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## COUNCIL OF THE CITY OF PHILADELPHIA

3

## PUBLIC HEARING

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## COMMITTEE ON LAW AND GOVERNMENT

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Room 696, City Hall  
Philadelphia, Pennsylvania  
Thursday, March 27, 2003  
5:00 p.m.

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RESOLUTION 030117, authorizing the City Council  
Committee on Law and Government to hold hearings to  
investigate the failure of the Philadelphia Housing  
Authority and four local unions, AFSCME District  
Council 47, Locals 2186 and 2187, AFSCME District  
Council 33, Local 934, and the Fraternal Order of  
Housing Police to negotiate new contracts, and  
authorizing the Chairperson of the Committee in  
furtherance of such investigation to issue subpoenas  
or other process as the Chairperson deems necessary  
or appropriate to compel the attendance of witnesses  
and the production of documents to the full extent  
authorized under Section 2-401 of the Home Rule  
Charter.

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## PRESENT:

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COUNCILMAN DAVID COHEN, Chair  
COUNCILWOMAN JANNIE BLACKWELL  
COUNCILMAN MICHAEL NUTTER  
COUNCILWOMAN MARIAN TASCO  
COUNCILMAN ANGEL ORTIZ  
REPRESENTATIVE LEANNA WASHINGTON

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## I N D E X

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RESOLUTION 030117 PAGE

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THOMAS CRONIN, AFSCME District Council 47 ... 34

TRACY JORDAN, Fraternal Order of Housing

Police ..... 40

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JOYCE WILKERSON, Chief of Staff ..... 49

MARK FOLEY, ESQ. .... 60

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MR. MARK WOOLEY, ESQ. .... 87

RODNEY LITTLE, Fraternal Order of Housing

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Police ..... 91

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COUNCILMAN COHEN: Can I have your  
attention, please?

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The Committee on Law and Government is  
now in session pursuant to the fact that we have a  
continuing quorum, since this is a recessed meeting  
of the last hearing.

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I'm going to ask the Clerk of the  
Committee, my assistant, Tim Kearney, to read the  
Resolution, which has authorized the action today,  
just to refresh everybody's mind. I hope you had a  
good day today so that tempers stay cool, because  
some of the issues may tend to move in the other  
direction. So try to be cool. Try to have good  
humor, if you can, because we're all hoping to  
achieve good results ultimately. We don't know how  
long ultimately it will be, but we live in hopes  
that it can be done in a friendly, cooperative way.  
If it can't, then that will be another matter. It  
might be a change of humor. But for the time being,  
at least let's hope everybody is going to stay in  
good humor today. All right?

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Other Members of the Committee will be  
coming in as soon as they hear that action is taking  
place. And we'll proceed. I don't want to hold the

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2           hearing up, because we are authorized to proceed.

3                   Mr. Kearney, would you be good enough to  
4           read the Resolution which authorized the hearing  
5           today?

6                   May we have order? If you feel  
7           compelled to speak to your neighbor, then I suggest  
8           you and your neighbor go out in the hallway and have  
9           your conversation and come back. It's important  
10          that everybody hears everything. At least that  
11          much, I think, we can all agree on.

12                  Mr. Kearney will now read the Resolution  
13          that's before us.

14                  THE CLERK: Resolution 030117,  
15          authorizing the City Council Committee on Law and  
16          Government to hold hearings to investigate the  
17          failure of the Philadelphia Housing Authority and  
18          four local unions, AFSCME District Council 47,  
19          Locals 2186 and 2187; AFSCME District Council 33,  
20          Local 934; and the Fraternal Order of Housing Police  
21          to negotiate new contracts, and authorizing the  
22          Chairperson of the Committee in furtherance of such  
23          investigation to issue subpoenas or other process as  
24          the Chairperson deems necessary or appropriate to  
25          compel the attendance of witnesses and the

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2       production of documents to the full extent  
3       authorized under Section 2-401 of the Home Rule  
4       Charter.

5                   COUNCILMAN COHEN: Thank you.

6                   This Resolution was adopted unanimously.  
7       In the course of time since the Resolution was  
8       passed, we invited Carl Greene, who is the Executive  
9       Director, to appear. And we got a letter from the  
10      attorney for the Board -- I guess it was outside  
11      counsel. The first letter saying that Council had  
12      no authority and, therefore, they were politely  
13      rejecting the request for Mr. Greene to come. They  
14      asked further that since they believed we had no  
15      authority, they asked City Council to withdraw its  
16      Resolution and its request for subpoena. That  
17      letter arrived, you will recollect, those of you who  
18      were at the previous hearing, that arrived here to  
19      me during the process of the hearing. It was the  
20      first I saw the letter.

21                  Subsequently, the next day an answer  
22      went out in which I, as Chairman of the Committee,  
23      authorized to issue the subpoena enacting on the  
24      basis of the Resolution by City Council. I rejected  
25      their request that we withdraw the Resolution or the

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2 subpoena. And said this time, in as plain language  
3 as I could figure out to say, that we will expect  
4 you all to be here.

5                   I also took the unusual step -- because  
6 I felt it was required -- to individually write to  
7 each of the five members of the Board that, as I  
8 understand the law, are responsible for carrying out  
9 the law with respect to PHA, and who I believe have  
10 the power to control the action of the Executive  
11 Director, Carl Greene. So I asked the five members  
12 of the Board to come today, and I also asked them to  
13 take action to assure that Mr. Greene's presence  
14 would be here and that they would direct him.

15                  Since four of the five members are  
16 appointed by -- two by the Mayor and two by the City  
17 Controller -- I sent copies of my letters of the  
18 Board members to the Mayor and to the City  
19 Controller. That resulted in another letter from  
20 the attorney for PHA, kind of repeating the same  
21 statements he had made earlier, saying that Council  
22 had no authority, that PHA is not a City agency,  
23 that we give it only minimal financial support.  
24 Again, he requested the withdrawal of the Resolution  
25 and the subpoena.

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2                   I consulted with some Board members, and  
3                   then we reached a conclusion that it seemed likely  
4                   that no one officially representing PHA Board would  
5                   come. We decided to ask Ms. Wilkerson, who is the  
6                   Chief of Staff and also, I understand, the Chair of  
7                   the Board -- if there is such a thing. At least  
8                   she's one of the five Board members. Somebody told  
9                   me she's also the Chair, but she can explain that.  
10                  I asked her if she would come, not as a member of  
11                  the Board, because pretty much she's bound by the  
12                  recommendations of the lawyer for the agency, but to  
13                  come as the Chief of Staff in her other position  
14                  because I believe -- some people may have other  
15                  thoughts -- I believe she has a stronger  
16                  responsibility toward the Mayor than any other  
17                  member that I know of in the City of Philadelphia.  
18                  And I thought there might be questions that this  
19                  Body might want to raise of the Mayor, and they  
20                  would raise it through the Chief of Staff. She  
21                  agreed to come and I note she's here.

22                  Now, when she testifies, if you don't  
23                  agree with her testimony, please do not boo or act  
24                  unfriendly. She does what she does because she  
25                  believes that she has to do it or that it's the

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2       correct thing to do it and she's within her  
3       authority to do it. You or I may strongly disagree,  
4       or we may agree, but I think you can tell from what  
5       I've said so far that this may turn out to be a case  
6       that may wind up some day in the United States  
7       Supreme Court because the law seems to be quite  
8       muddy.

9                   The only clear law we find so far is a  
10      State Supreme Court decision of the Supreme Court of  
11      Pennsylvania which seems to State very clearly that  
12      the PHA is not what they call a Commonwealth,  
13      meaning a State institution, and, therefore, it must  
14      be a City institution. But I do have to agree that  
15      along the way, a number of courts inferior to the  
16      Supreme Court have at different times had different  
17      conclusions. Sometimes they say for different  
18      purposes the PHA may be a State agency. For other  
19      purposes, it may be a City agency.

20                  I have here Robert Jaffe, who I will  
21      call on in a moment to make a brief report with  
22      respect to that.

23                  One thing I'm clear about, I have to  
24      find out, or I will not be able to be happy with the  
25      way in which I conduct my role in City affairs, not



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2       knowing what the agency is, whether it belongs to  
3       the people of Philadelphia or belongs to the State.  
4       I can't possibly imagine that an agency whose  
5       appointees all come from the Mayor or the City  
6       Controller can be anything other than a City agency.  
7       Maybe a court some day will declare PHA a  
8       Commonwealth or a State agency and maybe that will  
9       be the final decision, just like President Bush had  
10      no power to decide -- or the Supreme Court had no  
11      power to decide who the President of the United  
12      States was, but the Federal Supreme Court made that  
13      decision anyway. Sometimes courts are the only ones  
14      that have the right and power to break the law and  
15      get by with it. But whatever it is, we're going to  
16      learn that.

17                Because what the PHA does is, it impacts  
18      on the life of Philadelphians. It provides housing  
19      for, I think it's something like 70,000  
20      Philadelphians. The controlling Executive Director  
21      and the Board members are all appointees, as I said  
22      before, by the Mayor and/or the Executive Director.  
23      So we're going to find out what that is, maybe. If  
24      that's the case, the road may be long; it may be  
25      hard.

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2                   But I certainly suggest to all people,  
3                   don't give away any of your rights in the process.  
4                   Don't agree with anybody that Philadelphia has lost  
5                   its power to control actions of the Mayor and the  
6                   City Controller, their City agencies. We elect both  
7                   of them, we the citizens of Philadelphia. That's  
8                   going to be my position, though I will ultimately  
9                   respect, and will have to, the recommendation of the  
10                  Court.

11                  What this will do is very troublesome  
12                  because I have to tell you my deep concern, I'm very  
13                  concerned about the unions that have to negotiate.  
14                  I'm very concerned that there may be labor unions,  
15                  which for one reason or another, maybe they were  
16                  just mistaken, have written away the rights of their  
17                  members. I'd be very concerned if that happened,  
18                  because what I see happening in PHA is a threat to  
19                  every employee who works for the City of  
20                  Philadelphia, not just for PHA, because it makes no  
21                  sense to me to have the City of Philadelphia have a  
22                  policy for PHA and have a different policy for  
23                  employees. And if the City Administration has  
24                  decided to begin its bargaining, using the PHA as  
25                  the guinea pig a year before the regular time, I

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2           think everybody has to be alerted.

3                   I intend to make it my business to see  
4           that every City employee knows that the City of  
5           Philadelphia is apparently urging that people's  
6           pension rights be capped at year 2003. Or if they  
7           pray enough and smile enough as this is done to  
8           them, maybe somebody will agree to extend the date  
9           to 2005 and that will cap their pension rights.

10                   I know you have a lot of complaints  
11           about health benefits and the very tiny wage  
12           proposal given, but I have to tell you the thing  
13           that impacts me most is -- maybe because of my age.  
14           Most of you can tell by looking at me that I'm past  
15           39, like Jack Benny was -- retirement rights. If  
16           you're telling me that the City of Philadelphia is  
17           going to have a retirement policy that basically  
18           limits retirement to the amount of money that you  
19           earn when you first -- that your retirement is going  
20           to be figured on the amount of money you earn when  
21           you first worked for the City, and earn nothing  
22           thereafter towards your retirement, I am very  
23           concerned. Because as much as I've condemned Enron  
24           and another business corporations, I've never known  
25           any of them who dared to propose such an outright

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2       crazy policy, I have to say. Because nobody is  
3       going to stand for that in Philadelphia.

4                   We're going to have to get the facts.

5       Maybe the unions allegedly filed -- maybe they were  
6       misled in what they agreed to. I decided I couldn't  
7       believe the contracts and that's the reason, in  
8       addition to subpoenaing Mr. Greene, I wanted to  
9       subpoena him to produce the documents. I do not  
10      believe for a moment that any self-respecting labor  
11      union would ever agree to that. But Mr. Greene, you  
12      will remember, in his letter to me said that, I  
13      think, four or five unions have already so agreed.  
14      I asked to see the documents. His failure to supply  
15      them -- and they're public documents -- troubles me  
16      very much, because it raises a question as to  
17      whether the representation he made was, in fact,  
18      true or false. I don't know the answer because I  
19      have not seen the documents.

20                  Having said all this at the beginning,  
21      let me note that Representative LeAnna Washington  
22      has joined us in the hearing. She is a State  
23      Representative from the northwest. She does an  
24      outstanding job in Harrisburg on behalf of all  
25      people of Philadelphia.

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2                   Councilman Ortiz, everybody knows him.  
3                   He's recently been in the paper. I don't know  
4                   whether it's because of some Democratic politics or  
5                   whether it's because his daughter is such a  
6                   beautiful actress on NBC on Tuesday nights -- is it  
7                   9:00?

