

COUNCIL OF THE CITY OF PHILADELPHIA
STATED MEETING

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, January 27, 2011
10:45 a.m.

PRESENT:

COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DARRELL CLARKE
COUNCILMAN FRANK DiCICCO
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK RIZZO, JR.
COUNCILWOMAN MARIAN B. TASCO
MICHAEL A. DECKER, CHIEF CLERK

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2 COUNCIL PRESIDENT VERNA: Good
3 morning, everyone. I note that the hour
4 has come and passed and that a quorum of
5 this Council is present.

6 Council will come to order.
7 Members will take their seats, and
8 visitors will retire to the seats outside
9 the rails.

10 To give our invocation this
11 morning, the Chair recognizes Servant
12 Leader J. Louis Felton, Pastor of the
13 Mount Airy Church of God in Christ. He
14 is here today as the guest of
15 Councilwoman Tasco.

16 At this time, I would ask all
17 members and guests to please rise.

18 (Members and guests rise.)

19 SERVANT LEADER FELTON: Thank
20 you, President Anna Verna and
21 Councilwoman Tasco, and good morning to
22 each of you.

23 (Good morning.)

24 SERVANT LEADER FELTON: Let us
25 pray together.

1 1/27/11 - STATED - INVOCATION

2 Eternal God our Father, we
3 thank you for this precious opportunity
4 to give praise, honor and glory to your
5 name. Today, the entire City of
6 Philadelphia and surrounding region have
7 come to pause to acknowledge the glory of
8 your majesty that you have chosen to
9 bring our city to a virtual halt. Even
10 our school buildings are closed, but
11 class is still in session, as your holy
12 spirit, our teacher and comforter,
13 teaches us our need for one another.

14 We confess this day that God is
15 still on the throne, ruling and
16 super-ruling over the affairs of human
17 kind. Though you are the unelected head
18 of all creation and your term of office
19 never expires, we recognize your
20 authority upon each individual.

21 We pray your blessings upon
22 every person in the City of Philadelphia,
23 for every police officer. We pray for
24 every fireman, for every school
25 principal, teacher and staff worker. We

1 1/27/11 - STATED - INVOCATION

2 pray that the untapped potential in every
3 student will be awakened and stirred for
4 the benefit of all society.

5 We pray your blessings upon our
6 great City of Philadelphia, the birth
7 place of freedom and independence, the
8 first capital of the United States of
9 America. And just as surely as this city
10 has brought inspiration to this nation
11 and world, may it continue to lead the
12 way in the spirit of unity, brotherhood
13 and the resurgence of our economy.

14 We pray for renewed spirit of
15 innovation, invention and productivity.
16 In spite of the challenges of these
17 times - war, recession, homelessness - we
18 believe that the future is as bright as
19 the promises of God, as we walk by faith
20 in him who loved us and gave himself for
21 us.

22 Thank you for sense and spirit
23 of unity. We are one nation under God,
24 indivisible, with liberty and justice for
25 all.

1 1/27/11 - STATED - APPROVAL OF JOURNAL

2 In your name we pray. Amen.

3 (Amen.)

4 COUNCIL PRESIDENT Verna: The
5 Chair thanks Servant Leader Felton for
6 his invocation.

7 Council will be at ease.

8 (Council at ease.)

9 COUNCIL PRESIDENT Verna: The
10 next order of business is the approval of
11 the Journal of the meeting of Thursday,
12 December 16th, 2010, and the Chair
13 recognizes Councilwoman Tasco.

14 COUNCILWOMAN TASCO: Thank you,
15 Madam President. I move that the Journal
16 of the meeting of Thursday, December the
17 16th, 2010 be approved.

18 (Duly seconded.)

19 COUNCIL PRESIDENT Verna: It
20 has been moved and properly seconded that
21 the Journal of the meeting of Thursday,
22 December 16th, 2010 stand approved.

23 All in favor will indicate by
24 saying aye.

25 (Aye.)

1 1/27/11 - STATED - LEAVES

2 COUNCIL PRESIDENT Verna: Those
3 opposed?

4 (No response.)

