering what
25 the workforce was like.

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2 Okay, thank you.

3 MR. GREENBAUM: By the way, if I may, when
4 I did that quick math of 15,000 units at an
5 estimated cost of \$6 million, \$400 a unit, that was
6 using the entire budget, as I understand it. For
7 the sanitation division for the fiscal year 2002 of
8 \$85 million. Clearly, there are a lot costs in that
9 budget that one cannot attribute to picking up
10 household waste. There's some \$6 million for what's
11 called "sanitation cleaning." My understanding of
12 that is that includes street-cleaning, that it
13 includes cleaning up after parades, it includes
14 cleaning up at the Vet and the sports stadiums.

15 So that even using the 85 number, which I
16 don't think accurately reflects what it really costs
17 to pick up at a household, you end up with a very
18 big number.

19 COUNCILMAN CLARKE: Thank you.

20 COUNCILMAN DICICCO: Councilman Ortiz.
21 And also let the record reflect that Councilman
22 Cohen is now in attendance.

23 Councilman Ortiz.

24 COUNCILMAN ORTIZ: You said the building
25 pays \$50,000 a year, and Miss Morrissey gave us a

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2 breakdown of \$70. I don't know if you did, I might
3 have --

4 MR. GREENBAUM: Actually, I think I may
5 have mentioned a figure of 70,000.

6 COUNCILMAN ORTIZ: Right.

7 MR. GREENBAUM: There are homes at the
8 Towers, so I did very simple math. I took 50,000
9 and divided it by 700, and it's a tad over 70, it
10 may be over 71.

11 COUNCILMAN ORTIZ: And BFI is one of the
12 companies that is in the business of -- with the
13 condominiums, right? There are a few companies that
14 are doing this type of work in Philadelphia.

15 MR. GREENBAUM: There are several; BFI is
16 one. The company that hauls the trash at the Towers
17 is a company known as "Onyx," which BFI is not a
18 part of that, as I understand it. So there's
19 competition. We do put our trash hauling contract
20 out for bid.

21 COUNCILMAN DICICCO: Let me ask you a
22 question: How often is your trash picked up at the
23 Towers?

24 MR. GREENBAUM: It's picked up six days a
25 week as well.

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2 COUNCILMAN DICICCO: Six days a week. And
3 there are three towers there; is it all in a central
4 location for all three towers, or each tower has its
5 own area?

6 MR. GREENBAUM: There is one location
7 where the trash is stored.

8 COUNCILMAN DICICCO: For all three towers?

9 MR. GREENBAUM: For all three towers. The
10 hauler makes one stop, picks up the Dumpster at that
11 one location, and actually it's a -- we're a
12 one-stop place.

13 COUNCILMAN DICICCO: Is your trash put in
14 a compacter?

15 MR. GREENBAUM: I do believe we compact.
16 We also recycle, of course, as we are required to,
17 and that gets hauled away twice a month.

18 COUNCILMAN DICICCO: By the private
19 hauler?

20 MR. GREENBAUM: By the private hauler. My
21 understanding is that there are -- and I don't know
22 the details on this, but there is some form that we
23 fill out that gives the City credit for our
24 recycling, and as I understand it, that goes towards
25 the City's recycling projects and efforts, and they

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2 get funding from grants, so we're paying a third
3 time.

4 COUNCILMAN DICICCO: I see somebody
5 throwing fingers up in the back -- it's like an
6 auction going on back there. You can speak later,
7 ma'am, if you'd like to testify.

8 Councilman Cohen.

9 COUNCILMAN COHEN: First, welcome to
10 Kensington Welfare Rights Organization. It's about
11 time that the people really had an opportunity to be
12 not only seen but heard, and I hope you're going to
13 be heard on the blight question and on the question
14 of housing and on all issues affecting the City
15 residents. You have the same rights, the Kensington
16 Welfare Rights, as the condominium owners have.

17 (Applause.)

18 COUNCILMAN COHEN: And with respect to the
19 condominium owners, I think you're entitled. The
20 fact that you may have a higher income level than
21 other groups doesn't mean you're to be treated
22 unfairly.

23 And I have a few basic questions I'd like
24 to know about and whether there are any facts that
25 sustain any point of view. For example, when a

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2 building is a private apartment building, say, owned
3 by a single owner, what is the tax revenue of that
4 building compared to the tax revenue paid to the
5 City of Philadelphia if that building becomes a
6 condo? Are there any statistics like that?

7 It's always an odd feeling that the City
8 made out like a bandit whenever that kind of a
9 change is made.

10 MR. GREENBAUM: I don't know the figures
11 for sure, Councilman Cohen, but I would imagine,
12 just as your intuition tells you, that when you
13 convert something from an apartment house into a
14 condo, that that would result in a much higher
15 assessment and consequently much more revenue for
16 the City.

17 My recollection is actually, there was
18 litigation out in one of the suburbs -- I believe it
19 may be Lower Merion, where the condo owners
20 challenged their assessment because, in fact, they
21 were assessed differently than the apartment houses
22 and, therefore, were paying more. And the ruling of
23 the court was that the taxing authorities had the
24 right to tax condos exactly the same way they tax
25 houses.

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2 COUNCILMAN COHEN: Well, that would make a
3 lot of sense to me. I don't understand why a person
4 who lives in a condo should be treated less fairly
5 than a person living in a rowhouse or a private
6 house. It makes no sense to me at all.

7 (Applause.)

8 MR. GREENBAUM: Obviously we agree with
9 you, Councilman Cohen, and we obviously very much
10 appreciate the fact that you have cosponsored this
11 bill.

12 MS. MORRISEY: I thank you as well.

13 COUNCILMAN COHEN: Thank you.

14 Thank you, Mr. Chairman.

15 (Applause.)

16 COUNCILMAN DICICCO: Councilman Clarke.

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

19 I just wanted to ask one question. You
20 indicated in your testimony, or in your responses,
21 that you have six times a week. Why is that
22 necessary to have six times a week, just because of
23 the level of the refuse?

24 MR. GREENBAUM: Well, it's a combination
25 of factors. Partially, I think it's a space issue.

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2 It's just, do we want to store our trash or do we
3 want to get it off-site? I think it's also a health
4 issue. Obviously, the more trash we have stored on
5 the premises, the harder it is to maintain a
6 rodent-free environment. So I think that's a part
7 of it.

8 I think, quite frankly, and my client has
9 indicated, that there are ways where the Towers in
10 particular could store its trash without
11 jeopardizing the sanitation issues for a week and
12 have pickup once a week. It would obviously involve
13 a capital expenditure on the part of the Towers.

14 COUNCILMAN DICICCO: Refrigeration.

15 MR. GREENBAUM: Refrigeration, exactly.

16 COUNCILMAN DICICCO: They have that in a
17 couple businesses in my district, where they wanted
18 to expand, and we agreed that they would have a
19 refrigerated area for trash to be kept.

20 MR. GREENBAUM: And my understanding is
21 that works very effectively and would permit more
22 infrequent pickup. So that may or may not work in a
23 lot of other places, obviously. But there is
24 certainly somewhere it would work.

25 COUNCILMAN CLARKE: That's an issue where

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2 right now, we have individuals who get their refuse
3 picked up by the Sanitation Department who are
4 requesting a second day. And operationally, I don't
5 know how we can accommodate six days or multiple
6 days, given the fact that we that can't do it with
7 the current workforce dealing with the current
8 pickups.

9 MR. GREENBAUM: I think one of the things
10 to keep in mind is -- and again in the towers, and I
11 don't mean to harp on a large complex, 'cause many
12 of the complexes are small. We have to keep in mind
13 that many, many, many of the complexes are 10-, 20-,
14 and 30-unit complexes, so you're not looking at a
15 700-unit building.

16 Many of these complexes can get away with
17 the less frequent trash collection. And it strikes
18 me that picking up multiple times from 700 homes
19 when it's one stop is still very cost-effective.

20 COUNCILMAN CLARKE: Okay, thank you.

21 Thank you Mr. Chairman.

22 COUNCILMAN DICICCO: Any other questions
23 for these witnesses?

24 Miss Morrissey, you looked like you wanted
25 to jump in.

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2 MS. MORRISEY: No, actually I just wanted
3 to introduce our next witness, and I'll allow her to
4 give you her name -- it's a little bit -- she'll
5 explain.

6 MS. CHIALASTRI: Americans have problems
7 with difficult names.

8 Good afternoon, members of City Council
9 and committee members. I'm going to be brief and I
10 will not be redundant. My name is Priscilla
11 Chialastri. It is spelled C-H-I-A-L-A-S-T-R-I. I'm
12 here as representing -- I'm the Vice President of
13 the Philadelphia Owners Association, which is a
14 condominium building which houses 776 apartments as
15 well as a number of commercial and professional
16 offices. We are located at 2401 Pennsylvania
17 Avenue, a beautiful location opposite the Art
18 Museum.

19 I'm a lifelong resident of Philadelphia as
20 well as a South Philadelphia business owner. My
21 husband is a retired public school principal, and we
22 have lived at the Philadelphian for 30 years. We've
23 always had for, both for business and for personal
24 reasons, a very strong commitment to Philadelphia --
25 occasionally with some reservations.

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2 Last year, our owners were faced with a
3 6 percent increase in our assessments as well as a
4 real estate increase from 20 to 30 percent. This
5 coming year, we are forced to have an additional
6 increase in our assessment and yet a second increase
7 in our real-estate tax -- in some cases, as high as
8 50 percent.

9 I'm here to tell that you I as well as
10 others are reluctantly considering moving out of the
11 City. Our board is faced with the problem of
12 cutting costs and justifying certain expenditures.
13 Among them is the issue of the cost of private trash
14 collection. Our annual cost for the residential
15 trash collection is in excess of \$70,000 a year.
16 Our commercial units are responsible for their own,
17 obviously.

18 Our private trash expense, of course, is
19 our business and the commercial owners' business --
20 that's the cost of doing business, and we all
21 understand that.

22 While most of us accept the cost of Center
23 City living and understand the need to pay our fair
24 share of taxes, we are of the opinion that we should
25 all receive our fair share of City services, and in

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2 this case, the trash collection.

3 We as well as you are aware of the exodus
4 of the middle class to the suburbs and to New
5 Jersey, and we recognize that among you are
6 Councilpersons who are working diligently to stem
7 this flight. However, please don't ignore the fact
8 that that there are fewer of us paying, picking up
9 the tariff, and in most cases, we're willing to do
10 so -- although I would point out that in our
11 building as well as other condos in the City, we
12 have a number of residents who are on fixed incomes
13 and who are aging in place. We need to make condo
14 living attractive to a new market as these
15 condominiums become vacant. And to this end,
16 there's a compelling need to justify our
17 expenditures.

18 I understand that you may consider this
19 issue a non-issue in the broader context of the
20 City's problems. Nevertheless, it's one to which,
21 in all fairness, you must give your serious
22 attention. All that we ask is that you provide our
23 owners with the same service as other homeowners.
24 Give us some teeth; that is, give our owners
25 association some teeth so when we address our

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2 owners, they feel that you care enough to make the
3 right decision.