8                   COUNCILMAN ORTIZ: Thank you for the  
9                   plug. 9:30.

10                  COUNCILMAN COHEN: And to my right  
11                  immediately is Tim Kearney, my legislative director  
12                  of my office. To my left is Robert Jaffe, who is  
13                  the attorney on my staff. And to his left is Stan  
14                  Shapiro, who is the director of the technical and  
15                  legal staff for City Council. We're well prepared.

16                  I'm going to ask Mr. Jaffe, that you  
17                  introduce yourself -- or I'll introduce you for the  
18                  record. I'd like you to read the subpoena that was  
19                  served on Mr. Greene. I want everybody to know what  
20                  the facts are.

21                  Mr. Jaffe.

22                  MR. JAFFE: Good afternoon, everyone.  
23                  Robert Jaffe. I'm Special Counsel for Councilman  
24                  David Cohen. And this is a subpoena enlarged so you  
25                  can see it, as well, to Carl Greene.

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2                   "You are ordered by the Council of the  
3                   City of Philadelphia to come to Room 696, City Hall,  
4                   Broad and Market Streets, Philadelphia,  
5                   Pennsylvania, on Thursday, March 27th, at 5 p.m., to  
6                   testify before the Committee on Law and Government  
7                   in connection with the investigation authorized by  
8                   City Council Resolution 030117 and to remain until  
9                   excused.

10                  "And, two, to bring with you the  
11                  following: The most recent PHA contracts with the  
12                  following unions: 1, Building and Construction  
13                  Trades Council of Philadelphia and Vicinity; 2,  
14                  Labors International, Local 3332; 3, Painters  
15                  District Council 21; 4, Fireman and Oilers Union,  
16                  Local 473; 5, The United Brotherhood of Carpenters  
17                  Metropolitan Regional Council of Philadelphia and  
18                  Vicinity; and 6, AFSCME District Local 33, Local  
19                  934.

20                  "If you fail to attend or to produce the  
21                  documents or things required by the subpoena, you  
22                  will be subject to enforcement proceedings as set  
23                  forth in the Philadelphia Home Rule Charter, Section  
24                  241."

25                  And this is signed and attested by the

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2           Chairman of the Committee on Law and Government and  
3           the Chief Clerk of the City Council of Philadelphia.  
4           This was duly served in person and we have a signed  
5           return of service.

6                   COUNCILMAN COHEN: Now, the documents  
7           referred to in the subpoena are the precise  
8           documents that Mr. Greene referred to in his letter  
9           which arrived during the first hearing, the letter  
10          which stated that the PHA has already entered into  
11          agreements with these unions, that every union  
12          referred to in the subpoena was the same union  
13          referred to in Mr. Greene's letter. All I asked for  
14          was the documents that Mr. Greene himself was  
15          talking about, so there should have been no problem  
16          at all in either identifying them or presenting  
17          them.

18                   Incidentally, let me also mention that  
19          we've been assisted by Councilman Nutter's presence  
20          and Councilwoman Blackwell. Councilwoman Blackwell,  
21          as you know, is a majority leader of the City  
22          Council. And so we have more than a full quorum,  
23          even though we have a continuing quorum that opened  
24          the meeting.

25                   Councilman Ortiz.

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2 COUNCILMAN ORTIZ: Are you going to  
3 refer to the letter from Mr. Greene?

4 COUNCILMAN COHEN: Yes. I wanted to do  
5 two letters together, the first letter and then the  
6 second letter.

7 COUNCILMAN ORTIZ: Then I will follow.

8 COUNCILMAN COHEN: Mr. Kearney, do you  
9 have a copy of the letters we received from Mr.  
10 Greene?

11 THE CLERK: Yes.

12 COUNCILMAN COHEN: Would you read first,  
13 the first letter we got the day of the hearing and  
14 then read the second letter that was received? And  
15 identify the stationary on which it appears, and  
16 also begin each letter with the way it was  
17 addressed.

18 THE CLERK: The first letter is dated  
19 March 25, 2003. It's on Philadelphia Housing  
20 Authority stationary. It says at the top, "By  
21 facsimile, Councilman David Cohen, City Council" --

22 COUNCILMAN COHEN: Does it state the  
23 office represented?

24 THE CLERK: Yes, it does. It's the  
25 office of Carl R. Greene, Executive Director of the



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2           Philadelphia Housing Authority.

3                   COUNCILMAN COHEN: Go ahead.

4                   THE CLERK: "By facsimile. Councilman  
5           David Cohen, City Council, City of Philadelphia.  
6           City Hall, Room 588. Regarding Resolution No.  
7           030117 and the subpoena for Carl Greene.

8                   "Dear Councilman Cohen, I am writing  
9           with respect to Resolution No. 030117, which was  
10          approved recently by City Council authorizing City  
11          Council to conduct hearings, 'to investigate the  
12          failure of the Philadelphia Housing Authority and  
13          four of its local unions,' to negotiate new  
14          contracts.

15                  "I am also writing in reference to the  
16          subpoena issued to Carl Greene ordering his  
17          appearance in Room 696 of City Hall, on Thursday,  
18          March 27, 2003 at 5:00 p.m. It is our request that  
19          the hearings authorized by Resolution 030117 be  
20          stopped and the subpoena for Carl Greene be  
21          withdrawn.

22                  "Section 2-400 of the Philadelphia City  
23          Charter limits the City Council's authority to,  
24          'authorize inquiries and investigations,' to  
25          matters, 'in aid of its legislative powers and

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2       functions.'

3                   "Although Resolution No. 030117 states  
4       that the purpose of these hearings is to investigate  
5       the absence of a new collective bargaining agreement  
6       between PHA and AFSCME District Council 47, Locals  
7       2186 and 2187; AFSCME District Council 33, Local  
8       934. Collectively, Locals 2186, 2187 and 934 are  
9       referred to herein as AFSCME and the Fraternal Order  
10      of Housing Police.

11                  "It is PHA's position that any issue  
12      relating to the above referenced issues is not  
13      within the jurisdiction or authority of the City  
14      Council to resolve or take action. As a result,  
15      pursuant to 2-400, the City Council has no authority  
16      to conduct the hearings identified in Resolution  
17      030117. It also has no authority to demand the  
18      appearance of any witnesses, including Carl Greene  
19      as part of its investigation.

20                  "None of the employees of PHA  
21      represented by FOHP and AFSCME are employees of the  
22      City of Philadelphia. Likewise, PHA is funded  
23      almost exclusively by the United States Department  
24      of Housing and Urban Development. PHA receives  
25      minimal funding from the City of Philadelphia.

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2                   "In addition, any issues surrounding  
3 collective bargaining between the PHA and its  
4 employees is not within the jurisdiction or control  
5 of City Council. Such issues are governed by the  
6 Pennsylvania Public Employee Relation Act.

7                   "Furthermore, any dispute regarding  
8 collective bargaining between the PHA and its  
9 employees is within the inclusive jurisdiction of  
10 the Pennsylvania Labor Relations Board. Aside from  
11 the City Council's lack of authority to investigate  
12 or take action relating to collective bargaining  
13 between PHA and its employees, a public hearing is  
14 not the venue to conduct such an inquiry, as  
15 reflected by the Pennsylvania Sunshine Act.

16                  "Pursuant to Section 278(A)(2) of the  
17 Sunshine Act, neither negotiation sessions nor the  
18 discussion of negotiation strategy must be held in  
19 public meetings.

20                  "In St. Claire Area School District  
21 versus Saint Claire Area Education Association, the  
22 Pennsylvania Commonwealth Court held that the  
23 Sunshine Act was never intended to compel the  
24 negotiation of collective bargaining agreements in  
25 public.

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2                   "Finally, as a practical matter, the  
3       hearings authorized by Resolution 030117 are simply  
4       unnecessary. PHA has been and is continuing to  
5       negotiate in a responsible and good faith manner,  
6       particularly in light of the fiscal projections  
7       under which it must survive in the future. Its good  
8       faith in bargaining with the unions that represent  
9       its employees is highlighted by the fact that the  
10      PHA recently entered into new collective bargaining  
11      agreements with both the Building and Construction  
12      Trades Council of Philadelphia and Vicinity and  
13      AFSCME District Council 33, Local 3934.

14                  "Based on the foregoing, we respectfully  
15      request that the City Council and the investigation  
16      purportedly authorized by Resolution 030117, in  
17      addition, at the very least, we respectfully request  
18      that the subpoena issued to Carl Greene be  
19      rescinded.

20                  "Thank you for your cooperation and  
21      prompt attention to this matter.

22                  "Sincerely, Mark Woolley (ph), Acting  
23      General Counsel."

24                  With a carbon copy to the Honorable  
25      Nelson Diaz.

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2 COUNCILMAN COHEN: Do you have my reply?

3 COUNCILMAN ORTIZ: What law firm does  
4 Mr. Woolly represent?

5 COUNCILMAN COHEN: He's listed as being  
6 part of the house counsel.

7 We're going to hold that while Mr.  
8 Shapiro gets a copy of that.

9 Now, did we get a second letter from Mr.  
10 Woolley?

11 THE CLERK: Yes.

12 COUNCILMAN COHEN: Would you read that?  
13 As soon as the other letter comes, we'll read that  
14 one.

15 This letter was in response to my reply  
16 in which I rejected Mr. Woolley's request. It said  
17 the hearing will go on. We expect everybody to  
18 come. And we then sent letters to each member of  
19 the Board, two of whom are here, but they may not be  
20 here in their PHA capacities. Councilwoman  
21 Blackwell may be here as the majority leader. And,  
22 as I said, Joyce Wilkerson is here in her position  
23 as Chief of Staff.

24 COUNCILMAN COHEN: Would you read my  
25 letter? It's now been discovered. We stalled long

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2           enough for Mr. Kearney to find it.

3                   THE CLERK: This letter is on the  
4           stationary of City Councilman David Cohen. It's by  
5           fax to Mark Woolley, Acting General Counsel,  
6           Philadelphia Housing Authority, 12 South 23rd  
7           Street, Philadelphia, dated March 25, 2003.  
8           Regarding Resolution No. 030117 and subpoena for  
9           Carl Greene.

10                   "Dear Mr. Woolley, your request to  
11           withdraw either Resolution 030117 or the subpoena  
12           issued to Carl Greene pursuant thereto is hereby  
13           denied.

14                   It is completely within City Council's  
15           prerogatives to investigate the failure of PHA to  
16           negotiate contracts with any or all of its unions.  
17           The PHA Board is made up of City officials and/or  
18           their appointees. City Council has the right and  
19           duty to determine whether City officials are  
20           properly discharging their duties, whether they be  
21           duties conferred by the Charter, State or Federal  
22           law.

23                   "It is essential that Mr. Greene obey  
24           the subpoena that was issued by City Council.

25                   Sincerely, David Cohen."

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2                   COUNCILMAN COHEN: And to that letter,  
3 in addition, would you read the communication sent  
4 to the Board members?

5                   Again, they're in, apparently, Mr.  
6 Shapiro's control. Now, we'll read those letters to  
7 you as soon as they arrive.

8                   To me, this raises an this important  
9 question. It may be that PHA is unique in that  
10 maybe the Executive Director, and not the Board,  
11 runs the show. But in every case I've ever known,  
12 an Executive Director is subject to the orders of  
13 the members of the Board. And in this case it does  
14 not seem to me that that's been happening. So since  
15 two of the members are appointed by the Mayor and  
16 two by the City Controller, and I believe the Chair  
17 is selected by -- or the fifth member representing  
18 attendance is selected by the other four.

19                  If that's not the case, Ms. Wilkerson,  
20 I'll ask you to correct me on the appointment  
21 structure.

22                  Since that's the case, it seems to me  
23 that Mr. Greene is responsible to this Board; and  
24 the Board, in turn, is responsible to the appointing  
25 authorities who are the Mayor and the City

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2           Controller.

3                   One thing we've got to learn is, who  
4           runs PHA. Does it run by itself? Does Mr. Greene  
5           make the decisions or does the Board? I don't think  
6           the City is so rich that we can have a Board that  
7           has no duties. And I think the duties of the  
8           Board -- and that's what we're going to also be  
9           exploring. Because of these hearings, we're going  
10          to find out who really runs PHA and who's  
11          responsible and what the responsibility of the Board  
12          members are to the appointing authorities.

13                  Having said that, and awaiting the  
14          letters, I'd like to ask Mr. Cronin, do you want to  
15          say a few remarks? Because I have some questions  
16          I'd like to raise with Ms. Wilkerson, and I believe  
17          there may be other Councilmembers, with respect to  
18          the City's role in this matter.