5 COUNCIL PRESIDENT Verna: The
6 ayes have it and the Journal is approved.

7 The next order of business is
8 requests for leave of absence, and,
9 again, the Chair recognizes Councilwoman
10 Tasco.

11 COUNCILWOMAN TASCOS: Thank you,
12 Madam President. On behalf of the
13 majority, a leave of absence is requested
14 for Councilwoman Krajewski.

15 COUNCIL PRESIDENT Verna: Thank
16 you.

17 The Chair recognizes Councilman
18 O'Neill.

19 COUNCILMAN O'NEILL: Madam
20 President, on behalf of the republicans,
21 leave of absence is requested for
22 Councilman Jack Kelly.

23 COUNCIL PRESIDENT Verna: The
24 Chair thanks the gentleman.

25 The Chair will dispense with

1 1/27/11 - STATED - COMMUNICATIONS

2 the regular order of business to
3 recognize the guests and visitors joining
4 us in Chambers this morning. On behalf
5 of all members of City Council, I welcome
6 you to our Council session. We
7 appreciate your taking the time to join
8 us as we attend to the legislative
9 affairs of our city. We certainly invite
10 you to come again.

11 At this time, the next order of
12 business is communications. The Chair
13 requests that the Sergeant-At-Arms
14 deliver the messages from the Mayor to
15 the Chief Clerk.

16 The Chief Clerk will please
17 read the messages from the Mayor.

18 CHIEF CLERK: To the President
19 and members of the Council of the City of
20 Philadelphia, pursuant to Sections 4-604
21 and 2-307 of the Home Rule Charter, I am
22 today transmitting to the Council the
23 recommendation of the City Planning
24 Commission regarding the following bills:
25 Bill No. 100860, 100871, 100872 and

1 1/27/11 - STATED - COMMUNICATIONS

2 100874; and

3 I am pleased to advise you that
4 on December 21, 2010, January 5 and
5 January 26, 2011, I signed all of the
6 bills that were passed by Council at its
7 session on December 16, 2010, and that on
8 December 22, 2010 and January 5, 2011, I
9 signed the remaining bills that were
10 passed by Council at its session on
11 December 9, 2010, except Bill No. 100750;
12 and

13 I am transmitting for the
14 introduction of your honorable body a
15 resolution approving the redevelopment
16 contract and disposition supplement of
17 the Redevelopment Authority of the City
18 of Philadelphia for the redevelopment and
19 urban renewal of a portion of the Point
20 Breeze Urban Renewal Area, designated as
21 Parcel No. 61; and

22 I am transmitting herewith for
23 the introduction and consideration of
24 your honorable body two resolutions
25 reappointing current members to the Board

1 1/27/11 - STATED - COMMUNICATIONS

2 of Directors for the Old City Special
3 Services District; namely, Christopher P.
4 McGill and Carolyn Pfeiffer, and three
5 resolutions appointing new members to the
6 Board of Directors for the Old City
7 Special Services District; namely, Avram
8 Hornick, Christopher Laufer and Lynn
9 Martin Haskin; and

10 I am also transmitting an
11 ordinance amending Bill No. 100307,
12 entitled "An ordinance approving the
13 Fiscal Year 2011 Capital Budget providing
14 for expenditures for the capital purposes
15 of the Philadelphia Gas Works," by
16 approving a Revised Capital Budget for
17 Fiscal Year 2011; and

18 Also an ordinance amending
19 Chapter 15-100 of The Philadelphia Code,
20 entitled "Parks," by prohibiting the
21 transfer or conversion of outdoor public
22 park and recreation land in the City to
23 other uses or to third parties unless
24 certain procedures and requirements are
25 met; and

1 1/27/11 - STATED - COMMUNICATIONS

2 An ordinance authorizing Gerald
3 Rothstein and Frederick Mumenthaler,
4 owners of the property located at 1921
5 through 23 South Bancroft Street, to
6 legalize an existing encroachment in the
7 right-of-way located on the east public
8 footway of Bancroft Street; and

9 An ordinance authorizing John
10 and Concetta Varallo, owners of Pesto
11 Italian Restaurant, 1917 South Broad
12 Street, to construct, own and maintain an
13 encroachment within the right-of-way
14 located on the east footway of Broad
15 Street, all under certain terms and
16 conditions.