4 Thank you very much, and I wish all of you
5 a good holiday and a happy and healthy new year.

6 (Applause.)

7 COUNCILMAN DICICCO: Thank you. Thank you
8 for your testimony.

9 The Chair recognizes Councilman Ortiz.

10 COUNCILMAN ORTIZ: You're wrong.

11 Actually, we are -- we spent the last two days in
12 essence debating how to begin, one, attracting a
13 middle class back into the City, keeping the ones we
14 have, and also attracting a younger generation of
15 professionals beside.

16 I have a niece who goes to Wharton, and
17 she was talking to me about whether she can stay in
18 Philadelphia when she graduates -- she lives at the
19 Academy House -- whether she can stay in
20 Philadelphia or leave for New York or Boston or
21 Washington, D.C. And in essence, one of the issues
22 was, one, the urban area and the city life, but also
23 the aspect of apartment living and how she can, as a
24 young professional, be able to afford it, be able to
25 live here and be able to make Center City her home.

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2 So it's not just the individuals with a
3 fixed income who we need to be able to look at, but
4 how do we begin attracting that other generation
5 that we're losing, and that's the University of Penn
6 graduate, the Temple graduate and so on, who are
7 moving. And we need to be able to bring them back.

8 MS. CHIALASTRI: This is as you, I'm sure,
9 will agree, a beautiful city. And I think that what
10 happens in Center City is crucial, but I was
11 interested in the testimony that was given about the
12 revitalization of the neighborhoods, because
13 obviously, when people come to Philadelphia, they
14 come through the neighborhoods; everybody doesn't
15 drive up the Benjamin Franklin Parkway. And so I
16 think that we need to work together, I think, to
17 make it viable, liveable, attractive to middle
18 class.

19 One of the problems that I see in our
20 neighborhood -- now, this is not necessarily at the
21 Philadelphian but in the Fairmount section, we do
22 have so called yuppies who move into the
23 neighborhood, but they don't put roots down in the
24 neighborhood. When they have children who are ready
25 for school, they move out. We want to try to

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2 discourage this.

3 And as I said before, we have many people
4 in our building who are aging in place. They need
5 to be replaced with young, younger.

6 COUNCILMAN ORTIZ: We've been harping on
7 this now, and we need also to make sure, because
8 we -- one of the debates is, where do you spend the
9 money? We're talking about neighborhood
10 transformation, and it's where you spend the money,
11 whether you spend the money -- and we have a school
12 system, and Jim Kenney, myself, other individuals
13 have begun to try to emphasize that the reason
14 people leave the City of Philadelphia is not just
15 because of taxes but also because of a school system
16 that is not functioning. Like you say, that younger
17 generation of people, we got a school system that
18 needs an infusion of money, and we're not getting
19 that infusion either from the City or the State at
20 this point in time.

21 So we need in order for that generation of
22 young people to have kids, they need to have good
23 schools to send them to.

24 MS. CHIALASTRI: I couldn't agree with you
25 more.

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2 COUNCILMAN DICICCO: Thank you,
3 Councilman.

4 Any other questions for these witnesses?

5 (No further questions.)

6 COUNCILMAN DICICCO: Thank you all for
7 your testimony.

8 MS. CHIALASTRI: May I just add one
9 personal comment?

10 COUNCILMAN DICICCO: Absolutely.

11 MS. CHIALASTRI: In a way, I guess I'm
12 wearing two hats here because, as a longtime South
13 Philadelphia business owner, I'm also interested in
14 South Philadelphia, and I want to take this
15 opportunity to commend Councilman Jim Kenney for the
16 work that he has done on behalf of the South
17 Philadelphia constituency.

18 Thank you very much. Keep it up.

19 COUNCILMAN DICICCO: Thank you, thank you.

20 (Applause.)

21 COUNCILMAN DICICCO: Commissioner Johnson.

22 (Witnesses come forward.)

23 COUNCILMAN DICICCO: Good afternoon,
24 Commissioner. Thank you for coming, thank you for
25 your patience in waiting, and please proceed with

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2 your testimony.

3 COMMISSIONER JOHNSON: Good afternoon. My
4 name is William Johnson, and I'm the Streets
5 Commissioner of the City of Philadelphia.

6 Before I begin with my formal testimony,
7 which I think you all have copies of, I've also
8 brought in a series of maps, because as we started
9 to look at this issue, we just wanted to get a feel
10 for where the condo units were located here in the
11 City, so I have maps here for everyone on the
12 committee.

13 COUNCILMAN DICICCO: Excuse me, one
14 minute, Commissioner. Do you all have copies?

15 Sorry for interrupting. There should be a
16 map in there.

17 COMMISSIONER JOHNSON: What I've provided
18 are a series of maps that just kind of show the
19 distribution of where condominium and cooperative
20 properties are located throughout the City.

21 COUNCILMAN DICICCO: Thank you.

22 COMMISSIONER JOHNSON: The Department of
23 Streets currently provides curbside collection of
24 rubbish, recyclables, and bulk items such as
25 appliances and furniture. We collect 685 times

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2 annually from approximately 530 premises every week.

3 In general, the City provides weekly
4 collection of trash, biweekly collection of
5 recycling, and bulk collection on demand. The
6 City's fleet supports a system where materials are
7 collected curbside from either 32-gallon trash cans
8 or standard trash bags.

9 Municipal regulations limits solid waste
10 collection to those premises that are separate
11 real-estate parcels with six or less units that also
12 meet set-out limits with respect to volume, service
13 frequency, and set-out location. These provisions
14 currently apply to both residential and small
15 commercial properties.

16 The proposed legislation would alter who
17 receives services by adding condominium cooperatives
18 and buildings with six or more units to those
19 eligible for curbside collection. Collections would
20 be added without regard for the type of service
21 required or the volume of waste produced.

22 The equipment, personnel, and facilities
23 necessary to institute service that this legislation
24 would require is substantially different than any
25 existing in the Department.

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2 The fiscal impact of this service
3 expansion is equally significant. The costs
4 required in the first year of providing these
5 expanded services are estimated to be \$12.3 million.
6 The annual recurring costs are estimated to be
7 \$6.3 million.

8 The Department of Streets believes that
9 our regulations governing collections are fair and
10 nondiscriminatory. We do exclude from collection
11 eligibility such premises as manufacturers,
12 wholesalers, and automotive repair businesses. We
13 do exclude businesses with more than six dwelling --
14 I mean, we do exclude buildings with more than six
15 dwelling units regardless of the form of ownership,
16 as they typically require a different type and
17 frequency of service. We also limit the volume of
18 rubbish that can be set out per week by any
19 establishment receiving City services.

20 These standards were established to
21 provide efficient and economical services and to
22 ensure that adequate service levels are maintained
23 in the interest of public health. In fact, the
24 Department currently provides waste services to an
25 estimated 4,000 condominiums and cooperatives which

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2 meet these standards.

3 Under the proposed legislation, we would
4 provide special-collection services to all
5 condominiums and cooperatives regardless of use,
6 volume, or service requirements.

7 "Condominium," as defined by 68
8 Pennsylvania, 3103, do not require (inaudible). In
9 fact, we have been advised that a popular form of
10 ownership in large-scale investment properties are
11 condominiums. This legislation does not address
12 owner occupancy, only property ownership, meaning
13 that an owner that does not -- that an owner does
14 not have to reside at the unit to qualify for this
15 service. As a result, service would be provided to
16 rental and investment properties.

17 We believe that the implementation of a
18 policy such as this raises issues related the City's
19 potential inclusion of other rental properties with
20 similar service requirements based on the question
21 of fairness. And, in fact, there would not be many
22 reasons to support exclusion of the provision of
23 collection services to apartment building and other
24 residential investment properties in the future.
25 Further, this legislation provides an incentive for

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2 many apartment buildings to be converted to
3 condominium form of ownership. The physical impact
4 of further expansion of services would create an
5 even greater burden on the General Fund.

6 Based on the data from the Board of
7 Revision of Taxes, there are an estimated 82,000
8 rental units in the City that do not receive City
9 services. The cost of collection services for this
10 population would exceed \$40 million in the first
11 year and \$21 million annually.

12 We believe that this legislation is not in
13 the best interests of the City and would create
14 unnecessary hardships on our servicing units. Each
15 condominium association has individual and
16 specialized service requirements, and ownership
17 varies greatly. Additionally, logistical details of
18 the proposed legislation, disposal systems, and
19 specific requirements are not considered.

20 Given the potential impacts, the Streets
21 Department must be in strong opposition to the
22 proposed legislation.

23 In closing, let me again state that our
24 regulations provide for uniform service delivery.
25 The current regulations provide efficient and

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2 equitable service delivery based on the type of
3 service provided by the City and the volumes
4 generated by the establishment. The proposed
5 legislation would change this, requiring the
6 Department to substantially different types of
7 services to residents and owners, depending on their
8 form of ownership, without regard to volumes of
9 waste generated or other service requirements.

10 Further, the proposed legislation would
11 potentially cost the City over \$52 million in the
12 first year and \$27 million in annual operating
13 expenses. These added expenses would come at a time
14 when the economy in recession, tax revenues are
15 growing slowly, our city must spend more to maintain
16 home land security, and the City faces a 1fiscal
17 crisis within the schools and every operating
18 department to maintain existing service levels.

19 We would, therefore, encourage the
20 committee to pull this legislation and reevaluate
21 its merits and its impacts prior to taking further
22 action.

23 That concludes my formal testimony. We
24 would be open to answering any questions the
25 committee might have.

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2 COUNCILMAN DICICCO: Thank you, thank you,
3 Commissioner.

4 And before I begin, I just want to take
5 this opportunity to thank you for the work you've
6 done since you've come to Philadelphia as our new
7 commissioner. Think I said that at the budget
8 hearings and I want to repeat that again today. I
9 have always found you a person to be very fair and
10 someone who at least would listen to the issues and
11 try to see if we can come up with some reasonable
12 accommodation to our requests. So I want to thank
13 you again for that.

14 The two issues I want to start out before
15 I ask the panel if they have any questions is, I
16 understand that when it comes to collecting trash in
17 certain types of condominium facilities -- and I'll
18 take vertical facilities as an example -- that the
19 logistical issues are not as simple as collecting in
20 a rowhouse, but I wanted to go back to the issue
21 again of fairness.

22 If you were able to take that
23 vertical-standing building and lay it down
24 horizontally and there was a door to each of the
25 units, in effect, we would be required to collect

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2 the trash on a weekly basis anyway.

3 (Applause.)

4 COUNCILMAN DICICCO: But I also understand
5 the fact that we aren't dealing with in many cases
6 vertical buildings, and again, there's a logistical
7 issue with that. But the total sum of collecting,
8 if you take the 12 to 15,000, whatever that actual
9 number is, of condominium owners, be they rental or
10 owner-occupied, because many residential rowhouses
11 are rental units. Not everyone who lives in a
12 rowhouse is an owner.

13 (Applause.)

14 COUNCILMAN DICICCO: And my comments are
15 not MEANT to be hostile; I'm just trying to get to a
16 point, that people are paying real-estate taxes, and
17 I think Mr. Greenbaum expressed that earlier. I
18 think we should be able to figure out some
19 reasonable accommodation to give them the services
20 that they're paying for, at least in the area of
21 trash collection.