19                  Mr. Cronin, would you please identify  
20          yourself for the record.

21                  MR. CRONIN: Thomas Cronin, president of  
22          AFSCME District Council 47.

23                  COUNCILMAN COHEN: The Chair recognizes  
24          Councilman Ortiz.

25                  COUNCILMAN ORTIZ: I just don't believe



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2       this. I do not believe that Mr. Carl Greene has had  
3       the audacity to reject coming here. Not only that,  
4       but the contracts that you asked for are supposed to  
5       be public documents. They're not private. They've  
6       already been negotiated and signed. For him to have  
7       the audacity not to come here, I think, is really  
8       galling and disrespectful of this legislative body.

9                   I cannot remember in the history of this  
10       Council any official, any official -- because I had  
11       public hearings on PHA and every official of PHA  
12       came down, brought records, brought details, and we  
13       had ongoing hearings on PHA. And for Mr. Greene to  
14       say -- not only that, but to say that we should drop  
15       the investigation to end our hearings, what is he,  
16       imperial? What is he, a king? Does the Mayor and  
17       the Board not -- are not they their bosses? He can  
18       be fired by City officials, can't he?

19                   (Applause.)

20                   COUNCILMAN ORTIZ: In all of my years in  
21       Council I have never seen a letter as arrogant,  
22       disrespectful as the two letters that I have here  
23       from Mr. Woolley. I want to know how much money PHA  
24       pays Ballard Spahr and all of the other law firms  
25       that they have.

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2                   This is really disrespectful, that Mr.  
3                   Greene cannot come to this Body and face this  
4                   Council. We're not asking him to negotiate the  
5                   contract. We're not asking him to do any such  
6                   thing. All that we're asking him is what is going  
7                   on in PHA with the workers. All that we're asking  
8                   him is to clarify and clarification of policies.

9                   Representative Washington just told me  
10                  that he did the same thing to the State. So he  
11                  figures he can do it to Council. He can do it the  
12                  State. He probably can do it to Bush, except they  
13                  might set one of those smart bombs right into him.

14                  Let me tell you something. This is not  
15                  allowable, Mr. Chairman. And Mr. Greene better get  
16                  his butt over here.

17                  (Applause.)

18                  COUNCILMAN ORTIZ: Mr. Chairman, I  
19                  suggest that we give him a certain amount of time,  
20                  maybe 24 hours, to appear before this Council.  
21                  Subpoena? Damn the subpoena. He better be here  
22                  because we asked him to be here. And he owes a duty  
23                  to the citizens of the City. We should not have to  
24                  subpoena a public official to come before a  
25                  legislative body.

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2 (Applause.)

3 COUNCILMAN ORTIZ: I have had enough.  
4 We've been here already a few times. Our time is as  
5 valuable as theirs. But it isn't Ms. Wilkerson who  
6 can answer the questions. It is Carl Greene who can  
7 answer the questions. Ms. Wilkerson can only fire  
8 him if she so desires later on.

9 (Applause.)

10 COUNCILMAN ORTIZ: But it is him that  
11 has to respond to the legislative body of this City.  
12 And if he doesn't want to respond, then he can go  
13 back to Detroit.

14 (Applause.)

15 COUNCILMAN COHEN: Let me note the  
16 presence of Councilwoman Tasco at this hearing.

17 Have you concluded, Councilman?

18 COUNCILMAN ORTIZ: Yes. I think that's  
19 enough.

20 (Applause.)

21 COUNCILMAN COHEN: Before Mr. Cronin, I  
22 would like to complete the reading.

23 Mr. Kearney informs me we have the two  
24 missing documents. First, the letter that I wrote  
25 to the Board members, copies of which went to the

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2       Mayor and to the City Controller, the two appointing  
3       authorities.

4                   THE CLERK: These letters are on the  
5       stationary of City Councilman David Cohen. The one  
6       that I have is addressed to Nelly W. Reynolds,  
7       Commissioner, Philadelphia Housing Authority, 12  
8       South 23 Street, Philadelphia. And as the  
9       Councilman said, this letter went to Chief of Staff  
10      Joyce Wilkerson, Councilwoman Jannie Blackwell,  
11      Commissioner Debra Brady, Commissioner Patrick  
12      Itting (ph), as well as to the Mayor and the City  
13      Controller. March 26th, 2003. Hand delivered.

14                   "Dear Ms. Reynolds, regarding subpoena  
15      duces tecum" --

16                   COUNCILMAN COHEN: Duces tecum in Latin  
17      means, bring with you these documents.

18                   THE CLERK: "I am writing to you in your  
19      capacity of the Board of the Philadelphia Housing  
20      Authority.

21                   "As you may know, on February 20, 2003,  
22      City Council enacted Resolution 030117 authorizing  
23      Council's Committee on Law and Government, 'the  
24      failure of the Philadelphia Housing Authority and  
25      the four union locals; AFSCME District Council 47,

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2       Locals 2186 and 2187; AFSCME District Council 33,  
3       Local 934; and the Fraternal Order of Housing  
4       Police, to negotiate new contracts.'

5                   "The Resolution authorized the Committee  
6       Chair to issue subpoenas duces tecum to compel the  
7       attendance of witnesses and the production of  
8       documents in furtherance of this investigation.

9                   "Acting in my capacity as Committee  
10      Chair, on March 21st, I issued a subpoena to Carl  
11      Greene, Philadelphia Housing Authority's Executive  
12      Director to appear before the Committee, along with  
13      certain named documents on Thursday, March 27th at 5  
14      o'clock in Room 696, City Hall. The subpoena was  
15      duly served on Mr. Greene. Yesterday, I received a  
16      request from Mark Woolley, acting counsel to PHA, to  
17      both rescind the Resolution and to withdraw the  
18      subpoena to Mr. Greene. In this request, Mr. Woolly  
19      purported to analyze City Council's power to conduct  
20      the investigation and found Council's authority  
21      wanting. Mr. Woolly's analysis is completely  
22      without foundation and an insult to this legislative  
23      body.

24                   "I have informed Mr. Woolly that I fully  
25      expect his client to appear as instructed in the

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2 subpoena.

3                   The Philadelphia Housing Authority Board  
4 is ultimately responsible for the work of  
5 Philadelphia Housing Authority and its employees.  
6 As a member of that Board, you should not tolerate  
7 Mr. Greene disrespecting City Council or a subpoena  
8 issued by one of its duly authorized Committees.

9                   "Please notify Mr. Greene that you will  
10 insist on his appearance before the Law and  
11 Government Committee on March 27th, at 5 p.m. in  
12 Room 696, City Hall, along with the requested  
13 documents.

14                   "Thank you for your prompt cooperation  
15 with this request.

16                   "Sincerely, David Cohen."

17                   COUNCILMAN COHEN: To which came a  
18 response, which Mr. Kearney will now read. If you  
19 thought the first letter was disrespectful, note the  
20 change in the way the letter is addressed.

21                   THE CLERK: March 26, 2003, David Cohen,  
22 Council City, City Hall, Room 588, Philadelphia.

23                   This letter is on Philadelphia Housing  
24 Authority stationary from the office of the  
25 Executive Director, Carl R. Greene.

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2                   Regarding Resolution 030117 and subpoena  
3 for Carl Greene.

4                   "Dear Mr. Cohen, I am writing in  
5 response to your letter dated March 25, 2003,  
6 denying our request that you withdraw Resolution  
7 030117 and the subpoena issued to Carl Greene which  
8 orders his appearance in Room 696 of City Hall on  
9 Thursday, March 27th, 2003 at 5:00 p.m.

10                  "Contrary to your contention and  
11 pursuant to our research, we do not believe that the  
12 subpoena issued to Mr. Greene is enforceable. I am  
13 therefore advising Mr. Greene, as his attorney, not  
14 to comply with the subpoena and not to appear at the  
15 hearings authorized by Resolution 030117.

16                  "The Philadelphia Housing Authority is  
17 not an agency of the City of Philadelphia, and its  
18 employees are not City employees. Rather, the PHA,  
19 is organized under the laws of the Commonwealth of  
20 Pennsylvania and exists to develop, acquire, lease  
21 and operate low-rent housing programs. The PHA  
22 receives its funding from the Department of Housing  
23 and Urban Development, as well as from the  
24 Commonwealth of Pennsylvania. PHA receives minimal  
25 funding from the City of Philadelphia.

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2                   "Section 2-400 of the Philadelphia City  
3 Charter limits the City Council's authority to,  
4 'authorize inquiries and investigations,' to matters  
5 'in aid of its legislative powers and function.'  
6 Because the operations of the PHA and, in  
7 particular, PHA's negotiations with its labor  
8 unions, are not within the legislative powers and  
9 functions of the City Council, it is PHA's position  
10 that the investigations authorized by Resolution  
11 030117 and the related subpoena to Mr. Greene are  
12 improper.

13                   "Based on the foregoing, in addition to  
14 the reasons stated in my March 24th, 2003 letter to  
15 you, I have advised Mr. Greene not to appear at the  
16 hearings scheduled for Thursday March 27, 2003 at  
17 5:00 p.m., in Room 626 of City Hall. We, therefore,  
18 respectfully request that the City Council end the  
19 investigation purportedly authorized by Resolution  
20 030117.

21                   "In addition, we respectfully request  
22 that the subpoena issued to Carl Greene be  
23 rescinded.

24                   "Very truly yours, Mark Woolley, Acting  
25 General Counsel."



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2                   With a carbon copy to Honorable Nelson  
3                   Diaz, Honorable Joyce Wilkerson and Honorable  
4                   Jannie Blackwell.

5                   COUNCILMAN COHEN: You will note in the  
6                   second response, I'm no longer Councilman Cohen; I'm  
7                   just Mr. Cohen. So the arrogance of Mr. Woolley is  
8                   very clear.

9                   Representative Washington.

10                  MS. WASHINGTON: What I was going to say  
11                  was, since the State has a part in this -- at one  
12                  point Representative Dwight Evans was looking into  
13                  how maybe the State could take over the Housing  
14                  Authority and operation of it.

15                  (Applause.)

16                  COUNCILMAN COHEN: All right. I think  
17                  we're ready, Mr. Cronin, for your statement.

18                  We now have a clear record.

19                  Ms. Wilkerson, you know one of the  
20                  questions will be, from the City's point of view,  
21                  who runs PHA and what the authority is, as you  
22                  understand it, to be divided between the executive  
23                  Board and the executive director and the Board.

24                  Mr. Cronin, please proceed.

25                  MR. CRONIN: Thank you, sir.

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2                   COUNCILMAN COHEN: You will follow Mr.  
3 Cronin, just so you'll know the time element.

4                   Go ahead, Mr. Cronin.

5                   MR. CRONIN: I'll be sensitive to her  
6 time, so I'll be very brief.

7                   Let me say this, that I just have a very  
8 brief statement, and then I want to make a couple of  
9 comments about what is going on here today.

10                  The Philadelphia Housing Authority  
11 management negotiating team has been resistant on  
12 even compromising with respect to its proposed  
13 pension cut backs, despite the fact that we have  
14 made a reasonable counter-proposal, even offering to  
15 waive an entire year's salary increase in order to  
16 maintain the current level of pension benefits.  
17 This week we were told that no changes will be made  
18 to the PHA's pension proposal because the majority  
19 of other unions already accepted it. In other  
20 words, even if we wanted to negotiate on the terms  
21 of the plan amendment, we now have no opportunity to  
22 do so.

23                  In addition, we have asked PHA to  
24 clarify terminology it used in the proposed  
25 amendment. For example, we requested clarification

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2       as to the meaning of the, quote, total covered  
3       payroll, end of quote. Total covered payroll, which  
4       is used in the proposed amendment, but not defined  
5       in the basic plan document. No response from  
6       management has been forthcoming. No response from  
7       management has been forthcoming. This means that we  
8       don't even know what PHA's management proposal  
9       actually means.

10                   And we have a pension lawyer, a  
11       specialist sitting with us in these negotiations,  
12       and he doesn't even know what it means. So that's  
13       my brief statement.

14                   But let me, if I could, Chairman Cohen,  
15       say a couple other things.

16                   We were here not that long ago and I  
17       think that myself and the other unions in District  
18       Council 47 and the other locals testified and I know  
19       that the police union testified and was responsive  
20       to questions that the various Council people had.  
21       And we appreciated that opportunity. It is clear to  
22       me as we go through this process, and we've gone  
23       through this process now for almost a year -- this a  
24       year's extension -- that we are -- I guess people  
25       would hope that we're going to just die and go away

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2           or fall into line like some of the other unions, for  
3           whatever reason, they have done. I will assure  
4           everybody in this room that we are not going to go  
5           away.

6                   (Applause.)

7                   MR. CRONIN: I was hoping that Mr.  
8           Greene would testify, would come and testify, be  
9           able to able to answer question and that perhaps if  
10          we could get this pension proposal off the table we  
11          could have a decent shot at wrapping up a contract  
12          and getting on to the next one. But he has declined  
13          to appear before this Committee. Unless I'm wrong,  
14          I don't see any press here. Am I wrong on that? Is  
15          there print or electronic media here? They don't  
16          appear to be here, which is obviously disappointing  
17          to some of us, I guess in the union. So what the  
18          press generally says and what they seem to need is,  
19          they need to have an event, an occurrence, a  
20          happening before they will show up. So I'll tell  
21          what we're going to do.