17 COUNCIL PRESIDENT Verna: Thank
18 you. The messages will be printed in the
19 Journal.

20 The Chief Clerk will please
21 read any other communications in his
22 possession.

23 CHIEF CLERK: I have none,
24 Madam President.

25 COUNCIL PRESIDENT Verna: Thank

1 1/27/11 - STATED - INTRO. OF BILLS

2 you.

3 The next order of business will
4 be the introduction of bills and
5 resolutions, and the Chair recognizes
6 Councilman Kenney.

7 COUNCILMAN KENNEY: Thank you,
8 Madam President. I have no bills or
9 resolutions today.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 The Chair recognizes
13 Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank
15 you, Madam President. Today I have three
16 resolutions.

17 COUNCIL PRESIDENT VERNA: The
18 Chief Clerk will please read the title of
19 the first resolution.

20 CHIEF CLERK: A resolution
21 Honoring and Congratulating Mr. Scott M.
22 Wilds.

23 COUNCIL PRESIDENT VERNA: The
24 Chair recognizes Councilwoman Blackwell.

25 COUNCILWOMAN BLACKWELL: Thank

1 1/27/11 - STATED - INTRO. OF BILLS

2 you, Madam President. I move for the
3 adoption of the resolution.

4 COUNCIL PRESIDENT Verna: Thank
5 you. This resolution will be -- all in
6 favor? No. I'm sorry. The resolution
7 will be placed on the Final Passage
8 Calendar for consideration at our next
9 session of Council.

10 The Chief Clerk will please
11 read the title of the second resolution.

12 CHIEF CLERK: A resolution
13 Calling on the Philadelphia City Council
14 Committee on Education to Hold Hearings
15 in Partnership with the State Board of
16 Education and the Department of Education
17 on the Lack of Library Facilities and
18 Certified Librarians in Public Schools.

19 COUNCIL PRESIDENT Verna: The
20 Chair recognizes Councilwoman Blackwell.

21 COUNCILWOMAN BLACKWELL: Thank
22 you, Madam President. I move for the
23 adoption of the --

24 COUNCIL PRESIDENT Verna: I'm
25 sorry. That's to be referred to an

1 1/27/11 - STATED - INTRO. OF BILLS

2 appropriate committee.

3 COUNCILWOMAN BLACKWELL: That's
4 right. Yes, to be referred to the
5 Education Committee.

6 COUNCIL PRESIDENT VERNA: This
7 too will go on the Calendar for next
8 week.

9 COUNCILWOMAN BLACKWELL: Thank
10 you.

11 COUNCIL PRESIDENT VERNA: Thank
12 you.

13 CHIEF CLERK: And a resolution
14 authorizing the Commissioner of Public
15 Property to execute and deliver to the
16 Redevelopment Authority of the City of
17 Philadelphia, without consideration,
18 deeds conveying conditional fee simple
19 title to certain City-owned lots or
20 pieces of ground with the buildings and
21 improvements thereon, situate in the
22 Forty-Fourth Ward of the City of
23 Philadelphia.

24 COUNCIL PRESIDENT VERNA: Thank
25 you. This also will be placed on the

1 1/27/11 - STATED - INTRO. OF BILLS
2 Calendar for our next session of Council.

3 COUNCILWOMAN BLACKWELL: Thank
4 you.

5 COUNCIL PRESIDENT Verna: The
6 Chair recognizes Councilman Greenlee.

7 COUNCILMAN GREENLEE: Thank
8 you, Madam President. I offer one
9 resolution, which is co-sponsored by
10 Councilmembers Tasco and Reynolds Brown.

11 COUNCIL PRESIDENT Verna: Thank
12 you.

13 The Chief Clerk will please
14 read the title.

15 CHIEF CLERK: A resolution
16 designating the month of February as
17 "Teen Dating Violence Awareness Month in
18 Philadelphia."