22 (Applause.)

23 COUNCILMAN DICICCO: So I don't know where
24 we wind up at the end of the day with all of this;
25 we may have to come back at a later date. But I

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2 want us to begin to think about not drawing a line
3 in the sand saying it's virtually impossible. What
4 is it we can do to maybe -- if we can't get the full
5 service or services, what can we do to get at least
6 some of the services that they're entitled to, while
7 all reasonable people understand that everything is
8 not as simple as we would like it to be in terms of
9 the logistics and collecting.

10 Does that make sense to you? Do you
11 understand where I'm going with this?

12 COMMISSIONER JOHNSON: (Nods head.)

13 COUNCILMAN DICICCO: 'Cause I always try
14 to figure out, if we can't do it all, we got to
15 figure out a way of compromising, and I'm not
16 suggesting that the community representatives are
17 here today would agree to any compromise, but I
18 think we have to at least discuss that and put that
19 in the mix, and that should be on the table for
20 discussion.

21 So I would like whatever we discuss going
22 forward today to at least have that in the back of
23 our minds that if we can't do the full-blown daily
24 trash pickup, which I think would be probably
25 unrealistic, at least at the moment, what do we do

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2 to get some reasonable accommodation to get folks
3 who are paying the taxes? These are people who are
4 paying taxes, there's no question about it, 'cause I
5 don't think they would be able to live in the condo
6 if they weren't their taxes. The eviction process
7 there is probably much more efficient than the
8 typical eviction process throughout the City.

9 What do we do to make sure that these
10 residents who are paying -- and in most cases
11 probably the highest real-estate taxes in the City,
12 to give them their fair share of City services and
13 accommodate them in that regard?

14 So it's been a long question, but I think
15 those are the things I'd like to talk about today.

16 COUNCILMAN KENNEY: Can I just make an
17 announcement?

18 COUNCILMAN DICICCO: Councilman Kenney?

19 COUNCILMAN KENNEY: As chair of the Public
20 Property Committee, the Public Property Committee
21 will be recessed till tomorrow morning at 8:30 a.m.
22 At that time, we expect to have a quorum and be able
23 to move. There's not many complicated or
24 controversial bills, but because of this hearing and
25 the blight hearing, we figure it will be better to

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2 do it at 8:30 a.m. tomorrow morning.

3 COUNCILMAN DICICCO: And the other
4 thing -- again, 'cause I said, at the end of the
5 day, we may not be able to have a resolution to
6 this, but I work with many of the folks who live in
7 condominiums 'cause I represent a significant number
8 of them, and I've always found them to be people who
9 are reasonable to at least sit down and try to
10 hammer out some reasonable accommodation or
11 agreements, is that we may need to bring in the
12 Finance Department at some point because, you know,
13 tax rebates, tax credits may be a part of the
14 solution, I don't know.

15 But I would like everything to be on the
16 table so that at some point, we are in better shape
17 than we are today.

18 Councilman Ortiz and then Councilmen
19 Councilman Rizzo.

20 COUNCILMAN ORTIZ: Commissioner, again, I
21 also want to say that you've been doing a fine job.

22 COMMISSIONER JOHNSON: Thank you.

23 COUNCILMAN ORTIZ: My office is very happy
24 with every request that we make and we have friends
25 over there.

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2 On the first page -- and I just want you
3 to reconcile the different figures. On the first
4 page in the fourth paragraph, you said the that the
5 fiscal impact of this service expansion is equally
6 significant. Total costs required in the first year
7 of providing these expanded services are estimated
8 to be \$12.3 million, and the annual recurring costs
9 are estimated to be \$6.3 million. Then on the last
10 page, the last paragraph, you mention -- you said,
11 "Further, the proposed legislation (this bill) would
12 potentially cost the City over \$52 million in the
13 first year and \$27 million in annual operating
14 expenses."

15 Reconcile those two because in one, you
16 say 12, and then 6, and in the other one, you say
17 52, and then recurring 27.

18 COMMISSIONER JOHNSON: Okay. Councilman,
19 in the first instance, I'm referring strictly to the
20 condos and co-ops, that total being the 12.3 million
21 in the first year.

22 If, as a result of this legislation, we're
23 stretched into looking at all similar facilities --
24 tall buildings, high-rise buildings, whether they're
25 rental properties primarily or owned as condominiums

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2 and co-ops -- then we would add to the 17,000
3 condominium and co-op units that exist in the City
4 an additional 82,000 units that we would be
5 servicing, and that's how you --

6 COUNCILMAN ORTIZ: So you're not talking
7 about the proposed legislation that we're looking
8 at, because in the second paragraph, you have the
9 proposed legislation. That is not talking about the
10 future and whatever that may bring.

11 COMMISSIONER JOHNSON: That's referring to
12 the effect of passage -- the potential effect of the
13 passage of the proposed legislation.

14 I might also point out that in reference
15 to -- along these same lines, in reference to rental
16 units and rental issues, this issue of condos and
17 co-ops versus apartment units is very great. We did
18 a quick survey only to discover that there are 70
19 individuals and 70 entities in the City of
20 Philadelphia that own over 2300 condominiums. So I
21 doubt that they're living in all 2300 of them. Most
22 of them are probably rented out just like apartment
23 buildings. In fact, there are entire condo
24 buildings, quote/unquote, in Center City that
25 operate like apartments, 100 percent rented out.

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2 COUNCILMAN ORTIZ: But the issue is, the
3 owner of that apartment pays property tax, and you
4 could have someone that owns a house and rents it
5 out and still pays property tax and gets the garbage
6 picked up.

7 COMMISSIONER JOHNSON: That's correct,
8 but --

9 COUNCILMAN ORTIZ: I think the issue of
10 fairness is that even though the owner may not be
11 living in it and may be renting it, that owner is
12 still paying the property tax just as every other
13 property owner in the City of Philadelphia pays, and
14 they get their garbage picked up.

15 (Applause.)

16 COMMISSIONER JOHNSON: I think it was in
17 response to, I guess, the appearance that the
18 individuals that we're talking about here are
19 primarily people that own and occupy their units.
20 And in large part in Philadelphia, what we're
21 finding is that these are simply large-scale
22 investment properties that are occupied in large
23 part by renters.

24 (Audience members boo.)

25 COMMISSIONER JOHNSON: There happen to be

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2 70 people in Philadelphia that own over 2300 units.

3 COUNCILMAN ORTIZ: Do you have substantive
4 data for that? Can you give that and submit that
5 data to the Chair of the committee?

6 COUNCILMAN DICICCO: I think,
7 Commissioner, I think if we go down that path, we
8 are really opening up a can of worms that we don't
9 need, because I would wonder what the percentage of
10 homes, row homes that are owned in the City that are
11 owner-occupied. I know of individuals that have
12 100, 200 rental row homes. Are we going to remove
13 them, exclude them from having their trash picked
14 up? I think we've got to be careful about that.

15 COUNCILMAN ORTIZ: And the co-ops are all
16 owned by the people who are residents.

17 COMMISSIONER JOHNSON: Okay. I think the
18 point that I'm making is that if they are apartment
19 buildings that are multi-unit buildings with
20 100-plus units in it, we would not collect them, and
21 under this legislation, we would not collect them.
22 However, there are condos out there that operate
23 just like apartment buildings, and that's how I can
24 see passage of this legislation stretching into the
25 argument of, why aren't we collecting the apartment

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2 building that's right next door to the condo but is
3 considered a condo because it's owned differently
4 than the apartment? That was the purpose.

5 COUNCILMAN DICICCO: I think that that
6 argument could be made in a lot of different ways
7 and a lot of different issues. I mean, we just did
8 a 10-year tax abatement on real estate taxes so that
9 if a person who lives in a home that has been living
10 in it for a number of years all of a sudden has a
11 new neighbor who built a new home from the ground up
12 isn't paying any real-estate taxes, I think we all
13 begin to understand that in order for this city to
14 continue to grow, that some of these things are
15 necessary to happen, and people will understand that
16 they're paying real estate taxes although their
17 neighbor may not be paying for 10 years, but that's
18 okay because we now have a new resident and they're
19 contributing to the tax base.

20 And that's what really this is all about:
21 People who are contributing to the tax base, whether
22 they're owner-occupied or renting them to someone
23 who is spending their dollars in the City of
24 Philadelphia, which keeps the economy going and
25 keeps our neighborhoods vital.

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2 So I'm not suggesting that if this doesn't
3 pass that all of these people are going to move, but
4 I think it sends a message that we really do care
5 about our residents and we're going to give them the
6 best bang for their buck as possible because they're
7 entitled to it, whether you live in a row home that
8 is a rental unit and you're renting it or owning it,
9 or whether you live in a luxury high-rise.
10 Everyone, I think, is entitled to that equal amount
11 of services that they're paying taxes for in the
12 first place.

13 (Applause.)

14 COUNCILMAN DICICCO: Excuse me. There's a
15 gentleman in the back who keeps raising his hand.
16 Sir, if you wish to say something, get your name on
17 the witness list and you're more than welcome to
18 testify.

19 Councilman Clarke has another meeting to
20 attend that he's needed to be at, and we don't think
21 he'll be back in time for the conclusion of this
22 hearing, so we're going to do a technical maneuver.
23 What we're going to do is recess the public hearing,
24 go into the public meeting so that the vote can be
25 taken from this committee, and then go back into the

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2 public hearing. We want you all to stay, we want to
3 hear everything you have to say, but we do want to
4 get -- Councilman Clarke wants to have his vote
5 recorded, but he'd like to make a statement before
6 that.

7 Councilman Clarke.

8 COUNCILMAN CLARKE: Councilman, before we
9 take the vote, I just want to make one brief
10 statement and then we can go into the public
11 meeting.

12 I will, in fact, be voting for this bill,
13 but with the understanding that --

14 (Applause.)

15 COUNCILMAN CLARKE: With the understanding
16 that as a Councilperson on the final passage of this
17 bill, I would really like to see something that
18 makes some sense. I'm extremely concerned about
19 some of the testimony that I've heard with respects
20 to the potential costs associated with this bill and
21 the operational concerns. Understanding that -- I
22 think that I could leave my vote, understanding that
23 it will further the discussion. Knowing Councilman
24 DiCicco as a person who is always trying to work out
25 the best accommodations for everybody, I feel

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2 COUNCILMAN DICICCO: Okay, we will now go
3 into the public meeting. The Chair recognizes
4 Councilman Cohen. Hold on, hold on, give him the
5 mic, please.

6 The Chair recognizes Councilman Cohen.

7 COUNCILMAN COHEN: This is not a new
8 subject; it's been one that's been here for a long
9 time. I'm a kind of veteran of public service and,
10 respectfully, I agree with my colleagues about the
11 fine work the Commissioner does in collecting trash
12 and all of the other functions of the Department,
13 and we'd like to spread his services to all of the
14 Philadelphians who live in the City.

15 (Applause.)

16 COUNCILMAN COHEN: And I believe that the
17 best way of moving forward on this would be to have
18 an indication as to how the committee feels by
19 having its vote now, subject always to
20 reconsideration at a later time and, therefore, I am
21 moving that the committee report out favorably Bill
22 No. 010659 with a favorable recommendation for
23 consideration by the City Council.