22                   (Applause.)

23                   MR. CRONIN: This is not a threat. This  
24          is a concrete promise. Today Mr. Greene had an  
25          activity at Richard Allen Homes. For some reason,

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2       we were told there were scores of police and  
3       barricades that were put up at Richard Allen Homes.  
4       My guess is that they were for us. That's okay. We  
5       weren't there. But since Mr. Greene won't come  
6       before this Committee, won't honor a lawful subpoena  
7       -- and since the police are here, they can make note  
8       of this, because I see several friends back there --  
9       since he won't appear before this Committee,  
10      tomorrow, we will go to him.

11                   (Applause.)

12                   MR. CRONIN: So I'm putting everybody on  
13      notice, including my friends in the Civil  
14      Disobedience Squad and the Police Department, that  
15      you can count -- again, this isn't rhetoric -- you  
16      can count us being there in full force to confront  
17      Mr. Greene. We will be there. If he won't come to  
18      us, we'll go to him.

19                   (Applause.)

20                   MR. CRONIN: And let me further state  
21      that -- and I'm sure the press will show up for  
22      this. I'm sure they will. And since, again, people  
23      expect us to fall in line -- and let me make this  
24      real clear, because this is just as concrete as what  
25      I'm telling you is going to occur tomorrow. The

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2       battle ground will not stay, men. If it can't be  
3       settled at the negotiating table, it will go into  
4       the legislative arena. It will go into the courts.  
5       It will continue, if it can, at the negotiating  
6       table and it will definitely be in the streets.

7                   (Applause.)

8                   MR. CRONIN: We have all kinds of  
9       elections coming up in this City in a short while.  
10      Well, let me tell you -- people say, well, what are  
11      the issues? And the members say, they what they  
12      want to know what the issues are. Well, this is an  
13      issue. As I said before, the last time we were here  
14      what we see, what we see as a labor union -- and I  
15      know what other union see -- is the whittling away  
16      of our healthcare benefits. That is clear. As  
17      clear as I am sitting here and you're sitting there.  
18      The whittling away of our healthcare benefits and  
19      more and more people without healthcare and more and  
20      more people that are, quote, gainfully employed have  
21      to pay more and more so it wipes out any wage  
22      increase that they might have. This is the fact,  
23      really, at PHA for anybody who wants Personal  
24      Choice. This is what's going on. Again the  
25      movement is not to just to be content with trying to

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2       deprive people of their healthcare, but now trying  
3       to go after their pensions and that's exactly what  
4       the PHA proposal means. So, again, those people  
5       that are willing to give up 6, 7, \$8,000 out of  
6       their pensions, what measly, little pensions they  
7       get, and this guy is trying to take it away. We  
8       won't stand for that one minute. I am telling you,  
9       it won't go away.

10                   (Applause.)

11                   MR. CRONIN: You know, we don't drive  
12       around in fancy cars. We don't live in luxury  
13       apartments. We don't have the big healthcare. All  
14       we want is just a little something, just a little  
15       something for ourselves and our families. And if we  
16       have to fight to get it -- pardon my language --  
17       but, damn it, we will and we will show you that we  
18       can. So he won't come here. We'll go there.

19                   (Applause.)

20                   MR. CRONIN: Any questions you have,  
21       I'll answer them.

22                   COUNCILMAN COHEN: We'll hold the  
23       questions at the moment.

24                   I understand Tracy Jordan is here.

25                   Did you want to say something briefly

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2           before Ms. Wilkerson?

3                   Mr. Jordan, you're President of the  
4           Housing Police?

5                   MR. JORDAN: Yes, President of Fraternal  
6           Order of Housing Police.

7                   First, I want to thank the esteemed  
8           Members of Council for having us here and trying to  
9           help us work out these problems that we have.  
10          Unfortunately, I always seem to follow Tom. He's  
11          pretty strong. But he pretty covered everything I  
12          had written down on my notes. Except I thought, he  
13          probably could have used some stronger language.  
14          Mr. Greene is a piece of work, no doubt. I didn't  
15          want to come here and character assassinate or, you  
16          know, do name calling or finger pointing, but look  
17          at the disrespect. He just says that, I don't have  
18          to come here. But as you remember at the last  
19          meeting, he said that his attorney was out of town.  
20          But he has at least three attorneys in the room. I  
21          don't know why they can't answer questions, because  
22          Mr. Jarin was going to answer questions last time.

23                   And I want to speak in reference to all  
24          this letter writing go back and forth. All he had  
25          to was sit down with the unions. What's up with



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2           this letter writing campaign? It's just a total  
3           disrespect of not only you, but of us.

4                   (Applause.)

5                   MR. JORDAN: Yes, Mr. Greene is an  
6           outsider. He is from Detroit. And it seems like  
7           he's on a campaign to come here and destroy PHA  
8           workers. He might be building some beautiful  
9           buildings, spending a lot of money, but he's not  
10          giving it to the employees who are doing the work.  
11          He doesn't look good unless we do it for him.

12                  (Applause.)

13                  MR. JORDAN: He has a lot of degrees.  
14          He's been around. But he knows nothing about  
15          people. I have a family. And most of the people  
16          here have families and we don't have very much to  
17          look forward to. As you can tell, there are  
18          increases in gas and water and electric. There's a  
19          war going on, which makes it even more questionable  
20          about what the financial situation is going to be  
21          with social security in the future. But now he  
22          wants to attack the pension. It's ridiculous. It's  
23          reprehensible -- I'll take Jonathan Saidel's words.  
24          But Mr. Greene and some of his executives, they  
25          don't have a pension like we do. Why is that? Why

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2       does Mr. Greene, who has been working here going on  
3       five years, who is pretty much a transient because  
4       he's gone from town to town, why does he get to  
5       leave town with a bag full of money and we end up  
6       with nothing?

7                   (Applause.)

8                   MR. JORDAN: The letter that he sent, it  
9       had some truth but, of course, it's full of  
10      falsehoods, just like his PR campaign. Mr. Greene  
11      spends a great deal of money on PR. Why is that?  
12      Why does Mr. Greene spend close to a million dollars  
13      on public relations? Why does he do that? We're  
14      not a Fortune 500 company. What is he advertising?  
15      We have homeless. They need houses. They provide  
16      it for them. Homeless people know where to go. Go  
17      down to PHA, sign your name, you're put on a list,  
18      get a house. He's not selling anything. So why  
19      spend such a great deal of money on trying to build  
20      up PHA's image?

21                  I really don't want to sit here and take  
22      up a great deal of time. It's just something that I  
23      know myself and members of my executive Board, we  
24      battle constantly over some of these issues. We're  
25      very passionate about a lot of these things because

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2       we're in it. It's us. It's our future that they're  
3       talking about. And I don't want this individual to  
4       wreck our future and then roll out on a golden  
5       slide, like all the other big executives of Fortune  
6       500 companies, which we are not. Enron, WorldCom,  
7       all these big companies. Mansions. Luxury cars.  
8       Why does Mr. Greene need three cars? That's paid  
9       for PHA. Why is that? Why does he have three cars.  
10      Why do the executives --

11                   COUNCILMAN ORTIZ: He has three cars?

12                   MR. JORDAN: Yes, he has three cars.

13                   COUNCILMAN ORTIZ: He has three cars.

14                   MR. JORDAN: Three cars.

15                   COUNCILMAN ORTIZ: Ms. Wilkerson, is  
16      that right?

17                   MS. WILKERSON: I don't know.

18                   COUNCILMAN ORTIZ: What for, morning  
19      afternoon and evening?

20                   (Applause.)

21                   MR. JORDAN: Well, as you can tell, I  
22      had plenty of questions for Mr. Greene and I really  
23      wish that he was here. I made numerous attempts to  
24      meet with him throughout the year. He wouldn't.  
25      Now I see why. He's above meeting us little

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2           underlings. He must be from another world. I just  
3           can't understand why a guy like this could ever come  
4           to Philadelphia and stay here so long. He should be  
5           ran out of here on a rail. Do you understand what  
6           I'm saying?

7                   (Applause.)

8                   MR. JORDAN: I also want to thank the  
9           members of the unions for coming out. I know you  
10          have other things that you need to be doing too, but  
11          this is very important. And I want to thank the  
12          Councilmembers again. Thank you.

13                  (Applause.)

14                  COUNCILMAN COHEN: You know, one of the  
15          things I'm known for is being a partisan Democrat.  
16          And a large D, Democrat. I've been a Democrat  
17          because the Democratic Party has a program and a  
18          policy that's for -- in the words, stands for  
19          ordinary people, for the folks who live in the  
20          neighborhoods, for working people, for union people,  
21          for poor people. And it just seems like a terrible  
22          thing to have a City so strongly Democratic with a  
23          Democratic Mayor that doesn't act at all like a  
24          Democratic City ought to act.

25                  (Applause.)

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2                   COUNCILMAN COHEN: It's really shameful  
3           that this kind of a meeting takes place in the City  
4           of Philadelphia where we ought to be a model of how  
5           the Democratic Party works on behalf of minority  
6           people, on behalf of women, on behalf of all  
7           citizens. And to have to go to a Democratic city  
8           committee meeting, as I did about 10 days ago, as a  
9           Democratic ward leader -- and I've been a ward  
10          leader of the Democratic Party very proudly for 35  
11          years, but I've got to tell you, I wasn't very proud  
12          of the fact 10 days ago to go to a meeting and to  
13          find the place besieged by people demanding the  
14          right to work without discrimination. People who  
15          felt that unions were discriminating against them.  
16          That's not why unions exist. They exist for the  
17          opposite reason. And a Democratic Party government  
18          has to show that it's democratic. Why is it that  
19          when Democrats are elected, so many of them seem to  
20          turn Republican as soon as they take office. And  
21          that is a question the people of Philadelphia may  
22          have to answer very soon, because this is a year  
23          when every issue is going to be before the people of  
24          Philadelphia in the election that takes place in the  
25          May primary and in the November election. And I

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2       certainly hope that by the time of the November  
3       election the Democratic Party is going to cleanse  
4       itself of these unwholesome practices that frighten  
5       working people and make working people feel that it  
6       is the enemy, instead of the friend of working  
7       people. That's one of the major issues before us.  
8       Having rid myself of that feeling -- because it's a  
9       terrible feeling to be a Democrat and to feel my  
10      party, the party I've worked for for so many years,  
11      the party you've been working for for so many years,  
12      has turned its back on us, and is acting toward us  
13      like we're the enemy, when we're the people that  
14      installed that party into power because of its  
15      promises made to us. We're going to be working very  
16      hard to enable the Democratic Party to redeem  
17      itself. That redemption is going to turn  
18      Philadelphia around so that it's going to be a model  
19      City. When we say it's Democratic City, we're going  
20      to get to be proud of it.

21                   Ms. Wilkerson, excuse me for that  
22      oration before, but I just had to say that. We've  
23      known you for a long time. We know you're not  
24      totally your own boss because you work for people  
25      and you have an attorney, so we will respect your

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2           rights. If there's anything you want to say first,  
3           we're going to permit you, but Councilwoman  
4           Blackwell wishes to be heard.

5                   Councilwoman Blackwell.

6                   COUNCILWOMAN BLACKWELL: Thank you.

7                   COUNCILMAN COHEN: Tell us if you're  
8           here on a double purpose or a single purpose. We'll  
9           respect either one.

10                  COUNCILWOMAN BLACKWELL: Thank you. I  
11           don't suppose that I cannot speak for double  
12           purpose.

13                  As we spoke about our last hearing, I  
14           succeeded Governor Rendell on the PHA Board. I  
15           fought to be on that Board because I believe in  
16           housing for everybody, from those who are homeless  
17           to those who want Philadelphia Housing Authority  
18           units and conventional housing and all the way up  
19           the line. So I fought very, very hard to be on this  
20           Board. And I'm very proud to be on the Philadelphia  
21           Housing Authority Board for all the possibilities it  
22           can bring. And obviously I'm proud to be a member  
23           of City Council, and the majority Chair and the  
24           majority leader in finance Chair.

25                  Having said that, at the last meeting

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2       the Chair called on me. Councilman Cohen asked me

3       to make a statement. At that time we said that we

4       would try to meet to see if we could be helpful.

5       Obviously, it didn't work or we wouldn't be here

6       today. But I do want to report for the record,

7       Councilman Cohen, that we did try to meet. We met

8       with Rodney Little. We met with Tom and Mr. Jordan

9       and Tom Cronin and Cathy and other members who are

10      here to try to discuss. After a full briefing --

11      when we left here, I called Mr. Greene, asked him

12      for a briefing, which I received, so that I could at

13      least be literate on some of the issues. We did

14      meet in the Caucus Room upstairs last week and had a

15      discussion. The union members, Mr. Little and

16      several others, about six members and I had three of

17      my staff there to try to see if there was any way

18      that we could be helpful in resolving the issue.