19 COUNCIL PRESIDENT Verna: This
20 resolution will be placed on our Calendar
21 for our next session of Council.

22 The Chair recognizes
23 Councilwoman Tasco.

24 COUNCILWOMAN TASCO: Thank you,
25 Madam President. I have one bill, three

1 1/27/11 - STATED - INTRO. OF BILLS

2 resolutions, one resolution on your
3 behalf and one resolution on behalf of
4 Councilwoman Krajewski, and I wish to be
5 recognized after the title of the
6 resolution, Krajewski's resolution,
7 re-calling Bill No. 100750 after it's
8 read for a motion on the resolution.

9 COUNCIL PRESIDENT Verna: Thank
10 you.

11 The Chief Clerk will please
12 read the title of the bill.

13 CHIEF CLERK: An ordinance
14 amending Bill No. 100307, entitled "An
15 ordinance approving the Fiscal Year 2011
16 Capital Budget providing for expenditures
17 for the capital purposes of the
18 Philadelphia Gas Works," by approving a
19 Revised Capital Budget for Fiscal Year
20 2011.

21 COUNCIL PRESIDENT Verna: This
22 bill will be referred to the appropriate
23 committee.

24 CHIEF CLERK: And a resolution
25 requesting that the Mayor return to

1 1/27/11 - STATED - INTRO. OF BILLS

2 Council Bill No. 100750, entitled "An
3 ordinance to amend the Institutional
4 Development District Master Plan of Holy
5 Family University, located at 4500 Grant
6 Avenue," for the purpose of
7 reconsideration by the Council of the
8 vote by which said bill passed Council.

9 COUNCIL PRESIDENT VERNA: The
10 resolution will be placed on the Final
11 Passage Calendar for our next session of
12 Council.

13 Councilwoman, I understand you
14 want a suspension of the rules.

15 COUNCILWOMAN TASCO: Thank you,
16 Madam President. I move that the rules
17 of Council be suspended to permit
18 consideration of that resolution on
19 today's Final Passage Calendar.

20 (Duly seconded.)

21 COUNCIL PRESIDENT VERNA: It
22 has been moved and seconded.

23 All in favor will indicate by
24 saying aye.

25 (Aye.)

1 1/27/11 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT VERNA: Those
3 opposed?

4 (No response.)

5 COUNCIL PRESIDENT VERNA: The
6 ayes have it and the motion carries.

7 CHIEF CLERK: And a resolution
8 approving the redevelopment contract and
9 disposition supplement of the
10 Redevelopment Authority of the City of
11 Philadelphia for the redevelopment and
12 urban renewal of a portion of the Point
13 Breeze Urban Renewal Area, designated as
14 Parcel No. 61.

15 COUNCIL PRESIDENT VERNA: This
16 resolution will be placed on our Final
17 Passage Calendar for our next session of
18 Council.

19 CHIEF CLERK: And a resolution
20 recognizing and acknowledging Delta Sigma
21 Theta Sorority on the occasion of its
22 Fourth Annual Philadelphia City Council
23 Delta Day.

24 COUNCIL PRESIDENT VERNA: This
25 resolution will also be placed on the

1 1/27/11 - STATED - INTRO. OF BILLS

2 Final Passage Calendar for our next
3 session of Council.

4 CHIEF CLERK: And a resolution
5 honoring Thomas E. Knudsen for his
6 achievements in service to the City of
7 Philadelphia and its citizens as
8 President and Chief Executive Officer of
9 the Philadelphia Gas Works.

10 COUNCIL PRESIDENT VERNA: This
11 resolution will also be placed on the
12 Final Passage Calendar for consideration
13 at our next session of Council.

14 CHIEF CLERK: And a resolution
15 declaring February 17th, 2011 as PGW Day
16 in the City of Philadelphia.

17 COUNCIL PRESIDENT VERNA: The
18 Chair recognizes Councilwoman Tasco.

19 COUNCILWOMAN TASCO: I move for
20 the adoption of the resolution.

21 (Duly seconded.)

22 COUNCIL PRESIDENT VERNA: No.
23 Wait a minute. It goes on the Calendar
24 for our next session of Council. This
25 will be placed on the Calendar for our

1 1/27/11 - STATED - INTRO. OF BILLS

2 next session of Council.