24 (Duly seconded.)

25 COUNCILMAN COHEN: Don't suspend the

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2 rules.

3 COUNCILMAN DICICCO: It's been properly
4 moved and seconded that Bill No. 010659 be reported
5 out of this committee with a favorable
6 recommendation

7 All those in favor, signify by saying aye.

8 Those opposed, nay?

9 The motion passes.

10 (Applause.)

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2 COUNCILMAN DICICCO: We will now go back
3 into our public hearing

4 The Chair recognizes Councilman Rizzo.

5 COUNCILMAN RIZZO: Thank you,
6 Mr. Chairman.

7 Commissioner Johnson, before I start, I'd
8 also like to congratulate you. In your short period
9 of time, I've seen lots of significant positive
10 changes -- the technology and the response to
11 constituent requests has really been impressive to
12 me.

13 Commissioner, I don't want to reinvent the
14 wheel here, but from your experience, you've been
15 other places, I assume that knowing that this
16 hearing was going to occur, that you've done some
17 research on how other cities deal with this
18 particular issue. Could you report on New York,
19 Chicago, Boston? How do those municipalities, their
20 sanitation divisions, deal with this issue?

21 COMMISSIONER JOHNSON: Councilman, it's
22 very inconsistent. It seems to be driven by local
23 ordinance. I believe New York does provide the
24 service. I believe Baltimore provides the service
25 but charges an annual fee to condo owners. Miami

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2 treats theirs as commercial, and they have to go
3 strictly out to third-party companies to handle it.

4 So it's kind of all over the board on how
5 it's dealt with.

6 I think here in Philadelphia, it hasn't
7 historically been done because the City hasn't been
8 involved in the commercial business at all, and many
9 of these accounts are collected more similar to the
10 way -- the manner that commercial accounts are
11 collected. Many of them may have compacting units,
12 many of them may have metal bins on wheels, some of
13 those metal bins are collected by rear-end loader
14 trucks, some are collected by front-end loader
15 trucks, and some are collected by what we call
16 "roll-off trucks."

17 The City's fleet consists 100 percent for
18 trash collection or rear-end loader trucks. We
19 don't run any front-end loader trucks or any
20 roll-off trucks, and we do not maintain any
21 facilities to maintain switch-out, wash and cleaning
22 metal containers or compactors.

23 So those are all things that we would have
24 to add in order to provide that service.

25 COUNCILMAN RIZZO: Commissioner,

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2 Councilman DiCicco touched on the fact that we might
3 have to do a tax credit or some type of a financial
4 arrangement and let the condominiums continue to do
5 what they do but give them some financial
6 consideration for doing that. I personally have a
7 problem with the fact that if you have an apartment
8 building and, you know, you brought it up, that
9 that's treated differently than a condominium.

10 In my opinion, a rental property -- a
11 property, there's taxes being paid, whether it be a
12 row home occupied by the owner, a apartment building
13 that is a rental situation, the taxes are being paid
14 and those folks are not getting necessarily all of
15 the services that those taxes normally go to,
16 whether it be an apartment building or a
17 condominium.

18 So I personally am supportive of this
19 legislation because I think the system, as it is
20 presently structured, is unfair.

21 Thank you.

22 (Applause.)

23 COUNCILMAN DICICCO: Councilman Cohen.

24 COUNCILMAN COHEN: Commissioner, in your
25 experience, when an apartment house becomes a condo,

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2 what has historically been the effect on the revenue
3 received by the municipality in the form of
4 real-estate taxes?

5 COMMISSIONER JOHNSON: Unfortunately,
6 Councilman, I can't answer that question. I think
7 someone from Finance may be more appropriate to
8 answer that question.

9 COUNCILMAN COHEN: Is there anyone here
10 from the -- because I think that's a very important
11 question to answer. My understanding, my research
12 indicates that when there is that transformation
13 from an apartment house owned, say, by a single
14 individual or a single corporation, and when it's
15 converted into a condominium, the City's revenue
16 increases enormously on real-estate taxes. And it
17 seems to me unfair at that point to deprive the
18 owners of the benefits that all other owners get.

19 It may be a complicated situation, it may
20 have to be tailor-made in a number of instances. No
21 one wants to put the City at a disadvantageous
22 position, but at the same time, the element of
23 fairness to all homeowners is extremely important.
24 If the City is going to attract and people at every
25 income level, it's got to be fair at every income

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2 level.

3 And I think that troubles us because we
4 feel that certain homeowners are being denied rights
5 even though the evidence seems clear from every
6 study I've seen that when there's transformation to
7 condominiums, the real estate revenue to the
8 municipality increases enormously, and a portion of
9 that increase certainly ought to be returned to the
10 new homeowners living in a condo in the form of
11 receipt of normal ownership privileges, being
12 residents of the City of Philadelphia.

13 And, therefore, I think if you take the
14 vote that was cast in this public meeting, if you
15 take it seriously and understand that we want a very
16 serious approach to this problem. If the City
17 Administration does not take that approach
18 seriously, I think this Council is going to vote the
19 bill in a blanket form. If the City Administration
20 begins to pay attention to it, I think we can get
21 answers to this problem that everybody will agree is
22 fair.

23 And so I would just suggest to the
24 Administration to take the vote of the committee
25 that occurred a moment ago in which we voted

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2 unanimously, calling for the full Council to approve
3 this bill, take it seriously, come up with proposals
4 quickly, and let's begin seeing to it that all
5 citizens have a basis for feeling that they're being
6 treated fairly.

7 Thank you, Mr. Commissioner.

8 (Applause.)

9 COUNCILMAN DICICCO: And I would just like
10 to add to that I think the sincerity that Councilman
11 Cohen is talking about is there because we obviously
12 didn't ask for a suspension of rules, and I would be
13 hard-pressed to say that if you had more than one or
14 two people in the Committee of the Whole voting
15 against it, you would probably have a lot.

16 So, you know, we want to work and work
17 towards some reasonable conclusion to this. And
18 responsible leadership on your part -- and I know
19 we'll get it from you -- will be helpful.

20 Any other questions for these witnesses?

21 (No further questions.)

22 COUNCILMAN DICICCO: Anyone else going to
23 testify on the panel?

24 (No response.)

25 COUNCILMAN DICICCO: All right, thank you.

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2 On the next panel is Beverly Sherman,
3 Josh, Bernstein, Marsha Bacal, and Edward Edelstein.

4 (Witnesses come forward.)

5 COUNCILMAN DICICCO: I'm going to excuse
6 myself. We're running behind, as you know, today,
7 and Councilman Ortiz -- obviously you know I'm on
8 your side and going to be listening but I need to
9 talk to someone on the side.

10 MS. SHERMAN: That's quite all right.
11 Thank you.

12 COUNCILMAN ORTIZ: Please identify
13 yourself for the record.

14 MS. SHERMAN: Good afternoon. I'm Beverly
15 Sherman and I thank you for this opportunity to
16 speak to City Council. I am the General Manager of
17 Society Hill Towers, a condominium that houses 700
18 homeowners.

19 Today, I am speaking on behalf of City
20 Council Bill 010659. This bill, introduced by
21 Councilman Kenney, Cohen, and DiCicco, would correct
22 a long-standing inequity in the collection of trash
23 in the City of Philadelphia. As it now stands, all
24 condos and co-op homeowners and residents in
25 Philadelphia must pay private trash haulers to have

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2 their trash removed, even though they pay City
3 taxes, which includes trash collection. But owners
4 of row homes, twins, and single-family homes have
5 their trash picked up by the City, and we condo
6 owners do not.

7 As Councilman Kenney has said, this is a
8 matter of simple fairness. Why should the condo
9 buildings in the City have to pay for private trash
10 hauling while the rest of the City pays nothing,
11 even though we pay taxes as well as they do? In
12 fact, this is just one more example of the
13 discriminatory practices of the City that have
14 placed an unusually high burden on us.

15 Many of the residents of the Towers are
16 retired men and women living on fixed incomes. They
17 are former union members whose children have married
18 and left their home. They're teachers and
19 small-business owners, and many are young singles
20 just starting out in the business world.

21 For all of these people, the convenience,
22 the security, the accessibility of high-rise living
23 in the heart of a wonderful major city makes good
24 sense to them, but we can't expect to continue to
25 attract these people who pay their taxes, work hard,

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2 spend money in the City, and make few demands on the
3 City. They will not stay in Philadelphia if their
4 fees and taxes are continually increased.

5 In addition to the inequities in trash
6 collection, the City has instituted a large yearly
7 increase in our property taxes and a proposed hefty
8 increase in water and sewer rates, all of which
9 specifically target condominium residents almost
10 exclusively.

11 Philadelphia has lost population in the
12 last decade and had a new outflow of nearly 70,000
13 residents between 1990 and 2000. One of the primary
14 reasons for the large decline in the population of
15 our city is the undue tax burden placed on
16 middle-class taxpayers. We are asking -- all we are
17 asking is that the City be fair and equal in the
18 collection of trash for its citizens. We do not
19 want to pay twice for a service that is already
20 included in the taxes we pay.

21 Dear Councilmen, we ask you to just
22 remember this: We haven't left, we are the people
23 who stayed in our beloved city.

24 I thank you.

25 (Applause.)

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2 COUNCILMAN ORTIZ: Thank you,

3 Miss Sherman.

4 Who's next?

5 MR. WERNER: I thank you very much.

6 COUNCILMAN ORTIZ: Identify yourself for
7 the record.

8 MR. WERNER: My name is Arthur Werner,
9 W-E-R-N-E-R. I am a resident of the City, I am a
10 resident and unit owner at Academy House, and in
11 fact, I am the President of the Academy House
12 Condominium Residential Association where I
13 represent approximately a thousand other citizens.

14 COUNCILMAN ORTIZ: My niece lives there.

15 MR. WERNER: And your niece, I'll talk
16 about her in a minute, sir, 'cause I'd like for her
17 to stay in the building.

18 COUNCILMAN ORTIZ: I'd like her to stay
19 too.

20 MR. WERNER: Good.

21 I'm going to take a little different tack
22 than some of the other people here because I believe
23 the facts have already been spoken by many people
24 very eloquently. I want to give you something a
25 little different.

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2 I'll tell you about my family background.

3 My mother was from West Philadelphia, was born in
4 West Philadelphia and my father was born in Olney.
5 They got married in 1954 or 1955. They both left
6 the City and moved to the suburbs where I was born.
7 I Grew up in the suburbs, went to school in the
8 suburbs, went to college, graduated law school. My
9 wife has a similar background from Reading,
10 Pennsylvania, and graduated law school. We moved to
11 Philadelphia.

12 I think that we kind of represent a
13 reverse trend that can happen in this city. We have
14 a child who lives in Academy House and is 15 years
15 old and she has stayed in the City. Our intent is
16 to stay in the City.