19      Albeit, we were not helpful, although we tried. I

20      did want to report to the Committee that we did try

21      to meet our obligation and our responsibility. We

22      wanted to be helpful. We've been through this

23      pension fight before. I've been through this with

24      so many of you in the room and we're sorry we

25      weren't successful, but we're still committed to



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2           doing all that we can, myself as the PHA  
3           Commissioner, as well as a Councilperson, to be  
4           successful. I still believe that there is a  
5           solution to every problem. As Lu used to say, if we  
6           all work together, everybody can win.

7                   Thank you, Mr. Chairman.

8                   (Applause.)

9                   COUNCILMAN COHEN: Councilman Nutter.

10                  COUNCILMAN NUTTER: Thank you, Mr.  
11           Chairman. I appreciate the accommodation. I know  
12           that you have many questions, but we had talked  
13           about this hearing and I mentioned to you that I had  
14           a pressing engagement at 6:30. So I appreciate you  
15           taking me out of order.

16                  I just have a couple questions based on  
17           some of the statements and the letters, as well as  
18           the prime issue that brings us here today. And I  
19           wanted to ask Ms. Wilkerson, Chief of Staff  
20           Wilkerson, a couple questions.

21                  Ms. Wilkerson, based on some of the back  
22           and forth with the letters and also some of the  
23           testimony that we heard earlier, I just want to  
24           refresh my recollection with regard to Mr. Greene  
25           and his tenure at PHA. How long has Mr. Greene

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2           actually been here? Do you remember when he  
3           started?

4                   MS. WILKERSON: I don't remember. My  
5           name is Joyce Wilkerson. I'm Chief of Staff to  
6           Mayor Street.

7                   I believe Mr. Greene has been here  
8           approximately five years now. Five years this  
9           spring.

10                  COUNCILMAN NUTTER: He came sometime in  
11           '98, if my recollection is correct.

12                  MS. WILKERSON: March 1998. I've been  
13           advised it's March 1998.

14                  COUNCILMAN NUTTER: And I seem to recall  
15           that -- technically, does Mr. Greene actually work  
16           for PHA or -- I seem to recall there was an  
17           arrangement made wherein he would actually have a  
18           multi-year contract with PHDC; is that my  
19           recollection?

20                  MS. WILKERSON: I'd have to check on  
21           that. I think initially there was some arrangement.  
22           There was some residual arrangement that involved  
23           PHDC. I don't remember the details of that. And I  
24           don't know that that's still in place.

25                  COUNCILMAN NUTTER: Okay. I think

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2           initially it was for the purpose of trying to have a  
3           multi-year arrangement that provided some amount of  
4           continuity and ability, but I think PHA cannot  
5           engage in multi-year contracts and so the  
6           arrangement was to do a contract through PHDC. Do  
7           you recall that?

8                   MS. WILKERSON: I don't remember the  
9           details of that. I'd have to get you something.

10                  COUNCILMAN NUTTER: Do you know whether  
11           there is any contract presently with Mr. Greene and  
12           PHDC or does he actually receive --

13                  MS. WILKERSON: I believe it's a  
14           contract directly between the Housing Authority and  
15           Mr. Greene, but I can get you the details on that.

16                  COUNCILMAN NUTTER: Does the contract  
17           have a term?

18                  MS. WILKERSON: I believe it's a year to  
19           year contract.

20                  COUNCILMAN NUTTER: And what is Mr.  
21           Greene's salary?

22                  MS. WILKERSON: Mr. Greene's current  
23           salary is approximately \$179,000 annually.

24                  COUNCILMAN NUTTER: I'm sorry. I  
25           couldn't hear the rest.

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2                   MS. WILKERSON: It's approximately  
3                   \$179,000 a year and then there are provisions for  
4                   bonuses depending on performance. It's a contract  
5                   that is substantially lower than housing authority  
6                   directors for housing authorities of comparable  
7                   size.

8                   COUNCILMAN NUTTER: Can you provide to  
9                   us through the Chair a complete and signed copy of  
10                  the contract, any amendments or addendums or other  
11                  components of that particular contract, as well as  
12                  any listing of other benefits? I heard the issues  
13                  about the cars. I don't know anything about that,  
14                  but if there are any car issues, housing issues or  
15                  other components, other contracts, I'd appreciate it  
16                  through the Chair if we could receive those  
17                  documents.

18                  Now, with regard to the present issue,  
19                  when we were here, I think it was 2 weeks ago or 10  
20                  days ago, the issue with regard to the pension  
21                  proposal, can you tell us for the record and I think  
22                  you -- I don't think -- I know you're also a member  
23                  of the PHA Board?

24                  MS. WILKERSON: Yes.

25                  COUNCILMAN NUTTER: You're still Vice

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2           Chair?

3                   MS. WILKERSON: I'm Chairman of the  
4           Board of the Housing Authority.

5                   COUNCILMAN NUTTER: What is the proposal  
6           with regard to the pension?

7                   MS. WILKERSON: When I came here I spoke  
8           with the Chair and indicated that I was willing to  
9           come as in my capacity as Chief of Staff to the  
10          Mayor. I'm not prepared to talk about the  
11          negotiations that are ongoing.

12                  COUNCILMAN NUTTER: I understand. I  
13          apologize. I wasn't aware of that conversation. I  
14          respect your conversation with the Chair. I don't  
15          wish to talk about the negotiations, but I was  
16          wanting to just better understand what the proposal  
17          is. The proposal itself is not a secret, is it?

18                  MS. WILKERSON: I'm not prepared to  
19          engage in a conversation or a discussion or testify  
20          with respect to the terms of the negotiation, the  
21          positions of the parties.

22                  COUNCILMAN COHEN: Councilwoman Tasco.

23                  COUNCILWOMAN TASCO: Can I have a point  
24          of order, please, Mr. Chairman? I am not a member  
25          of the Committee. I am just a member of City

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2       Council who came in to hear what's going on. I have  
3       a question.

4                   Since the other unions have signed the  
5       agreement and they're not in negotiations, could you  
6       tell us what you signed with them?

7                   MS. WILKERSON: I believe we're making  
8       available to the Committee copies of the contracts  
9       with the other unions. I am not in a position to  
10      cite chapter and verse, all the terms and conditions  
11      that were agreed to in those contracts.

12                  COUNCILMAN COHEN: No contracts have  
13      been made available to the Committee.

14                  MS. WILKERSON: We're going to make  
15      those available today. I've directed that they  
16      bring those contracts here and make them available.

17                  COUNCILWOMAN TASCO: Thank you.

18                  COUNCILMAN COHEN: Councilman Nutter.

19                  COUNCILMAN NUTTER: Well, Mr. Chairman,  
20      again, I know that there was -- we know from the  
21      Chief of Staff's testimony that there was a  
22      conversation between Chief of Staff Wilkerson and  
23      yourself with regard to the capacity in which she is  
24      testifying, and I think she's also laid out what  
25      she's prepared to discuss or not discuss and I

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2       respect her prerogative in that regard. My  
3       questions were in this area were around the terms  
4       the proposal. It will be difficult for me to ask  
5       further questions about the pension issue if the  
6       Chief of Staff is not in a position or prepared to  
7       continue that discussion.

8                   COUNCILMAN COHEN: May I suggest,  
9       Councilmen Nutter, that you ask the questions and  
10      Ms. Wilkerson will make her decision as to each  
11      question. I believe your questions are appropriate  
12      and she can answer them if -- I understood you  
13      wanted to know in general whether or not --

14                  COUNCILMAN NUTTER: Well, I'll get to  
15      that, Mr. Chairman. Thank you.

16                  COUNCILMAN COHEN: All right. Why don't  
17      you ask -- I don't want Ms. Wilkerson to be in a  
18      position where she is violating the instructions  
19      that the attorney gave her.

20                  COUNCILMAN NUTTER: I understand.

21                  MS. WILKERSON: Mr. Chairman, I came out  
22      of respect for this Body. You represented to me  
23      that you were interested in having me come in my  
24      capacity as Chief of Staff and I'm here in that  
25      capacity. And I would ask that that commitment be

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2           respected at this hearing.

3                   COUNCILMAN NUTTER: Mr. Chairman, let me  
4           ask this one last question then.

5                   Ms. Wilkerson, with regard to the  
6           pension issue, in your capacity as the Chief of  
7           Staff, are you aware of any discussions, ideas, or  
8           proposals that would result in any proposal to have  
9           the terms and conditions of the PHA pension become  
10          applicable to the City of Philadelphia pension?

11                  MS. WILKERSON: What I can tell you is  
12          that I serve in my capacity as a PHA Board member in  
13          a way that's consistent with traditional Board  
14          members. I have a fiduciary obligation to the  
15          Philadelphia Housing Authority and that's distinct  
16          from the role that I play as Chief of Staff. It's  
17          something that gets played out. It's a conflict  
18          that's, at times, hard. As the Councilwoman can  
19          tell you, we've even had to seek guidance from HUD  
20          from time to time in an effort to keep the roles  
21          distinct. And in appreciation for the fact that it  
22          is a separate authority, its own corporate entity.  
23          And that kind of provision is also something that  
24          exists with respect to just a whole host of issues,  
25          and there is nothing that seeks to drive a



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2           consolidated position. That has not happened around  
3           any issues, any labor issues.

4                   COUNCILMAN NUTTER: Madam Chief of  
5           Staff, you are rapidly attaining -- you're one the  
6           best.

7                   (Applause.)

8                   COUNCILMAN NUTTER: I know you said  
9           something --

10                  MS. WILKERSON: What I don't want to do  
11           so talk specifically about these negotiations.  
12           There is a separation.

13                  COUNCILMAN NUTTER: I understand. You  
14           don't want to be over in negotiations. I'm not  
15           going to get you to talk about negotiations, so I'm  
16           not trying to talk about negotiations. What I am  
17           trying to understand is, on the pension issue -- and  
18           I know you have a dual capacity here -- so what I am  
19           trying to understand is, in terms of whatever the  
20           proposal is on the PHA pension, what I want to know  
21           is on the City side of your dual role, has there  
22           ever been a discussion or a meeting or a  
23           conversation or a suggestion or an idea that the PHA  
24           pension proposal may become an idea or a suggestion  
25           or a proposal to be utilized on the City pension

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2           system?

3                   MS. WILKERSON: Let me be more succinct.

4           No.

5                   COUNCILMAN NUTTER: Okay. Well, then  
6           based on that answer I would say if it is being  
7           proposed for PHA for whatever reason, is there a  
8           reason -- and I have to believe that it's related to  
9           cost or how the pension fund is performing. Is  
10          there a reason why it would not be proposed for the  
11          City pension? I mean, the shorter version of the  
12          question is, if it's good enough for PHA, which is a  
13          smaller system, why wouldn't it be utilized for the  
14          City systems, which is a larger system and  
15          ostensibly there would be commensurate savings?

16                  MS. WILKERSON: I am not prepared to  
17          really talk about the City's pension fund. They are  
18          a completely different pension fund. They're  
19          virtually no terms and conditions that are the same.  
20          The health of the funds is completely different.  
21          The time of vesting is different.

22                  COUNCILMAN NUTTER: I understand. I'm  
23          just trying to understand the distinctions between,  
24          you know, if one idea is good over here for one  
25          system, then is it good enough on the other side.

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2 One last question.

3 MS. WILKERSON: As you know, the City's  
4 pensions are -- the terms and conditions have a lot  
5 to do with the City Council as opposed to --

6 COUNCILMAN NUTTER: Is there a Board  
7 over the pension for PHA?

8 MS. WILKERSON: PHA has a Pension Board.

9 COUNCILMAN NUTTER: Is it separate and  
10 apart from the PHA Board? Is there any overlap?

11 MS. WILKERSON: I believe there is no  
12 overlap currently. I can get you a document.

13 COUNCILMAN NUTTER: I have a document.  
14 It appears to be a nine-member Board?

15 MS. WILKERSON: I don't remember right  
16 off.

17 COUNCILMAN NUTTER: Are there any  
18 members of the union on the Board?

19 MS. WILKERSON: I don't know who's on  
20 the Board right now.

21 COUNCILMAN NUTTER: The document I have  
22 says, Philadelphia Housing Authority Pension Board,  
23 nine-member Board. Michael Leadhead, Michael  
24 Crofton, Anthony Accioni (ph), James Jones, Helen  
25 Ferris, Carl Greene, Jerry Meadows, Keith Caldwell,

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2           Sam Staten, Sr. Now, what unions are covered by the  
3           Philadelphia Housing Authority pension?