3 The Chair recognizes

4 Councilwoman Miller.

5 COUNCILWOMAN MILLER: Thank

6 you, Madam President. Today I offer two

7 resolutions.

8 COUNCIL PRESIDENT VERNA: Thank

9 you.

10 The Chief Clerk will please

11 read the title of the first resolution.

12 CHIEF CLERK: A resolution

13 proclaiming January 2011 as "Poverty in

14 America Awareness Month."

15 COUNCIL PRESIDENT VERNA: This

16 resolution will be placed on our Final

17 Passage Calendar for consideration at our

18 next session of Council.

19 CHIEF CLERK: And a resolution

20 the City Council of Philadelphia

21 designates the month of January 2011 as

22 "National Mentoring Month" and recognizes

23 and honors its Tenth Anniversary.

24 COUNCIL PRESIDENT VERNA: This

25 resolution will also be placed on the

1 1/27/11 - STATED - INTRO. OF BILLS

2 Final Passage Calendar for consideration
3 at our next session of Council.

4 The Chair recognizes
5 Councilwoman Sanchez.

6 COUNCILWOMAN SANCHEZ: Thank
7 you, Madam President. I have one
8 resolution co-sponsored by Councilman
9 Bill Green and Councilwoman Blondell
10 Reynolds Brown.

11 COUNCIL PRESIDENT VERNA: Thank
12 you.

13 The Chief Clerk will please
14 read the title.

15 CHIEF CLERK: A resolution
16 authorizing the Council Committee on
17 Education to conduct hearings to examine
18 the Philadelphia School District's
19 discipline policy and the recent report
20 "Zero Tolerance in Philadelphia" by the
21 Advancement Project and Youth United for
22 Change.

23 COUNCIL PRESIDENT VERNA: This
24 resolution will be placed on the Final
25 Passage Calendar for consideration at our

1 1/27/11 - STATED - INTRO. OF BILLS

2 next session of Council.

3 The Chair recognizes Councilman
4 Green.

5 COUNCILMAN GREEN: Thank you,
6 Madam President. I offer one resolution.

7 COUNCIL PRESIDENT Verna: Thank
8 you.

9 CHIEF CLERK: A resolution
10 authorizing the Committee on Labor and
11 Civil Service to hold hearings
12 investigating ways that targeting medical
13 resources can help the City of
14 Philadelphia improve the quality and
15 reduce the cost of providing health care
16 services to its employees and citizens.

17 COUNCIL PRESIDENT Verna: This
18 resolution will be placed on the Final
19 Passage Calendar for consideration at our
20 next session of Council.

21 The Chair recognizes Councilman
22 Jones.

23 COUNCILMAN JONES: Thank you,
24 Madam President. No bills or resolutions
25 today.

1 1/27/11 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT Verna: Thank
3 you.

4 The Chair recognizes Councilman
5 Goode.

6 COUNCILMAN GOODE: Thank you,
7 Madam President. I offer one resolution.

8 COUNCIL PRESIDENT Verna: The
9 Chief Clerk will please read the title.

10 CHIEF CLERK: A resolution
11 authorizing the Committee on Commerce and
12 Economic Development to hold hearings
13 regarding a strategic assessment of the
14 City's workforce agencies.

15 COUNCIL PRESIDENT Verna: This
16 resolution will be placed on the Final
17 Passage Calendar for consideration at our
18 next session of Council.

19 The Chair recognizes
20 Councilwoman Brown.

21 COUNCILWOMAN BROWN: Good
22 morning, Madam President.

23 COUNCIL PRESIDENT Verna: Good
24 morning.

25 COUNCILWOMAN BROWN: I offer

1 1/27/11 - STATED - INTRO. OF BILLS

2 today one bill co-sponsored by Councilman
3 O'Neill on behalf of the Administration
4 and two resolutions.

5 COUNCIL PRESIDENT VERNA: Thank
6 you.

7 The Chief Clerk will please
8 read the title of the bill.

9 CHIEF CLERK: An ordinance
10 amending Chapter 15-100 of The
11 Philadelphia Code, entitled "Parks," by
12 prohibiting the transfer or conversion of
13 outdoor public park and recreation land
14 in the City to other uses or to third
15 parties unless certain procedures and
16 requirements are met.