17 The problem that I see, at least with the
18 number of the people in Academy House, and I think
19 maybe I'm trying to say that we have a diverse
20 background in our building. There is a perceived
21 inequity. I want to see if that can stop. One --
22 there are -- maybe there are many perceived
23 inequities, this might be one of many. It's a
24 start. If we can have the City of Philadelphia take
25 care of a need that we think we have, it might be an

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2 indication that other people like me will come into
3 the City. I would like to see a reverse trend. I
4 love living in the City. My office is across the
5 street and my wife's is two blocks down.

6 COUNCILMAN ORTIZ: We all love that.

7 MR. WERNER: It's beautiful. We enjoy the
8 City, and I want more people to be that way. I
9 would like to see the reverse.

10 Pass this legislation and I think you're
11 onto the start of something good, and I want to
12 thank you very much.

13 COUNCILMAN ORTIZ: Thank you.

14 (Applause.)

15 COUNCILMAN ORTIZ: Sir?

16 MR. WERNER: Unfortunately, I have to go
17 to another meeting. Have your niece speak with me.

18 COUNCILMAN ORTIZ: Okay, very good.

19 MR. BERNSTEIN: My name is Joshua
20 Bernstein. I'm an attorney, and I'm counsel to the
21 Philadelphia Condominium Managers Association.

22 I think a lot of points have been made
23 today regarding the equity issue. I listened very
24 carefully to Commissioner Johnson's testimony, and I
25 would like to address some of the cost issues there

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2 specifically.

3 In anticipation of this hearing today, the
4 Philadelphia Condominium Managers Association
5 circulated a questionnaire to all of its members.
6 One of the things that the PCMA wanted to find out
7 was what are the costs of trash collection in the
8 City of Philadelphia today for these condominium and
9 cooperative buildings? One of the other issues that
10 they wanted to find out in anticipation of some of
11 Commissioner Johnson's comments was, are these
12 condominium and cooperative units investor-occupied
13 or are they owner-occupied?

14 With respect to the cost issues, here's
15 what we found out. And, again, they're very rough
16 numbers, but I think it's important to put on the
17 record that today, the cost of collecting trash from
18 condominium and cooperative owners is approximately
19 one quarter of the projected cost that the Streets
20 Commissioner has indicated. The calculation for
21 that is based on an estimate of approximately \$100
22 per ton for trash removal and --

23 COUNCILMAN ORTIZ: Excuse me.

24 MR. BERNSTEIN: Yes.

25 COUNCILMAN ORTIZ: That survey that your

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2 association has done, that -- could that be made
3 available to the committee?

4 MR. BERNSTEIN: Absolutely.

5 COUNCILMAN ORTIZ: Thank you, appreciate
6 that.

7 MR. BERNSTEIN: We would, Councilman
8 Ortiz, like to complete it. It is not a full
9 survey, but once we get all of the responses in --
10 but it is pretty clear, Councilman, that the cost of
11 trash removal today is about \$100 a ton, and
12 assuming that an average condominium building has
13 approximately 500 units and each building generates
14 400 tons annually, that works out to -- and finally,
15 Councilman, assuming there even as many as 15,000
16 condominium unit owners in the City of Philadelphia,
17 that number is 1.2 million, \$1,200,000. Those are
18 the dollars that condominium and cooperative
19 homeowners are paying today for trash removal.

20 So, of course, when we heard the Streets
21 Commissioner testify of a projected cost of
22 \$42 million spread out over 5 years, we feel that
23 the City of Philadelphia ought to be able to do a
24 better job than that and ought to be able to compete
25 with the cost of private haulers or perhaps, as some

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2 of the other Councilman suggested, create a system
3 of reimbursements or tax credits that would account
4 for this difference.

5 The other point I wanted to make relates
6 to the status of investor-owned units. I believe
7 that Commissioner Johnson testified that there were
8 condominium and cooperative buildings in the City of
9 Philadelphia that were 100 percent investor-owned.
10 We have absolutely no knowledge of that.

11 And in fact, here's what our survey
12 indicates. For example, the -- I'll just give you a
13 couple quick ones. The Barkley has 122 units and 10
14 are investor-owned.

15 COUNCILMAN ORTIZ: Define that for the
16 record so that everybody is clear.

17 MR. BERNSTEIN: Yes. An investor-owned
18 condominium unit would be a unit that is not
19 occupied by the owner; it would be rented out. And
20 I believe that Commissioner Johnson had testified
21 that he felt there would be an inequity in providing
22 services to what are essentially rental properties
23 clothed as condominium buildings. And, in fact,
24 what the survey shows is that for the example of 220
25 West Rittenhouse Square, there are 94 units and none

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2 of them or investor occupied; at Park Plaza
3 Condominium, there are 350 units, and only 30 or
4 investor-occupied; at Independence Place, there are
5 489 units, 50 are investor-owned; and 1820
6 Rittenhouse Square, 32 units, none of them are owned
7 by investors.

8 COUNCILMAN ORTIZ: If someone owned 10
9 rowhouses and they rented them out, their garbage
10 would be picked up by the City, right?

11 MR. BERNSTEIN: Absolutely. That happens
12 every day.

13 COUNCILMAN ORTIZ: So just because someone
14 owns a couple different apartments, they pay
15 property tax. It's the same sort of relationship.
16 I'm trying to find where the relationships, the
17 differences are in terms of it and the fairness and
18 the equity issue.

19 MR. BERNSTEIN: The answer appears to be,
20 there is no difference between a residential home
21 that is leased out. There again, the City is
22 picking up trash for the benefit of the owner of
23 that property who leases that out or a condominium
24 unit.

25 But the point I wanted to make is that

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2 there is a misconception which is frequently held
3 that condominium buildings are apartment buildings,
4 that they are operated for a profit. And in fact,
5 what we find is that that's simply not the case.
6 The vast, vast majority of condominium units in the
7 City of Philadelphia are occupied by residents,
8 homeowners and taxpayers such as yourselves.

9 COUNCILMAN ORTIZ: Councilman Rizzo.

10 COUNCILMAN RIZZO: Maybe you can help me
11 here. I believe the City Code even provides limited
12 trash removal from some businesses. I believe that
13 they can put out one or two, if they chose to,
14 containers of trash, and the City would pick that
15 up. Do you know about that?

16 MR. BERNSTEIN: Councilman Rizzo, I don't
17 know the answer to that.

18 COUNCILMAN RIZZO: I might be wrong, but I
19 believe that I recollect that a business had the
20 ability to put out two or three -- you know, I don't
21 know how they even came up with this, but they had a
22 number of cans, and even in a residential
23 environment, just so you know, I believe that you
24 are limited to the number of receptacles that you're
25 permitted to put out on any given day. Again, I

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2 don't recollect the numbers -- this is something
3 that's just coming out of my memory bank from
4 several years ago.

5 Is there anyone here still from the
6 Streets Department that could tell us about what
7 businesses -- I'm disappointed that the Streets
8 Department would leave and not listen to this
9 testimony, but I would like someone to --

10 COUNCILMAN ORTIZ: We'll ask the question
11 of the Streets Department.

12 COUNCILMAN RIZZO: Just for the record,
13 I'll ask the question that I would like to know what
14 a business -- even though most businesses exceed and
15 probably elect not to even deal with putting out
16 just limited, so a business, from what I recollect,
17 is permitted to put out a trash container or two on
18 any given trash day. I'd like them to deal with
19 that.

20 MR. BERNSTEIN: If I may respond to that,
21 obviously, that would be an inequity.

22 COUNCILMAN RIZZO: That's why I'm asking
23 it, that's why I'm bringing up the question.

24 COUNCILMAN ORTIZ: Mr. Bernstein, you
25 heard the Commissioner's testimony and you saw the

1 12/12/01 STREETS AND SERVICES - BILL 010659
2 numbers that he put out in terms of what it would
3 cost the city. In one, he mentioned 12.3 million
4 and recurring cost of \$3.6 million.

5 If your association -- I don't expect an
6 answer right now, but if your association can look
7 into those numbers and really give us a sense of
8 what realistic numbers are and so on, I'd just like
9 to see another side of it from your perspective.

10 MR. BERNSTEIN: I'm sure the association
11 would be happy to do that. And, of course, we
12 appreciate the cost-conscious nature of this
13 inquiry. To the extent that there's a perception
14 that it's going to be too expensive for this trash
15 pickup to occur, even on a daily basis, I think the
16 numbers will bear out that that is not the case.

17 COUNCILMAN ORTIZ: I would really
18 appreciate it if your association can help us.
19 Thank you very much.

20 MR. BERNSTEIN: Thank you.

21 MS. SHERMAN: If you wouldn't mind,
22 Councilman, there's one more fact that I think is
23 really interesting and relevant. We've been talking
24 about the cost to the City and the construction of
25 the trucks and whether they could accommodate it. I

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2 think you might like to know that at Society Hill
3 Towers when the private trash truck comes, it takes
4 about 10 to 15 minutes for him to remove our trash.

5 And I venture to say -- although I'm not a
6 sanitation expert -- it must take longer to remove
7 700 homes' trash than 10 or 15 minutes.

8 I thank you.

9 (Applause.)

10 COUNCILMAN ORTIZ: You can see what they
11 do in one block. Thank you.

12 COUNCILMAN DICICCO: Thank you, Councilman
13 Ortiz.

14 Anyone else here who wishes to testify?

15 MS. BACAL: My name is Marsha Bacal, and I
16 live at Society Hill Towers, and I honestly cannot
17 add very much to what has been said, but there is
18 just one point I would like to make.

19 I will leave it to the sanitation
20 engineers and the numbers crunchers to figure out
21 how you work this thing out, but work it out you
22 must, you must, because it is patently
23 discriminatory, it is unfair.

24 My grandmother lived at Eighth and Rodman.
25 I don't know who picked up her trash, but I lived in

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2 a house in Olney and they picked up my trash. I
3 lived in a house above Fox Chase, and they picked up
4 my trash. I live in Society Hill Towers, and they
5 do not pick up my trash. I own my apartment 21
6 years. I have paid approximately \$1500 or more for
7 trash removal, and that's a guess, but it's close.

8 Something is wrong. And I understand the
9 economics of it but I don't think they're relevant.
10 I think the only thing that is relevant here is that
11 you're perpetuating an inequity and it needs to be
12 addressed however you see fit to address it, but it
13 needs to be addressed.

14 That's all I have. Thank you.

15 COUNCILMAN DICICCO: Thank you, thank you
16 for your testimony

17 (Applause.)

18 COUNCILMAN DICICCO: Councilman Rizzo.

19 COUNCILMAN RIZZO: I just got a call, and
20 this is interesting. A business in the City of
21 Philadelphia can put out six 32-gallon barrels or 12
22 bags of trash each day of trash day. So there's
23 another inequity if a business can put out six
24 32-ounce gallon containers or 12 bags of trash and
25 you can't.

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2 COUNCILMAN DICICCO: Thank you.

3 Are there any other witnesses? I stepped
4 out of the out of room so I apologize. Are there
5 any other witnesses who wish to speak? You can come
6 to the witness table.

7 (No response.)

8 COUNCILMAN DICICCO: Thank you, thank you
9 all for coming. This concludes the -- we have other
10 bills so I need to -- thank you, thank you for
11 coming, and have a good holiday, everyone.