4                   Don't try to avoid it. I don't bite.

5           You might as well come on up.

6                   MS. WILKERSON: Mark Foley is one of the  
7           lawyers who represents the Housing Authority.

8                   COUNCILMAN NUTTER: Again, I'm looking  
9           at -- I know the City pension system well. I know  
10          how many reps there are and all four our municipal  
11          unions represented on the Board. So I'm just trying  
12          to understand the representation issue.

13                   Please identify yourself for the record.

14                   MR. FOLEY: I'm Mark Foley of Klett,  
15          Rooney, Lieber & Schloring, and counsel to the  
16          Housing Authority.

17                   COUNCILMAN ORTIZ: Speak directly into  
18          the microphone.

19                   MR. FOLEY: I have been involved in the  
20          negotiations for the Housing Authority.

21                   COUNCILMAN NUTTER: I know we're not  
22          going to talk about negotiations, but I am trying to  
23          understand, how many unions are there at PHA?

24                   MR. FOLEY: There is AFSCME District  
25          Council 47, which is Mr. Cronin's union, and there

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2       are two locals within that union, 2187 and 2186.  
3       There is AFSCME District Council 33, which is Mr.  
4       Matthews union. There is the Building and  
5       Construction Trades Council of Philadelphia, which  
6       is headed by Mr. Gillespie and all the constituent  
7       trades within that group. There is also the  
8       Fraternal Order of Housing Police, which is Mr.  
9       Jordan's union. And I believe -- there's one other  
10      union that is that negotiates with the Building and  
11      Construction Trades Council and that is the Fireman  
12      and Oilers. And they have a historical quirk; they  
13      have their own separate collective bargaining  
14      agreement. And I believe that is all of the unions  
15      at the Housing Authority.

16                   COUNCILMAN NUTTER: Who appoints the  
17      members of the Board?

18                   MS. WILKERSON: I don't remember that  
19      right off. I know that there's a resolution that  
20      prescribes the membership. I'd have to provide that  
21      resolution to you.

22                   COUNCILMAN NUTTER: Let me ask one last  
23      question. James Jones, General Manager, Human  
24      Resources, 2133 Arch Street; is that a PHA person?

25                   MR. FOLEY: Yes.

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2                   COUNCILMAN NUTTER: So what I see on  
3 this list is a nine-member Board, seven of whom work  
4 for PHA. And you have a Michael Crofton,  
5 Philadelphia Trust Company, and Sam Staten, Sr., for  
6 Local 332. I asked you how people get on and we're  
7 not exactly sure at the moment how people get  
8 appointed to the Pension Board. Is there any  
9 particular reason why the constituent unions or  
10 their representatives of the bulk of the work force  
11 are not on the Pension Board?

12                  MR. FOLEY: My understanding is that it  
13 has been that way for quite sometime. I don't know  
14 the origins of that.

15                  COUNCILMAN NUTTER: So we're just  
16 talking about tradition?

17                  MR. FOLEY: Well, I thought the  
18 Councilman's question was, how did that come to be,  
19 and I really don't know the answer.

20                  COUNCILMAN NUTTER: But you also don't  
21 know how people get appointed to the Board? Does  
22 the PHA governing Board appoint people to the  
23 Pension Board?

24                  MR. FOLEY: I'm trying to be responsive  
25 to your question. There is counsel to the Pension

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2       Board, and that is not me. So I don't know the  
3       answer to a lot of the questions that the Councilman  
4       is asking.

5                   COUNCILMAN NUTTER: Okay. My last  
6       question, I promise, Mr. Chairman.

7                   Chief of Staff Wilkerson, can you  
8       provide to the Committee a listing of all of the  
9       attorneys who work on behalf of both the Housing  
10      Authority Board and the Housing Authority Pension  
11      Board, what their roles are, terms and conditions of  
12      their work, or what it is that they've been assigned  
13      to work on and the dollar value associated with  
14      their contracts? You can provide that to the Chair?

15                  MS. WILKERSON: Yes.

16                  COUNCILMAN NUTTER: Thank you.

17                  Mr. Chairman, thank you.

18                  COUNCILMAN ORTIZ: Councilwoman Tasco,  
19      please.

20                  COUNCILWOMAN TASCO: Good afternoon, Ms.  
21      Wilkerson. I just want to ask you about process.  
22      I'm going to try to respect your role here as Chief  
23      of Staff, although it's very difficult to separate  
24      those roles out. The Pension Board is appointed by?  
25      Who appoints the Pension Board?

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2 COUNCILMAN ORTIZ: They don't know.

3 MS. WILKERSON: I was going to provide  
4 the Committee with a copy of the resolution.

5 COUNCILWOMAN TASC0: Oh, did he ask that  
6 question earlier? I know we have the list. I just  
7 want to know.

8 MS. WILKERSON: There's a resolution  
9 that identifies -- I think some are positions as of  
10 right, but I don't remember off the top of my head  
11 the exact --

12 COUNCILWOMAN TASC0: Is it the Pension  
13 Board that determines what the pension negotiations  
14 will be? Who makes that determination of what the  
15 proposals will be? What are their duties? What is  
16 the duty of the Pension Board? What are the duties  
17 of the Pension Board.

18 MS. WILKERSON: I'll provide you with a  
19 document, so I'm not trying to recall from the top  
20 of my head what the responsibilities are. I'll  
21 provide the documentation that identifies the roles  
22 and responsibilities of the Pension Board.

23 COUNCILWOMAN TASC0: Who negotiation the  
24 contracts?

25 MS. WILKERSON: The contracts are



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2       negotiated by the Housing Authority through its  
3       executive director. The contracts are approved by  
4       the Board of Directors.

5                   COUNCILWOMAN TASC0: Of?

6                   MS. WILKERSON: Of the Housing  
7       Authority.

8                   COUNCILWOMAN TASC0: What role does the  
9       Pension Board play?

10                  MR. FOLEY: The Pension Board really  
11       plays no role in the collective bargaining  
12       negotiations. The Board administers the funds,  
13       deals with the investment decisions, processes  
14       claims, conducts audits, things of that sort. Sort  
15       of the normal things a Pension Board would do.

16                  COUNCILWOMAN TASC0: So they have no  
17       role in negotiating or had no role negotiating the  
18       contract that has been signed by some of the unions  
19       in other negotiations that are going on with the  
20       other unions?

21                  MR. FOLEY: That's right. Yes.

22                  COUNCILWOMAN TASC0: So it is the  
23       executive director of the PHA along with the labor  
24       unions that negotiate the contracts and then the  
25       Board of PHA ratifies the negotiations?

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2 MS. WILKERSON: The Board approves  
3 contracts. The contracts also, I believe, have to  
4 go to HUD for HUD's review and approval.

5 COUNCILWOMAN TASC0: So with the  
6 exception of these locals that are here today, the  
7 other contracts have been signed and approved by  
8 HUD?

9 MR. FOLEY: Yes.

10 COUNCILWOMAN TASC0: Okay. Thank you  
11 very much.

12 COUNCILMAN ORTIZ: Ms. Wilkerson. Mr.  
13 Woolley, is that the correct spelling?

14 MR. FOLEY: No. It's actually Mr.  
15 Foley, Councilman.

16 COUNCILMAN ORTIZ: Oh. Sorry. You're  
17 not Mr. Woolley?

18 MR. FOLEY: I am not Mr. Woolley; I am  
19 Mr. Foley.

20 COUNCILMAN ORTIZ: Ms. Wilkerson, on  
21 this letter dated March 26th, I'd just like to get  
22 your impression. Do you believe this Council has  
23 the right to bring PHA and question the policies of  
24 PHA as it affects the citizens of Philadelphia?

25 You're taking too long. A yes or no

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2           answer. It's either yes or no.

3                   MS. WILKERSON: I think that there  
4           probably are matters that the Housing Authority is  
5           involved in that the City Council can explore with  
6           the Housing Authority.

7                   COUNCILMAN ORTIZ: Do you believe City  
8           Council has a right, a duty, to look into the public  
9           policies of PHA as it affects the citizens of  
10          Philadelphia and their employees?

11                   I understand that they get their funding  
12          from the federal government. The Board is appointed  
13          by City officials. It is City officials who  
14          monitor, supervise and run the agency. Do you  
15          believe -- and it's just a simple yes or no answer  
16          -- that this Body has a right to look into the  
17          public policies of PHA? Yes or no.

18                   MS. WILKERSON: I gave you my answer.

19                   COUNCILMAN ORTIZ: No, you didn't give  
20          me your answer. You said that there are certain  
21          matters -- I said, do we have a right as a  
22          legislative body to look into the public policies of  
23          PHA?

24                   MS. WILKERSON: I think there probably  
25          are a lot of areas where this Board has the

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2           authority to explore the policies.

3                   COUNCILMAN ORTIZ: You cannot select and  
4           choose. I mean, we either have or we don't have the  
5           right.

6                   MS. WILKERSON: That's my answer.

7                   COUNCILMAN COHEN: What was your answer?  
8           I'm sitting right in front of the witness and I  
9           can't hear her because she's not speaking into the  
10          mike. Please speak into the microphone.

11                  MS. WILKERSON: My answer is I believe  
12          there are areas where this Council probably does  
13          have the right to investigate the practices and  
14          policies of the Housing Authority. That's my  
15          answer.

16                  COUNCILMAN ORTIZ: Do you believe that  
17          an attorney of PHA's can tell this legislative body,  
18          fully elected by the people of Philadelphia, that we  
19          have embarked on something that is not within our  
20          legislative powers and functions? And not only  
21          that, he respectfully requests that the City Council  
22          end the investigation authorized by Resolution  
23          030117. I have never, ever encountered such an  
24          arrogant statement from a lawyer from a public  
25          agency.

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2 (Applause.)

3 COUNCILMAN ORTIZ: Not even the Mayor of  
4 this City has ever told us end one of our hearings.  
5 And an attorney -- is this approved by the Board?  
6 Is this the policy of the Board of PHA?

7 MS. WILKERSON: This is legal advice.

8 COUNCILMAN ORTIZ: I didn't ask that. I  
9 said, is this the policy of the Board of PHA? Does  
10 the Board of PHA say this body has no jurisdiction  
11 or no power to investigate public policies of PHA.

12 Has anyone taken a position on that?

13 MS. WILKERSON: The Board has not taken  
14 a position.

15 COUNCILMAN ORTIZ: I think you should.  
16 I think you should as a Board.

17 (Applause.)

18 COUNCILMAN ORTIZ: I want clarification  
19 from the Board of PHA whether this Board believes  
20 that City Council has the right to look the into  
21 public policies of PHA and its effect in the  
22 employees and citizens of the City of Philadelphia.  
23 This is not acceptable.

24 (Applause.)

25 COUNCILMAN COHEN: Let me put the

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2       question a little bit different from the way  
3       Councilman Ortiz asked it, though I felt his  
4       questions were very appropriate. Tell me, who is  
5       the boss? Who gives whom direction? Does the Board  
6       tell the executive director what to do or does  
7       executive director tell the Board?

8                   MS. WILKERSON: The Board of the Housing  
9       Authority sets the policy governing the Housing  
10      Authority. The Housing Authority also operates  
11      within the framework established by the federal  
12      government. And so the federal government provides  
13      the vast majority of the funding to the Housing  
14      Authority. The federal government audits the  
15      Housing Authority. The federal government, for  
16      example, audits the personnel practices of the  
17      Housing Authority and provides certain framework  
18      within which the Housing Authority operates. So PHA  
19      is responsive to any number of different  
20      authorities. State law also is something that  
21      regulates the operation of the Housing Authority.

22                  COUNCILMAN COHEN: The attorney who  
23      wrote on behalf of the Board, was it Mr. Woolley?  
24      Mark Woolley.

25                  COUNCILMAN ORTIZ: Mr. Chairman.

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2                   COUNCILMAN COHEN: Tell me who directed  
3 him -- who gave him instructions? Did the Board  
4 tell him, let City Council know that we think they  
5 don't have authority? Did the Board reach that  
6 decision?

7                   MS. WILKERSON: The Board didn't take a  
8 position on that issue.

9                   COUNCILMAN COHEN: The Board did not?

10                  COUNCILMAN ORTIZ: I think they should.

11                  COUNCILMAN COHEN: Well, I not only  
12 think they should, but what's the purpose of having  
13 a Board?

14                  (Applause.)

15                  COUNCILMAN COHEN: I want everybody in  
16 the audience to know I have and I think all the  
17 members of the Council have a high regard for the  
18 witness. She's worked in City Council for many  
19 years. She did an outstanding job. Now, when you  
20 work for somebody you have to follow their policies.  
21 When she works for the Mayor, she may have to follow  
22 different policies than when she worked for the City  
23 Council. But what we're trying to do is not  
24 embarrass you. What I'm trying to do is find out  
25 who makes the decisions for the Board. For PHA in

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2           this area. Your answers are accurate. I can  
3           understand sometimes the Housing Authority may have  
4           full power to do and instruct the Board as to what  
5           to do or instruct the executive director. But in  
6           this case, where PHA is being asked to appear here,  
7           who had the authority to tell Mr. Greene or Mr.  
8           woolly that they had the freedom to write these  
9           letters to Council?