17 COUNCIL PRESIDENT VERNA: The
18 bill will be referred to the appropriate
19 committee.

20 CHIEF CLERK: And a resolution
21 honoring the African American Children's
22 Book Project on the occasion of the 19th
23 Annual African American Children's Book
24 Fair.

25 COUNCIL PRESIDENT VERNA: This

1 1/27/11 - STATED - INTRO. OF BILLS

2 resolution will be placed on the Final
3 Passage Calendar for consideration at our
4 next session of Council.

5 CHIEF CLERK: And a resolution
6 authorizing the Joint Committees on Law
7 and Government and Public Safety to hold
8 hearings to support the creation of a
9 robust, active Family Justice Center in
10 the City of Philadelphia.

11 COUNCIL PRESIDENT VERNA: This
12 resolution will also be placed on the
13 Final Passage Calendar for consideration
14 at our next session of Council.

15 The Chair now recognizes
16 Councilman DiCicco.

17 COUNCILMAN DiCICCO: Thank you,
18 Madam President. I offer two bills and
19 seven resolutions.

20 COUNCIL PRESIDENT VERNA: Thank
21 you.

22 The Chief Clerk will please
23 read the title of the first bill.

24 CHIEF CLERK: An ordinance
25 amending Section 22-310 of The

1 1/27/11 - STATED - INTRO. OF BILLS

2 Philadelphia Code, entitled "Deferred
3 Retirement Option Plan (DROP)," by
4 permitting employees who enroll in DROP
5 to withdraw from DROP if they have not
6 yet separated from active service with
7 the City, under certain terms and
8 conditions.

9 COUNCIL PRESIDENT Verna: The
10 bill will be referred to the appropriate
11 committee.

12 CHIEF CLERK: And an ordinance
13 authorizing John and Concetta Varallo,
14 owners of Pesto Italian Restaurant, 1917
15 South Broad Street, to construct, own and
16 maintain an encroachment within the
17 right-of-way located on the east footway
18 of Broad Street.

19 COUNCIL PRESIDENT Verna: This
20 bill will also be referred to the
21 appropriate committee.

22 CHIEF CLERK: And a resolution
23 authorizing the Commissioner of Public
24 Property to execute and deliver to the
25 Redevelopment Authority of the City of

1 1/27/11 - STATED - INTRO. OF BILLS

2 Philadelphia, without consideration,
3 deeds conveying conditional fee simple
4 title to certain City-owned lots or
5 pieces of ground with the buildings and
6 improvements thereon, situate in the
7 Thirty-First Ward of the City of
8 Philadelphia.

9 COUNCIL PRESIDENT Verna: This
10 resolution will be placed on the Final
11 Passage Calendar for our next session of
12 Council.

13 CHIEF CLERK: And a resolution
14 celebrating Philadelphia's Asian
15 Community at the start of the Lunar New
16 Year.

17 COUNCIL PRESIDENT Verna: This
18 resolution will be placed on the Final
19 Passage Calendar for consideration at our
20 next session of Council.

21 CHIEF CLERK: And a resolution
22 appointing Christopher Laufer to the
23 Board of Directors for the Old City
24 Special Services District.

25 COUNCIL PRESIDENT Verna: This

1 1/27/11 - STATED - INTRO. OF BILLS

2 resolution will be referred to the
3 appropriate committee.

4 CHIEF CLERK: And a resolution
5 appointing Avram Hornick to the Board of
6 Directors for the Old City Special
7 Services District.

8 COUNCIL PRESIDENT VERNA: This
9 resolution will also be referred to the
10 appropriate committee.

11 CHIEF CLERK: And a resolution
12 appointing Christopher McGill to the
13 Board of Directors for the Old City
14 Special Services District.

15 COUNCIL PRESIDENT VERNA: The
16 resolution will be referred to the
17 appropriate committee.

18 CHIEF CLERK: And a resolution
19 appointing Carolyn Pfeiffer to the Board
20 of Directors for the Old City Special
21 Services District.