12 The clerk will read tile of the next bill.

13 THE CLERK: Bill 010496, an ordinance
14 authorizing Richard Ley to construct, own, and
15 maintain a private pole and electric appurtenances
16 in an area over, on, and under the south footway of
17 the 3800 block of Powelton Avenue for supplying
18 electric service to his vendor truck, all under
19 certain terms and conditions.

20 (Witness comes forward.)

21 COUNCILMAN DICICCO: Good afternoon,
22 Nancy, good afternoon.

23 MS. SEN: We thought it wouldn't come.

24 Good afternoon, Chairman, and members of
25 the committee, my name is Nancy Sen and I'm an

1 12/12/01 STREETS AND SERVICES - BILL 010496
2 engineering supervisor for the Streets Department,
3 and I'm here to testify on Bill No. 010496 on behalf
4 of the Department, which authorizes Mr. Richard Ley
5 to construct and maintain an aerial electric
6 connection for his vendor truck located in the 3800
7 block of Powelton Avenue.

8 The encroachments are as follows: One
9 private pole with electric meter, lock receptacle,
10 and ground rod to be installed in the south footway
11 of Powelton Avenue beside the vendor truck. The
12 center line of this pole is to be located
13 approximately 300 feet west of the west curbline of
14 38th Street and approximately 1-foot-6 south of the
15 south curbline of Powelton. Also, an aerial
16 electric service feed line to run between the
17 proposed private pole described above and an
18 existing PECO pole located in the south footway of
19 Powelton Avenue.

20 The encroachments leave adequate width and
21 clearance of unobstructed footway. It should be
22 noted, however, that the Department has been working
23 with Council on other alternate sources of energy to
24 serve vendor needs in the University City District.
25 The Streets Department is prepared to approve this

1 12/12/01 STREETS AND SERVICES - BILL 010603

2 one location as a variation of a new policy, and we
3 would request that this encroachment be removed at a
4 later date if a new policy is enacted for the
5 University City District area.

6 Thank you.

7 COUNCILMAN DICICCO: Any questions for
8 this witness? I have none.

9 Anyone else here who wishes to testify on
10 this bill?

11 (No response.)

12 COUNCILMAN DICICCO: Hearing none, the
13 clerk will read the title of the next bill

14 THE CLERK: Bill 010603, an ordinance
15 granting permission to Nick Mangini and N.C. Mangini
16 Newsstand, owner of the newsstand located on the
17 north footway of Oregon Avenue west of Swanson
18 Street, to construct, use, and maintain overhead
19 electrical and telecommunications lines from an
20 existing utility pole over and across the north
21 footway of Oregon Avenue for the purpose of
22 supplying electrical and phone service to his
23 newsstand, under certain terms and conditions.

24 MS. SEN: Again, Mr. Chairman, I'm Nancy
25 Sen, and I'm here on behalf of the Streets

1 12/12/01 STREETS AND SERVICES - BILL 010616

2 wishes to testify?

3 (No response.)

4 COUNCILMAN DICICCO: Hearing none, the
5 clerk will read the title of the next bill.

6 THE CLERK: Bill 010616, an ordinance
7 authorizing Ben Franklin Foods, Inc., tenant of the
8 property 3801 Salmon Street, Philadelphia, PA,
9 19137, to construct, use, and maintain two one-story
10 building additions and a fence on and over Salmon
11 Street adjacent to the property 3801 Salmon Street,
12 all under certain terms and conditions.

13 MS. SEN: Again, my name is Nancy Sen.
14 I'm here to testify for the Streets Department on
15 Bill No. 010616.

16 This bill grants permission to Ben
17 Franklin Foods, tenants of Segal, Corda & Cohen
18 Realty Partnership to construct various footway
19 encroachments on the public right-of-ways
20 surrounding their facility being renovated near the
21 intersection the Butler Street and Salmon Street.

22 The encroachments are as follows: An
23 8-foot high chain-link fence projecting into the
24 Salmon Street south footway encroaching a maximum of
25 approximately 2-foot-8 north of the South

1 12/12/01 STREETS AND SERVICES - BILL 010616
2 right-of-way line of Salmon Street; a one-story
3 building addition projecting into the Salmon Street
4 footway, encroaching a maximum of approximately
5 11-foot-3 north of the south right-of-way line of
6 Salmon Street; and a one-story modular office
7 building addition projecting into the Salmon Street
8 south footway, encroaching a maximum of
9 approximately 2-foot-7 north of the south
10 right-of-way line of Salmon Street.

11 All encroachments leave adequate width and
12 clearance of unobstructed footway. Therefore, the
13 Streets Department has no objection to the passage
14 of this bill.

15 Thank you.

16 COUNCILMAN DICICCO: Any questions for
17 this witness?

18 (No questions.)

19 COUNCILMAN DICICCO: Anyone else here who
20 wishes to testify on this bill?

21 (No response.)

22 COUNCILMAN DICICCO: Hearing none, the
23 clerk will read the title of the next bill.

24 THE CLERK: Bill No. 010661, an ordinance
25 authorizing National Railroad Passenger Corporation,

1 12/12/01 STREETS AND SERVICES - BILL 010661
2 60 Massachusetts Avenue, Washington, DC, 2002, owner
3 of the property on the north side of the south side
4 of the 2900 block of Arch Street, Philadelphia, PA
5 19104, its successors and assigns, to construct,
6 own, and maintain a pedestrian bridge and vertical
7 transportation structure on and over and below the
8 Arch Street public right-of-way adjacent to 30th
9 Street Station, under certain terms and conditions.

10 MS. SEN: Again, good afternoon,
11 Mr. Chairman. My name is Nancy Sen and I'm here for
12 the Streets Department to testify on Bill No.
13 010661.

14 This bill authorizes the National Railroad
15 Passenger Corporation, known as "Amtrak," to
16 construct and maintain the following encroachments
17 above and below the public right-of-way of Arch
18 Street: One 3-span glass-enclosed steel pedestrian
19 bridge spanning across the 100 foot wide Arch Street
20 right-of-way, approximately 29 feet wide, the center
21 line of which is located approximately 109 feet east
22 of the east right-of-way line of 30th Street; a
23 minimum vertical clearance of approximately
24 16-foot-6 is maintained above the Arch Street
25 cartway; a staircase structure near the south end of

1 12/12/01 STREETS AND SERVICES - BILL 010661
2 the center span is to be built between the Arch
3 Street level and a bridge pedestrian level, leaving
4 a minimum vertical clearance above the Arch Street
5 curbline of approximately 13-foot-6; also one
6 vertical transportation structure consisting of an
7 elevator and revolving staircase connected to the
8 west face of the pedestrian bridge. This structure
9 encroaches into the Arch Street right-of-way for a
10 maximum distance of approximately 20 feet. It's
11 approximately 17-feet-6 wide and the west face of
12 the structure's located 77 feet east of the east
13 right-of-way line of 30th Street.

14 The Streets Department has reviewed the
15 preliminary plans for this project and we have no
16 objection to the passage of this bill.

17 Thank you.

18 COUNCILMAN DICICCO: Next witness, please
19 identify yourself for the record.

20 MR. MCDOWELL: I'm William McDowell,
21 Senior Director for Asset Development of Amtrak.

22 I brought just a brief testimony here. I
23 say the purpose of Bill No. 010661 is to authorize
24 Amtrak to construct, own, and maintain a pedestrian
25 bridge on, over, and below Arch Street. The project

1 12/12/01 STREETS AND SERVICES - BILL 010661
2 will provide a safe pedestrian crossing of Arch
3 Street from the existing parking lot north of Arch
4 Street directly into the station. Presently,
5 pedestrians, often carrying large bags, must look
6 for breaks in the westbound traffic and run across
7 the roadway just to get to the station and vice
8 versa.

9 The design of the bridge is sensitive to
10 the historic architectural qualities of the station
11 and has been reviewed and approved by the
12 Philadelphia Art and Historic Commission. The
13 project is designed to promote and accommodate
14 future private development, including a structured
15 parking garage, which will benefit from the direct
16 connection to Amtrak and SEPTA services.

17 I also have some architectural renderings
18 of the bridge, if anybody needs to see it.

19 Amtrak believes that the project will
20 provide a much-needed physical improvement to the
21 area that will eliminate a hazardous pedestrian
22 condition and promote the use of rail and encourage
23 future development of the area.

24 Amtrak appreciates the committee's
25 consideration of this bill and also requests that

1 12/12/01 STREETS AND SERVICES - BILL 010661

2 the rules be suspended.

3 COUNCILMAN DICICCO: Thank you, appreciate
4 your testimony.

5 Is there anyone else here who wishes to
6 testify on this bill?

7 (No response.)

8 COUNCILMAN DICICCO: The clerk will read
9 the title of the next bill.

10 THE CLERK: Bill No. 010559, an ordinance
11 authorizing the revision of lines and grades on a
12 portion of City Plan No. 58 by placing on the City
13 Plan Marvine Street from Brown Street to Parrish
14 Street, Ogden Street from Tenth Street to 11th
15 Street, and Ogden Place from Tenth Street eastwardly
16 to a dead-end turnaround under certain terms and
17 conditions, including the dedication to the City
18 free and clear of all encumbrances of the beds of
19 Marvine Street, Ogden Street, and Ogden Place.

20 MR. LONIE: Good afternoon, Mr. Chairman
21 and members of the Committee. My name is Paul
22 Lonie, Survey Bureau Manager of the Department of
23 Streets, and the Department of Streets would like to
24 offer the following testimony on Bill No. 010559.

25 This is not an administration ordinance

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2 but an ordinance requested by Ms. Helen Ferris,
3 Senior Counsel of the Philadelphia Housing
4 Authority, 12 South 23rd Street, Philadelphia, PA,
5 19103.

6 The purpose of this ordinance is to grant
7 the legal authority to place these streets on the
8 City Plan to facilitate the construction of 152 new
9 twin homes to replace the units which have been
10 demolished by PHA.

11 This ordinance is supported by the
12 Department of Streets and is recommend to your
13 committee for favorable action.

14 COUNCILMAN DICICCO: I'm sorry.

15 Any questions for this witness?

16 (No questions.)

17 COUNCILMAN DICICCO: Anyone else here who
18 wishes to testify on this bill?

19 (No response.)

20 COUNCILMAN DICICCO: Hearing none, the
21 clerk will read the title of the next bill.

22 THE CLERK: Bill 010667, an ordinance
23 authorizing the revision of City Plan No. 19-S by
24 relocating a certain right-of-way for drainage
25 purpose, water main purposes, and gas main purposes

1 12/12/01 STREETS AND SERVICES - BILL 010667
2 lying within the lines of former Mifflin Street
3 between Water Street and Swanson Street, under
4 certain terms and conditions.

5 MR. LONIE: Good afternoon, Mr. Chairman
6 and members of the Committee. My name is Paul
7 Lonie, Survey Bureau Manager of the Department of
8 Streets, and the Department of Streets would like to
9 offer the following testimony on Bill No. 010667.

10 This is not an administration ordinance
11 but an ordinance requested by Mr. Russel McFall of
12 Langan Engineering and Environmental Services, One
13 Penn Center, 1617 JFK Boulevard, Philadelphia, PA,
14 who represents Target Corporation.