10                   MS. WILKERSON: I don't want to --

11                   COUNCILMAN COHEN: Now, that would be in  
12           your jurisdiction as Chief of Staff.

13                   MS. WILKERSON: With Board hat on. I  
14           don't want to set Mr. Greene adrift. He has kept  
15           the Board apprised. The union did appear at a PHA  
16           Board meeting and presented the union's position at  
17           the Board meeting. I did know that Mr. Greene was  
18           not going to be appearing here, so I don't want to  
19           imply that Mr. Greene was acting completely outside  
20           the purview of the Board. There was no Board  
21           resolution, for example, saying the Housing  
22           Authority will not appear in City Council. That did  
23           not happen. But I personally was aware that the  
24           Housing Authority was not going to be coming here to  
25           testify about the negotiations and support that



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2       decision.

3                   COUNCILMAN COHEN: Well, tell me if this  
4       Committee decides -- or the Chairman of the  
5       Committee as authorized by the resolution decides  
6       that the Board members should be subpoenaed, because  
7       I just think it's awfully important for us to know  
8       who sets the power, and we have to know is it the  
9       Board or is it the director. Because if the Board  
10      agrees with the director, despite the fact that I  
11      know each member of the Board very well over long  
12      periods of time, I may find that, in addition to  
13      requesting that Mr. Greene be disciplined for  
14      discourteous conduct toward the City Council and  
15      disrespectful conduct, it might involve members of  
16      the Board, but I just don't know who is responsible  
17      for this action. Did the Mayor authorize this?

18                  MS. WILKERSON: The Mayor is not  
19      involved in this. The Mayor actually directed me to  
20      come today. But for that -- we don't want to have a  
21      donnybrook with City Council. The Housing Authority  
22      has tried very hard to work more closely with  
23      Councilmembers over the course of the last five  
24      years than it has historically. So what we don't  
25      want is a donnybrook. We think that PHA is a very

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2       valuable partner, particularly in the neighborhoods  
3       of Philadelphia, and we value the relationship that  
4       the Housing Authority has developed with the City.  
5       We think it serves the citizens of Philadelphia. We  
6       provide a better housing product. We're  
7       coordinating on social service issues. The Police  
8       Department --

9                   COUNCILMAN COHEN: Please. Please.  
10      Everybody be in order. I think what the audience is  
11      saying, they think the City Administration ought to  
12      put its money where its mouth is.

13                   (Applause.)

14                  COUNCILMAN COHEN: Because you might be  
15      right in theory, but certainly the way in which it's  
16      been reported that PHA is acting is not as if it  
17      wants to treat people the way the City Council  
18      thinks people ought to be treated. And, therefore,  
19      that's the reason we extended the courtesy of  
20      inviting Mr. Greene to come and we got this very  
21      terse letter from an outside attorney. I think it  
22      was Kenneth Jarin, if my memory is right. The very  
23      first communication from an outside firm saying, I'm  
24      out of town. Telling us, oh, he's got important  
25      business out of town, much more important than City

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2       Council's business; therefore, nobody could come.  
3       We ate that. We didn't like to eat it, but we ate  
4       it. We then went on and politely invited Mr.  
5       Greene. When we get a letter -- maybe because  
6       somebody was worried about our questioning you about  
7       phase -- this time from a house counsel apparently,  
8       saying that he's not going to come. And then we did  
9       what we finally had to do, which was the subpoena.  
10      It is not pleasant in government to be subpoenaing  
11      people that we'd like to regard as colleagues,  
12      working together with us for the betterment of the  
13      City. But when they try to tell us to butt out,  
14      that we have no business making a study, that they  
15      are imperial in their own right and make their own  
16      laws, that makes it pretty difficult. So we then  
17      subpoenaed. And then to get this kind of letter,  
18      two letters from Mr. Woolley, I don't know whether  
19      I've ever seen the man -- and I'm told he's in the  
20      room here -- does he want to come forward and  
21      explain?

22                               (Applause.)

23                   COUNCILMAN COHEN: There's only two  
24      bodies that can separate me from my being a  
25      Councilman; one is the Lord, who has the power to do

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2           it at any time, and the other is voters. But Mr.  
3           Woolley did it in the second letter. I was no  
4           longer Councilman Cohen. I was just Mr. Cohen. I  
5           had no title. It was not as if I was Chairman of  
6           this Committee, because he never referred to the  
7           committee. He just referred to Mr. Cohen. Taking  
8           away my post. He's a little premature.

9                   MS. WILKERSON: Councilman , I think  
10          that --

11                  COUNCILMAN COHEN: Really, the behavior  
12          of PHA at best has been abominable.

13                  MS. WILKERSON: I would hope that this  
14          would not destroy what we've been trying to create  
15          as a very productive relationship. I think that the  
16          collective bargaining process presents probably a  
17          very unique situation that is actually between the  
18          union and management and that relationship is a  
19          relationship that is probably unique. I can't think  
20          of very many other issues where the Housing  
21          Authority would assert the kind of position that  
22          it's asserted in this instance.

23                  COUNCILMAN COHEN: When will Mr. Greene  
24          be here, ready with the documents? When would he  
25          come here with the documents? Tomorrow, Monday,

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2 Tuesday?

3 MS. WILKERSON: I think we might have  
4 them now.

5 COUNCILMAN COHEN: And if Mr. Woolley  
6 comes forward, we'd like to know the answer?

7 MR. FOLEY: Councilman, I had asked  
8 somebody to run back to my office to bring you, as  
9 Chief of Staff asked us to do, to bring copies of  
10 the contracts. And the copies that were in my  
11 office have my scribbling on them, so we'll get some  
12 clean copies and we can get those to you first thing  
13 in the morning.

14 COUNCILMAN COHEN: That might handle the  
15 duces tecum part, but how about the basic subpoena  
16 part?

17 MR. FOLEY: The other thing I wanted to  
18 just amplify in terms of what Joyce had been saying,  
19 is that we treat and consider the collective  
20 bargaining process to be something --

21 COUNCILMAN COHEN: That you can exclude  
22 City Council from?

23 MR. FOLEY: Well, I think what I'd  
24 like --

25 COUNCILMAN COHEN: You can from the

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2           process. You don't have to exclude us. We stay  
3           away from it. But when City employees complain  
4           about the way they're treated during the process,  
5           then we have a very strong and legitimate interest  
6           in finding out what's wrong with that process.

7                   MR. FOLEY: And I respect the  
8           Councilman's view. My own experience is that the  
9           best way to settle collective bargaining agreements  
10          are for the parties to sit and work through the  
11          issues and we've been doing that.

12                   (Audience reacts.)

13                   COUNCILMAN COHEN: Not successfully,  
14          because aren't you a year late?

15                   (Applause.)

16                   MR. FOLEY: Councilman, we have worked  
17          through the process with two of our unions already.  
18          The process is continuing.

19                   COUNCILMAN COHEN: But Mr. Foley, I  
20          respect your opinion about your powers and your  
21          views, that it would be better to leave you alone.  
22          That's your view. But we're asking you to respect  
23          our view, that it's important that we get involved  
24          to the point of making sure that there is a process  
25          ongoing. The content is within PHA and the union's

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2       powers. But we want to make sure that contracts get  
3       signed on time. And we want to know if they don't  
4       get signed on time, whose fault it is. We will be  
5       as bitter and as complaining toward the union, if  
6       they are at fault, as we are with you. But we don't  
7       have any authority over the union. They are not  
8       related to City, but we believe we have authority to  
9       determine why an agency with the important duties of  
10      PHA has failed to come to an agreement with its  
11      employees.

12                   And, secondly, we want to know because  
13      -- I will state this now as my opinion. It is my  
14      opinion that what is going on in PHA today is an  
15      effort to see how far the City Administration can  
16      move in the direction of terminating the pension  
17      system for all employees in Philadelphia.

18                   (Applause.)

19                   COUNCILMAN COHEN: It makes no sense to  
20      me that the City would permit PHA employees to  
21      suffer a different fate from all other employees.  
22      So you are using PHA as a testing ground to see how  
23      far you can get by. You have apparently  
24      intimidated, scared, or wrongly convinced other  
25      labor unions to give up their rights. I note that a

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2       number of the unions involved are unions closely  
3       allied with the person reporting the press to  
4       be very influential in the City Administration  
5       currently. He's the head of the Redevelopment  
6       Authority, the building trades unions. For the life  
7       of me, I cannot understand how a union that fights  
8       so hard for prevailing wage rates would permit any  
9       one of its affiliates to agree to a diminution of  
10      pension rights.

11                   (Applause.)

12                   COUNCILMAN COHEN: And so at this point  
13      I don't believe that that occurred. That's why the  
14      subpoenas went to the documents. We've got to see  
15      that in writing and deal with the union. The union  
16      fights very hard for the high wage rates. And I  
17      want to know, if it happened, why did they change  
18      their position with respect to PHA employees? The  
19      only thing that makes sense is that usually in  
20      agreements between people, there are two sides. And  
21      this may be the other side, that in return for  
22      support from the unions, maybe the unions are taking  
23      a position which may not be in the interest of labor  
24      movement. I don't want to reach that conclusion.  
25      But tell me, does it make sense to impose -- to take



14           You have said in that letter that this  
15       is proof of the fact that cutting pension rights is  
16       okay with unions, and that's an absolute disgrace.  
17       It couldn't be okay with any legitimate union, could  
18       it? Would any legitimate union agree to say that  
19       pension rights are going to be capped by given year,  
20       whether it's 2003 or 2005 and that continuous work  
21       thereafter means nothing? You're destroying the  
22       whole pension system. And if Philadelphia does it,  
23       it's a bad sign for the whole nation.

25 COUNCILMAN COHEN: This isn't Bush Land.

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2           This is Philadelphia where I've so proudly asserted  
3           at so many meetings, Philadelphia is a labor city.

4                   (Applause.)

5                   COUNCILMAN COHEN: We always respect  
6           labors' rights. Are you trying to tell me I've been  
7           wrong all these years, that Philadelphia is a City  
8           that takes advantage of being Democratic, while it  
9           actually destroys workers' rights? Is that what  
10          you're trying to tell us? We can't believe that.  
11          Therefore, we want this to come out in the open and  
12          we want any effort to hurt pension rights to be made  
13          known publicly to everybody in the City.

14                  (Applause.)

15                  COUNCILMAN COHEN: I like what Ms.  
16          Wilkerson said when she said PHA wants to cooperate  
17          with us, but I don't see any signs of cooperation  
18          except by kneeling and surrendering all of our  
19          rights. And to give up everything you have in the  
20          name of cooperation, to me isn't cooperation. It's  
21          self-execution. And workers are not going to  
22          execute themselves because they have themselves and  
23          their families to support. And it's a disgrace that  
24          the City of Philadelphia is doing this. If in fact  
25          that's the case, that's what these hearings are for.

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2           Is this the case? And we needed the documents. We  
3           were ready to apologize to PHA today, had Mr. Greene  
4           come and said, this is wrong. We were joking when  
5           we wrote in the letter that unions agreed to give up  
6           their pension rights. So you see our frustration.  
7           We just can't understand how the City of  
8           Philadelphia can let itself be in this position.

9                   I kind of joked -- and Governor Rendell  
10          said it. He said the Mayor sometimes is his own  
11          worst enemy. I said in a different way. I said, I  
12          think Mayor Street ought to stop being the campaign  
13          manager for Sam Katz. Because that's what's  
14          happening here.

15                   (Applause.)

16                  COUNCILMAN COHEN: I think it's  
17          terrible. That's our dilemma. We thank you for the  
18          documents if you get them to us. We wanted to have  
19          them today so we could get an answer today. But  
20          we'd like to have them. We've got to have Mr.  
21          Greene here to answer, and we need an answer.

22                  Councilwoman Blackwell, I felt very  
23          content with PHA when I learned you and Joyce  
24          Wilkerson and the others were on the Board. I've  
25          known all of you well. I think very highly of you.

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2           I thought for the first time, like Joyce Wilkerson  
3           said, I thought PHA was in excellent hands. But if  
4           Carl Greene is your boss, then I think I would want  
5           to reconsider whether he'd be the kind of boss I  
6           would want to work for.

7                   (Applause.)

8                   COUNCILMAN COHEN: But if you are his  
9           boss, then I think you have the power, your Board  
10          has a power, to act as a Board and to correct the  
11          situation. And then we can recess these hearings  
12          and all go home and have a good dinner. That's our  
13          problem.