15 The purpose of this ordinance is to
16 relocate an existing right-of-way to accommodate a
17 building addition. This ordinance is supported by
18 the Streets Department and is recommended to your
19 committee for favorable action.

20 COUNCILMAN DICICCO: Any questions for
21 this witness?

22 (No questions.)

23 COUNCILMAN DICICCO: Anyone else here who
24 wishes to testify on this bill?

25 (No response.)

1 12/12/01 STREETS AND SERVICES - BILL 010335

2 COUNCILMAN DICICCO: Before we begin with
3 the next bill, I like to advise all members of the
4 Streets and Services Committee to please report to
5 the chambers so that we can vote the bills out of
6 committee. All members of the Streets and Services
7 Committee, would you please report to the chamber so
8 we can vote the bills out of committee. Thank you
9 Please proceed.

10 THE CLERK: The next bill is Bill 010335,
11 an ordinance revising parking regulations on Pine
12 Street, south side, from 42nd Street to 43rd Street.

13 (Witness comes forward.)

14 MS. DECINA: Good afternoon.

15 COUNCILMAN DICICCO: Good afternoon.

16 MS. DECINA: I'm Catherine DeCina and I'm
17 with the Philadelphia Parking Authority.

18 Bill No. 010335, introduced by
19 Councilwoman Blackwell. This bill revises parking
20 regulations on Pine Street, south side, between 42nd
21 Street and 43rd Street. The regulations are for
22 2-hour parking, 8 am to 6:30 p.m. except Saturday
23 and Sunday. The following regulation was hereby
24 established: 2-hour parking, 8 a.m. to midnight
25 Monday through Sunday.

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2 The regulations have been in effect for a
3 period of eight months with no apparent problems.
4 The Philadelphia Parking Authority recommends
5 favorable consideration of this bill.

6 COUNCILMAN DICICCO: Any questions for
7 this witness?

8 (No questions.)

9 COUNCILMAN DICICCO: Anyone else here who
10 wishes to testify on this bill?

11 (No response.)

12 COUNCILMAN DICICCO: Hearing none, the
13 clerk will read the title of the next bill.

14 THE CLERK: Bill 010606, an ordinance
15 establishing a no-truck-parking and tow-away zone
16 regulation on Vine Street, from 54th Street to 63rd
17 Street, both sides.

18 (Witness comes forward.)

19 COUNCILMAN DICICCO: Good afternoon and
20 thank you for your patience. Please identify
21 yourself for the record. Thank you.

22 MR. DENNY: Good afternoon, Chairman and
23 committee members. My name is Charles Denny, and I
24 am Assistant Chief Traffic Engineer. I'm here to
25 testify on Bill No. 010606.

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2 The Streets Department has no objections
3 to this bill, but we do recommend that regulations
4 be posted under a trial ordinance. A hearing will
5 be held in six months, and area residents and
6 businesses would have an opportunity to comment on
7 this regulation at that time after seeing how the
8 regulation operates.

9 The actual test of the posting will be no
10 tractor-trailer or truck tractor parking at any time
11 with a tow-away zone rider. We can have the signs
12 posted within six weeks with Councilman Nutter's
13 approval.

14 COUNCILMAN DICICCO: Thank you.

15 Any questions?

16 COUNCILMAN NUTTER: Mr. Chairman?

17 COUNCILMAN DICICCO: Councilman Nutter?

18 COUNCILMAN NUTTER: Thank you, thank you,
19 Mr. Chairman.

20 Let me just make sure I understand the
21 particulars here. That was the Vine Street bill
22 that you read?

23 MR. DENNY: Yes.

24 COUNCILMAN NUTTER: Now, what did you say
25 about temporary regulations? Did you say something

1 12/12/01 STREETS AND SERVICES - BILL 010606

2 about that?

3 MR. DENNY: To post it as a trial
4 regulation and have that posted within six weeks.

5 COUNCILMAN NUTTER: Okay. Was there some
6 particular reason why you wanted to have a trial
7 regulation?

8 MR. DENNY: The trial regulation gives
9 people an opportunity to comment if they're unhappy
10 with the regulation after they see how it's working.

11 COUNCILMAN NUTTER: Okay, I understand.
12 And at the same time, you understand my interest in
13 actually having --

14 MR. DENNY: Yes

15 COUNCILMAN NUTTER: -- the bill voted on.
16 That's the whole reason that we're here. You're
17 committing to putting the signs up regardless?

18 MR. DENNY: Correct.

19 COUNCILMAN NUTTER: Okay, thank you.

20 COUNCILMAN DICICCO: The clerk will please
21 read the title of the next bill.

22 THE CLERK: Bill 010618, an ordinance
23 establishing a no-truck-parking and tow-away zone
24 regulation on Haverford Avenue from 68th Street to
25 Brockton Road, both sides.

1 12/12/01 STREETS AND SERVICES - BILL 010618

2 MR. DENNY: Good afternoon again. My name
3 is Charles Denny, and I'm here to testify on Bill
4 No. 010618.

5 The Streets Department has no objection to
6 this bill, but we do recommend regulations be posted
7 on a trial ordinance. A hearing will be held in six
8 months, and area residents and businesses would have
9 an opportunity to comment on the regulation at that
10 time after seeing how the regulation operates.

11 The actual text of the posting will be "no
12 tractor-trailer or truck tractor parking anytime,"
13 with a tow-away zone rider. We can have the signs
14 posted within four weeks with Councilman Nutter's
15 approval.

16 COUNCILMAN DICICCO: Any questions?
17 Councilman Nutter?

18 COUNCILMAN NUTTER: Thank you, Thank you,
19 Mr. Chairman.

20 First let me inquire, why was it six weeks
21 on the one and four weeks on the other?

22 MR. DENNY: There is less signs on the
23 Haverford Avenue case, which is only around two
24 blocks long, where the other one is a much longer
25 area of nine blocks.

1 12/12/01 STREETS AND SERVICES - BILL 010618

2 COUNCILMAN NUTTER: I understand. All
3 right, very good. I'm glad you had an answer.

4 Secondly, I received a request, as I did
5 on the Vine Street -- I mean, I want to assure you
6 and certainly the Chair that I don't kind of dream
7 these things up in the middle of the night. I've
8 received requests on both of these because of
9 continual problems with these tractor-trailers
10 parking. The only way we can get enforcement from
11 the Police Department is to have proper signage so
12 that there is due process.

13 I have a letter, one, from a constituent
14 on this; and two, a memo actually from the First
15 Highway District also making a request to have these
16 signs in place on Haverford Avenue.

17 So as I said with the first bill, I
18 understand why you may want to proceed on a trial
19 basis. Naturally, I'd like to have a bill done in
20 place. You've committed to putting the signs up
21 regardless; is that correct?

22 MR. DENNY: Correct.

23 COUNCILMAN NUTTER: Very good.

24 Thank you, Mr. Chairman.

25 COUNCILMAN DICICCO: Thank you.

1 12/12/01 STREETS AND SERVICES - BILL 010341

2 Any questions for this witness?

3 (No questions.)

4 COUNCILMAN DICICCO: Anyone else here who
5 wishes to testify on this bill?

6 (No response.)

7 COUNCILMAN DICICCO: Hearing none, the
8 clerk will read the title of the next bill.

9 THE CLERK: Bill No. 010341, an ordinance
10 establishing a regulation on the 7100 block of North
11 Uber Street.

12 MR. DENNY: Good afternoon. Again, my
13 name is Charles Denny and I'm here to testify on
14 Bill No. 010341.

15 The Streets Department supports this bill,
16 but we do recommend that the regulations be posted
17 on a trial ordinance. A hearing can held in six
18 months and the area residents and businesses would
19 have an opportunity to comment on the regulation at
20 that time after seeing how the regulation operates.

21 As requested, we will post the street as a
22 one-way southbound street. We can have the signs
23 posted within four weeks, with Councilwoman Tasco's
24 approval.

25 COUNCILMAN DICICCO: Any questions for

1 12/12/01 STREETS AND SERVICES - BILL 010619

2 this witness?

3 (No questions.)

4 COUNCILMAN DICICCO: Anyone else here who
5 wishes to testify on this bill?

6 (No response.)

7 COUNCILMAN DICICCO: Hearing none, the
8 clerk will read the title of the next bill.

9 THE CLERK: Bill No. 010619, an ordinance
10 amending Section 9-403 of the Philadelphia Code,
11 entitled "Motor Buses," by adding a provision which
12 prohibits the loading and unloading of passengers at
13 off-street locations on City Avenue from 47th Street
14 to Belmont Avenue, east side.

15 COUNCILMAN DICICCO: Anyone here to
16 testify on this bill? Councilman Nutter?

17 COUNCILMAN NUTTER: I'm sorry,
18 Mr. Chairman.

19 COUNCILMAN DICICCO: Begin with your
20 testimony. Thank you, sir.

21 COUNCILMAN NUTTER: Mr. Chairman, I
22 apologize that I don't have my written testimony
23 with me. It's still being prepared at this time.

24 COUNCILMAN ORTIZ: Did you submit it
25 within 24 hours?

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2 COUNCILMAN NUTTER: I'm sorry,
3 Mr. Chairman. Is this about trash pickup or is this
4 about casino buses?

5 COUNCILMAN DICICCO: This is buses, I
6 believe.

7 COUNCILMAN NUTTER: Buses. Thank you,
8 Mr. Chairman.

9 There is a very serious problem in that
10 area with the loading and unloading of passengers.
11 Initially, this problem existed out in the roadway.
12 That has been prohibited. Now we're finding that
13 the buses are doing it on private property.

14 What results from that, Mr. Chairman, is a
15 tremendous inconvenience to my constituents in the
16 area because of the cars that are being parked so
17 that people can then go to the off-street location
18 to get on these buses. And it is affecting the
19 Belmont Village section of my district. And that's
20 the reason for this bill. Numerous constituents
21 have complained about this issue over a long period
22 of time.

23 COUNCILMAN DICICCO: I think the solution
24 to that would be riverboat gambling in Philadelphia,
25 and you wouldn't have to worry about those buses

1 12/12/01 STREETS AND SERVICES - BILL 010620

2 winding up there. A subject for another day?

3 COUNCILMAN NUTTER: Yeah. Mayor Rendell
4 may bring that back in his gubernatorial campaign.

5 COUNCILMAN RIZZO: Any comments on 629?

6 COUNCILMAN DICICCO: I'll tell you what:
7 You want to make money, you can bet on that never
8 coming up again.

9 Thank you, thank you, Councilman.

10 The clerk will read the title of the next
11 bill.

12 THE CLERK: Bill 010620, an ordinance
13 amending Section 10-722 of the Philadelphia Code,
14 entitled "Use of Dumpsters," by adding a new
15 subsection providing for hours of collection on City
16 Avenue from 47th Street to Belmont Avenue, east
17 side.

18 COUNCILMAN DICICCO: Councilman Nutter.

19 COUNCILMAN NUTTER: Thank you,
20 Mr. Chairman.

21 Mr. Chairman, this is a very serious
22 problem for my constituents who live behind what is
23 a relatively small shopping area. The businesses on
24 City Avenue, the back of those businesses are across
25 the street from the front of my constituents' homes

1 12/12/01 STREETS AND SERVICES - BILL 010620

2 in again this Belmont Village section.

3 We have not been able to get cooperation
4 from the business owner with regard to the time of
5 trash pickup, and it is my understanding from the
6 constituent that the trash pickup is from time to
7 time in the 4 a.m. to 5 a.m. time period, which is
8 totally inconvenient and, quite frankly, outrageous
9 for my constituents. The business owner refuses to
10 adjust the trash pickup time with their rubbish
11 company, and so we're now compelled to force them to
12 get trash picked up in more reasonable hours, both
13 in the morning and in the evening.

14 COUNCILMAN DICICCO: I thought it was
15 illegal to pick up trash before 7 a.m. anyway in the
16 City, isn't that correct?

17 COUNCILMAN NUTTER: I thought that that
18 was my understanding. We have not been able to get
19 complete enforcement on that, so we needed some
20 specific requirements in this particular area. It
21 is pretty much the only area to my knowledge that
22 we're having this level of problem.

23 COUNCILMAN DICICCO: I was having problems
24 with the delicatessen about a half a block from
25 where I live, and they pick up on the Federal Street

1 12/12/01 STREETS AND SERVICES - BILL 010620
2 side and I could hear it every morning around 3,
3 3:30, but I think L&I contacted the trash hauler and
4 basically told them that they're in violation. And
5 since then, we've been pretty lucky, but I wish you
6 luck.

7 COUNCILMAN NUTTER: Thank you

8 COUNCILMAN DICICCO: Any questions for
9 this witness?

10 (No questions.)

11 COUNCILMAN DICICCO: Anyone else here who
12 wishes to testify on this bill?

13 (No response.)

14 COUNCILMAN DICICCO: This concludes the
15 public hearing on the committee. We need one more
16 for a quorum.

17 Councilman Cohen, Councilman Ortiz, and
18 Councilman Rizzo are in the chambers. We need one
19 more person for a quorum. Councilman Goode or
20 Councilwoman Donna Reed Miller, if you would please
21 come to the chambers so we can conclude the
22 Committee on Streets and Services. We need you to
23 vote these bills out of committee.

24 Thank you.

25 (Councilwoman Donna Reed

1 12/12/01 STREETS AND SERVICES - BILL 010620
2 Miller returns to Council
3 chambers.)
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1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 COUNCILMAN DICICCO: The public meeting of
3 the Committee on Streets and Services is now in
4 session.

5 The Chair recognizes Councilman Ortiz.

6 COUNCILMAN ORTIZ: Thank you,
7 Mr. Chairman. I move that Bill No. 010335 be out of
8 committee with a favorable recommendation and a
9 recommendation that the rules of Council be
10 suspended so as to permit hearing at the next
11 session of City Council.

12 (Duly seconded.)

13 COUNCILMAN DICICCO: It's been properly
14 moved and seconded that Bill No. 010335 be reported
15 out of this committee with a favorable
16 recommendation and a further recommendation that the
17 rules of Council be suspended in order to permit
18 first reading at our next Council session.

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

21 Those opposed?

22 The bill is approved.

23 The Chair recognizes Councilman Ortiz.

24 COUNCILMAN ORTIZ: I move that Bill 010496
25 be moved out of committee With a favorable

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 recommendation and a recommendation that the rules
3 of Council be suspended so as to permit first
4 reading in the next session of City Council.

5 (Duly seconded.)

6 COUNCILMAN DICICCO:

7 (Duly seconded.)

8 COUNCILMAN DICICCO: It's been properly
9 moved and seconded that Bill No. 010496 be reported
10 out of this committee with a favorable
11 recommendation and a further recommendation that the
12 rules of Council be suspended in order to permit
13 first reading at our next Council session.

14 All those in favor will signify by saying
15 aye.

16 Those opposed?

17 The ayes have it, the bill is approved.

18 The Chair recognizes Councilman Ortiz.

19 COUNCILMAN ORTIZ: Mr. Chairman, I move
20 that Bill No. 010559 be moved out of committee with
21 a favorable recommendation and a recommendation that
22 the rules of Council be suspended so as to permit
23 first reading at our next session of City Council.

24 (Duly seconded.)

25 COUNCILMAN DICICCO: It's been properly

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 moved and seconded that Bill No. 010559 be reported
3 out of committee with a favorable recommendation and
4 that the rules of Council be suspended.

5 All those in favor, signify by saying aye.

6 Those opposed?

7 The bill is approved.

8 Councilman Ortiz.

9 COUNCILMAN ORTIZ: Mr. Chairman, I move
10 that Bill No. 010603 be, moved out of committee with
11 a favorable recommendation and a recommendation that
12 the rules of Council be suspended so as to permit
13 first reading at the next session of City Council.

14 (Duly seconded)

15 COUNCILMAN DICICCO: It's been properly
16 moved and seconded that Bill No. 010603 be reported
17 out of this committee with a favorable
18 recommendation and a further recommendation that the
19 rules of Council be suspended in order to permit
20 first reading at our next Council session.

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

23 Those opposed?

24 The bill is approved.

25 The Chair recognizes Councilman Ortiz.

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 COUNCILMAN ORTIZ: Mr. Chairman, I move
3 that Bill No. 010606 be moved out of committee with
4 a favorable recommendation and a recommendation that
5 the rules of Council be suspended so as to permit
6 first reading at our next session of City Council.

7 (Duly seconded.)

8 COUNCILMAN DICICCO: It's been properly
9 moved and seconded that Bill No. 010606 be reported
10 out of this committee with a favorable
11 recommendation and a further recommendation that the
12 rules of Council be suspended in order to permit
13 first reading at our next Council session.

14 All those in favor will signify by saying
15 aye.

16 Those opposed?

17 The bill is approved.

18 The Chair recognizes Councilman Ortiz.

19 COUNCILMAN ORTIZ: Mr. Chairman, I move
20 that Bill 010616 be voted out of committee with a
21 favorable recommendation and a recommendation that
22 the rules of Council be suspended so as to permit
23 first reading at the next session of City Council.

24 (Duly seconded.)

25 COUNCILMAN DICICCO: It's been properly

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 moved and seconded that Bill No. 010616 be reported
3 out of this committee with a favorable
4 recommendation and a further recommendation that the
5 rules of Council be suspended in order to permit
6 first reading at our next Council session.

7 All those in favor will signify by saying
8 aye.

9 Those opposed?

10 The bill is approved.

11 The Chair recognizes Councilman Ortiz.

12 COUNCILMAN ORTIZ: Mr. Chairman, I move
13 that Bill 010618 be moved out of committee with a
14 favorable recommendation and a recommendation that
15 the rules of Council be suspended so as to permit
16 first reading at our next session of City Council
17 (Duly seconded.)

18 COUNCILMAN DICICCO: It's been properly
19 moved and seconded that Bill No. 010618 be reported
20 out of this committee with a favorable
21 recommendation and a further recommendation that the
22 rules of Council be suspended in order to permit
23 first reading at our next Council session.

24 All those in favor will signify by saying
25 aye.

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 Those opposed?

3 The bill is approved.

4 The Chair recognizes Councilman Ortiz.

5 COUNCILMAN ORTIZ: Mr. Chairman, I move
6 that Bill 010619 be moved out of committee with a
7 favorable recommendation and a recommendation that
8 the rules of Council be suspended so as to permit
9 first reading in the next session of City Council.

10 (Duly seconded.)

11 COUNCILMAN DICICCO: It's been properly
12 moved and seconded that Bill No. 010619 be reported
13 out of this committee with a favorable
14 recommendation and a further recommendation that the
15 rules of Council be suspended in order to permit
16 first reading at our next Council session.

17 All those in favor will signify by saying
18 aye.

19 Those opposed?

20 The bill is approved.

21 Councilman Ortiz.

22 COUNCILMAN ORTIZ: Mr. Chairman, I move
23 that Bill 010620 be moved out of committee with a
24 favorable recommendation and a recommendation that
25 the rules of Council be suspended so as to permit

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 first reading at our next session of City Council

3 (Duly seconded.)

4 COUNCILMAN DICICCO: It's been properly

5 moved and seconded that Bill No. 010620 be reported

6 out of this committee with a favorable

7 recommendation and a further recommendation that the

8 rules of Council be suspended in order to permit

9 first reading at our next Council session.

10 All those in favor will signify by saying

11 aye.

12 Those opposed?

13 The bill is approved.

14 Councilman Ortiz.

15 COUNCILMAN ORTIZ: Mr. Chairman, I move

16 that Bill No. 010661 be moved out of committee with

17 a favorable recommendation and a recommendation that

18 the rules of Council be suspended so as to permit

19 first reading in the next session of City Council.

20 (Duly seconded.)

21 COUNCILMAN DICICCO: It's been properly

22 moved and seconded that Bill No. 010661 be reported

23 out of this committee with a favorable

24 recommendation and a further recommendation that the

25 rules of Council be suspended in order to permit

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 first reading at our next Council session.

3 All those in favor will signify by saying
4 aye.

5 Those opposed?

6 The bill is approved.

7 Councilman Ortiz.

8 COUNCILMAN ORTIZ: Mr. Chairman, I move
9 that Bill 010667 be moved out of committee with a
10 favorable recommendation and a recommendation that
11 the rules of Council be suspended so as to permit
12 first reading at the next session of City Council.

13 (Duly seconded.)

14 COUNCILMAN DICICCO: It's been properly
15 moved and seconded that Bill No. 010667 be reported
16 out of this committee with a favorable
17 recommendation and a further recommendation that the
18 rules of Council be suspended in order to permit
19 first reading at our next Council session.

20 All those in favor will signify by saying
21 aye.

22 Those opposed?

23 The bill is approved.

24 Councilman Ortiz.

25 COUNCILMAN ORTIZ: Mr. Chairman, I move

1 12/12/01 STREETS AND SERVICES - PUBLIC MEETING

2 that Bill 010341 be moved out of committee with a
3 favorable recommendation and a recommendation that
4 the rules of Council be suspended so as to permit
5 first reading at the next session of City Council.

6 (Duly seconded.)

7 COUNCILMAN DICICCO: It's been properly
8 moved and seconded that Bill No. 010341 reported out
9 of this committee with a favorable recommendation
10 and a further recommendation that the rules of
11 Council be suspended in order to permit first
12 reading at our next Council session.

13 All those in favor will signify by saying
14 aye.

15 Those opposed?

16 The bill is approved.

17 This concludes the public meeting on the
18 Committee of Streets and Services. Thank you all
19 for attending.

20 (Proceedings conclude at 3:10
21 p.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the foregoing

proceedings of the Council of the City of

Philadelphia's meeting of the Council Committee on

Streets and Services of Wednesday, December 12,

2001, are contained fully and accurately in the

stenographic notes taken by me upon, and that this

is a true and correct transcript of same.

RE: Bill No's: 010335, 010341, 010496, 010559,
010603, 010606, 010616, 010618,
010619, 010620, 010659, 010661,
010667

_____,
Josephine Cardillo

Registered Professional Reporter
and Notary Public

(The foregoing certification of this
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same by any means, unless under the direct control
and/or supervision of the certifying reporter.)