14                  MR. FOLEY: Councilman, I'd just wanted  
15          to add, in terms of process, to make the Committee a  
16          aware that federal mediators, people who are skilled  
17          and experienced in the collective bargaining  
18          process, are involved at the request of the unions.  
19          And we've met with them and we're continuing to talk  
20          to them and be at their direction and suggestion.  
21          And so in terms of process --

22                  COUNCILMAN COHEN: That's on  
23          negotiations. We applaud that. It has nothing  
24          whatever to do with our demand for Mr. Greene to  
25          appear here. He's been appointed by the Mayor, by

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2           the former Mayor. He has a contract with the City  
3           of Philadelphia. He's doing City work and he's  
4           trying to say that City Council has no power  
5           whatever. And we have to absolutely reject that.  
6           When he gets a subpoena from us, we expect him to  
7           come in and apologize, apologize for his action and  
8           the action of other PHA employees in denying our  
9           authority. And from there we can go on.

10                   MR. FOLEY: I think the concern is  
11           driven by the process. The collective bargaining  
12           process, it's a delicate, sacred process. The  
13           parties, the unions, and the management, they get  
14           together; they talk; they try to have discussions.  
15           And my experience is that it's difficult to get  
16           contracts in this setting.

17                   COUNCILMAN COHEN: Mr. Foley, for 30  
18           years -- I think my labor experience, Mr. Foley, is  
19           longer than yours.

20                   MR. FOLEY: It is. And that's why I  
21           thought you would respect that process.

22                   COUNCILMAN COHEN: For 30 years I was  
23           counsel for Local 107 of Electrical Workers. I  
24           spent much time in negotiations and arbitrations  
25           with them. I think I know the field. We're not

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2       interfering at all with negotiations, mediation, or  
3       arbitration or whatever applies, but we are  
4       determined, as a City Legislative Body, to carry out  
5       our duty, and we resent deeply the effort of PHA to  
6       use the negotiating process to deny City Council the  
7       information it needs to conduct City business and  
8       we're not going to permit you to do it, no matter  
9       what the cost may be to the City.

10                   (Applause.)

11                   MR. FOLEY: I just wanted to say that  
12       we'll get those contracts to you. Clean copies.  
13       We'll get those to you first thing.

14                   COUNCILMAN COHEN: I wish you would  
15       raise again with Mr. Greene the question of coming,  
16       because I am going to be instructing the counsel for  
17       the City Council to immediately begin court action  
18       on the subpoenas, unless we receive word that Mr.  
19       Greene is going to be honoring them quickly. And  
20       we're going to be pursuing as vigorously as we can.  
21       I'm going to be sending out all kinds of alert  
22       information to all the workers in every union in the  
23       City, telling them my view as to why this has  
24       occurred, and that this is the effort of the City to  
25       jettison the whole pension system. That's what I

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2 think is happening.

3 (Applause.)

4 COUNCILMAN COHEN: Now, is Mr. Woolley  
5 in the room?

6 I would ask him to come forward for the  
7 purpose of answering one question in his letter.

8 Would you come forward?

9 You've heard my characterizations of  
10 your letters, so I'm not going to repeat them. In  
11 your letters you say the City gives minimal funding.  
12 Can you explain what you mean and how much is  
13 minimal funding? You use that phrase in two  
14 letters. What is the amount of the minimal funding  
15 that the City expends?

16 MR. WOOLLEY: I did not tally the  
17 amount.

18 COUNCILMAN COHEN: Well, how do you know  
19 it's minimal?

20 MR. WOOLLEY: Because through the amount  
21 of money that we receive from HUD and our operating,  
22 as well as our capital fund, the money we receive  
23 from the City typically involves our social services  
24 programs, which in the scheme of things is a small  
25 percentage of what we --

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2                   COUNCILMAN COHEN: I'm not interested in  
3 your calculation as to whether it's a small  
4 percentage or not. I'm interested in actual  
5 dollars. I would also like to know what portion of  
6 the Chief of Staff's time is spent. I'd like to  
7 know the portion of the Councilwoman's time. They  
8 get salaries from the City. That's money invested  
9 in the City. I would like to know -- and there are  
10 many other City services made available. I would  
11 like to know what the total cost of the contribution  
12 by the City is to public housing in the City of  
13 Philadelphia.

14                   (Applause.)

15                   MR. WOOLLEY: We will get that  
16 information for you.

17                   COUNCILMAN COHEN: I will want to know,  
18 who picks up the trash, how that's paid for; how are  
19 the water bills paid for that the City bills  
20 everybody else for; how do they bill PHA and what do  
21 they get. I would like to know the cost of sewage,  
22 the cost of gas, if gas is the energy used. I would  
23 like a complete accounting because my understanding  
24 of minimal funding is quite different from yours.  
25 In my judgment, the sum is quite large. You spend a



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2       lot of City money. You get a lot of City support,  
3       and most important of all, you serve the largest  
4       single portion of people Philadelphia of any  
5       landlord. You're the biggest landlord in the City  
6       of Philadelphia. More people depend on PHA for  
7       housing than any other person. So don't try to  
8       trivialize the role of the City of Philadelphia in  
9       your agencies. We would be remiss if we didn't  
10      thoroughly investigate you if you were a private  
11      agency. We would be totally derelict of duty if we  
12      let you run your own show without checking on you as  
13      we're doing now. And everything that's happened is  
14      proof of the fact that our checking on you, if  
15      anything, has long been overdue.

16                   (Applause.)

17                   COUNCILMAN COHEN: Can we have an answer  
18      on Mr. Greene? Is he going to come? Are we going  
19      to proceed? I'd like to have an answer as quickly  
20      as possible because I will immediately -- we're  
21      going to recess this after Mr. Little testifies.  
22      Rodney Little, the Vice President of the Fraternal  
23      Order of Housing Police is here and I want to  
24      recognize him and I'll just ask him to be a bit  
25      brief. After that we're going to terminate it. But

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2       I would respectfully request that I would like to  
3       have by tomorrow at noon a statement from the City  
4       with respect to whether Mr. Greene is going to  
5       appear together. He doesn't have to present the  
6       documents if you are going to present them  
7       separately or whether he's not. And if not, please  
8       take notice that the City Council attorneys will be  
9       instructed to prepare papers for court beginning  
10      tomorrow afternoon if we don't hear from you.

11                   (Applause.)

12                   COUNCILMAN COHEN: Whatever the time  
13      it's going to take, it's going to have to take.  
14      Whatever the impact on the people of Philadelphia  
15      will be, so be it. Because you're making that  
16      decision. We're not. So we leave to you the  
17      decision of whether we can begin the development of  
18      a cooperative relationship or whether we've got to  
19      get to the core of all of the questions we've raised  
20      today.

21                   Thank you for coming, Ms. Wilkerson, Mr.  
22      Foley and Mr. Woolley.

23                   Mr. Woolley, my request from you is,  
24      sir, a complete tally of all of the funds for the  
25      last Fiscal Year that can be attributed to the City

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2           of Philadelphia, including that portion of the time  
3           spent by Board members who hold other positions  
4           because when they get the money they're only getting  
5           money because they're doing City of Philadelphia  
6           business. And if they're not doing City of  
7           Philadelphia business, then we've got to take that  
8           money that's paid to them away from them.

9                   (Applause.)

10                  COUNCILMAN COHEN: And my counsel  
11           informs me that when we talk about money, it  
12           includes in kind contributions, in addition to cash,  
13           just like the finance campaign committee reports.  
14           They have to list in kind contribution, in addition  
15           to cash. That's what we would like.

16                  Is that clear, Mr. Woolley?

17                  MR. WOOLLEY: Yes, it is, Councilman.

18                  COUNCILMAN COHEN: Thank you.

19                  Mr. Little.

20                  MR. LITTLE: Thank you, Councilman.

21                  COUNCILMAN COHEN: Identify yourself by  
22           name and then proceed.

23                  MR. LITTLE: My name is Rodney Little,  
24           Vice President, Fraternal Order of Housing Police.

25                  First, let me recognition to City

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2       Council members for allowing us this golden  
3       opportunity to come before you to raise our concerns  
4       and issues.

5                   Also, we want to recognize some of the  
6       tenant Council leaders, basically 19 tenant Council  
7       presidents in public housing who are behind both  
8       unions in regards to our fight. Some of them had to  
9       leave. But let's give them a round of applause.

10                   (Applause.)

11                   MR. LITTLE: And also to our members, we  
12       want to thank you for coming out in this process.

13                   First, let me say I'm going to take off  
14       one hat as a minister and I'm going to put on a hat  
15       as minister of defense. You know, because my  
16       7-year-old could have answered your questions better  
17       than what you just heard.

18                   Now, Mark Foley is a pathological and  
19       habitual liar.

20                   (Applause.)

21                   MR. LITTLE: The process in which he's  
22       talking about is PHA sitting in one room and we're  
23       sitting in the other. That practice has been for  
24       the past 5 negotiations where they come and just  
25       throw down a paper and say, this is my proposal.

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2       And they don't want to entertain any counter  
3       proposals whatsoever. But I must necessarily  
4       express very emphatically that a great man, Martin  
5       Luther King, once said that injustices anywhere is a  
6       threat to justice everywhere. And PHA has  
7       exemplified injustice all over this City, and that's  
8       why we're here, Councilman, to raise our concerns  
9       and to engage in -- and like I say, right now, I'm  
10      in the military. I'm about to go to war. And you  
11      think that I have to go away and fight for a country  
12      and then come back where I'm losing close \$7,600 a  
13      year in terms of my pension, something that I have  
14      worked and am striving hard for, for my kids. I  
15      refuse to sit up here and lay down.

16                   (Applause.)

17                   MR. LITTLE: You have these outsiders  
18      coming in to this City -- and I don't believe that  
19      Mark Woolley votes yet. I don't know if he has his  
20      voters' registration card. But what I'm saying is,  
21      I'm a taxpayer and they have blocked us out of the  
22      process in terms of making decisions in public  
23      housing to the point where we can't even attend --  
24      as a direct result of these City Council hearings,  
25      we can't even attend the commissioner's Board

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2       meetings. And that is a public process. Even today  
3       where we are allowed to take union days -- and I'm  
4       the Vice President. They have gall to say, no, you  
5       can't take off tomorrow to engage in no kind of  
6       union business whatsoever.

7                   We went on the radio show that Carl  
8       Greene has on Wednesdays, and he had gall to have  
9       Internal Affairs stop down here -- and you might as  
10      well say the lock-up process -- which he engaged and  
11      had us arrested, so to speak. Because we called the  
12      radio show and asked specific questions pertaining  
13      to contracts, pertaining to police. Yet he talks  
14      about he has no money. Now, you have \$700 million  
15      that was given to him by HUD for move to work. You  
16      have over a \$175 million in bonds here in  
17      Philadelphia. Not only is that process going on,  
18      he's also just allowed the individual workers in  
19      public housing to all be fitted for uniforms, and  
20      not only are they going to be fitted, they also  
21      enter into a contract with a cleaning company to  
22      clean the uniforms for over a million contract a  
23      year -- excuse me, 2 million. And I'm saying, he  
24      talks about he has no money for the union, but yet  
25      he can come in, Mark Woolley can come in, and they

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2       borrow money from out of my pension to create a  
3       deferred Comp for them. And they probably are  
4       getting a 2 percent interest on that money. So they  
5       alluded to, oh, Mr. Greene lost money this year.  
6       But I'm sure he made a lot of money last year and  
7       the year before that. And not only is he continuing  
8       to make money, because he's still allowed to borrow  
9       money from my pension to put the money back in his.  
10      But yet, they want us to sit up here and say that,  
11      oh, its business as usual. That we have no rights  
12      to sit up here and question those individuals on the  
13      Board. No way whatsoever. Now, we asked that, yes,  
14      let us allow representation from the union bodies to  
15      be on the Board, but they refused to even address  
16      that. We're saying that, you're spending my money,  
17      and I'm taxpayer. I have a right to know where my  
18      money is going. I have a right to say where it can  
19      go and how I'm going to spend it. I'm just here to  
20      say that as minister of defense, we're going to hold  
21      court on Broad Street. So look out because here we  
22      come.

23                   (Applause.)

24                   COUNCILMAN COHEN: The hearing will  
25      stand in recess until the further call of the Chair.

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2           I'll expect to hear by noon tomorrow from Mr. Foley.

3                   (Council adjourned at 7:15 p.m.)

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

I HEREBY CERTIFY that the foregoing  
proceedings of the Council of the City of  
Philadelphia of March 27, 2003, were reported fully  
and accurately by me, and that this is a correct  
transcript of the same.

RE: COMMITTEE ON LAW AND GOVERNMENT

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Lisa C. Bradley, RPR  
and Notary Public