22 COUNCIL PRESIDENT VERNA: The
23 resolution will be referred to the
24 appropriate committee.

25 CHIEF CLERK: And a resolution

1 1/27/11 - STATED - INTRO. OF BILLS
2 appointing Lynn Martin Haskin to the
3 Board of Directors for the Old City
4 Special Services District.

5 COUNCIL PRESIDENT Verna: This
6 will also be referred to the appropriate
7 committee.

8 COUNCILMAN DiCICCO: Madam
9 President, point of order. The bill
10 pertaining to DROP, I failed to recognize
11 it was co-sponsored by my colleagues
12 Councilman Kenney and Rizzo.

13 COUNCIL PRESIDENT Verna: Thank
14 you.

15 Are there other resolutions?

16 CHIEF CLERK: No.

17 COUNCIL PRESIDENT Verna: Thank
18 you.

19 The Chair recognizes Councilman
20 O'Neill.

21 COUNCILMAN O'NEILL: Madam
22 President, I offer one resolution on
23 behalf of Council President and myself,
24 signed by all members of Council.

25 COUNCIL PRESIDENT Verna: The

1 1/27/11 - STATED - INTRO. OF BILLS

2 Chief Clerk will please read the title of
3 the resolution.

4 CHIEF CLERK: A resolution
5 Honoring Bernard Brunwasser on His
6 Retirement.

7 COUNCIL PRESIDENT Verna: This
8 resolution will be placed on the Final
9 Passage Calendar for consideration at our
10 next session of Council.

11 The Chair recognizes Councilman
12 Clarke.

13 COUNCILMAN CLARKE: Thank you,
14 Madam President. I offer two bills.

15 COUNCIL PRESIDENT Verna: The
16 Chief Clerk will please read the title of
17 the bill.

18 CHIEF CLERK: An ordinance
19 amending Bill No. 100656, passed by
20 Council on December 16, 2010, to include
21 the executed Neighborhood Development
22 Agreement.

23 COUNCIL PRESIDENT Verna: This
24 bill will be referred to the appropriate
25 committee.

1 1/27/11 - STATED - INTRO. OF BILLS

2 CHIEF CLERK: And an ordinance
3 amending Section 14-305 of The
4 Philadelphia Code, entitled "'C-4'
5 Commercial District," specifically
6 Section 14-305, Subparagraph (16),
7 Subparagraph (c) regarding parking for
8 the area bounded by Hamilton Street, 19th
9 Street, Callowhill Street and 20th
10 Street.

11 COUNCIL PRESIDENT VERNA: This
12 bill will be referred to the appropriate
13 committee.

14 The Chair recognizes Councilman
15 Rizzo.

16 COUNCILMAN RIZZO: Madam
17 President, I have one resolution.

18 COUNCIL PRESIDENT VERNA: Thank
19 you.

20 The Chief Clerk will please
21 read the title of the resolution.

22 CHIEF CLERK: A resolution
23 recognizing, honoring, celebrating, and
24 thanking Tom Muldoon on the occasion of
25 his retirement as President of the

1 1/27/11 - STATED - 1ST READING

2 Philadelphia Convention and Visitors
3 Bureau.

4 COUNCIL PRESIDENT VERNA: This
5 resolution will be placed on the Calendar
6 for our next session of Council.

7 The next order of business is
8 the consideration of the Calendar.

9 The Chief Clerk will please
10 read the bills on the First Reading
11 Calendar.

12 CHIEF CLERK: Bill No. 100780,
13 entitled "An ordinance amending Title 22
14 of The Philadelphia Code, entitled
15 'Public Employees Retirement Code,' by
16 expanding the scope of 'Plan '10' and 'DC
17 Plan' to cover additional employees,
18 including Fire Department employees"; and

19 Bill No. 100722, entitled "An
20 ordinance amending Chapter 10-818 of The
21 Philadelphia Code to provide that no
22 person shall carry a firearm on public
23 streets or public property unless the
24 person is licensed to carry such firearm
25 by a political subdivision of the

1 1/27/11 - STATED - 2ND READING

2 Commonwealth of Pennsylvania, regardless
3 of whether the person possesses a license
4 issued in another state."

5 COUNCIL PRESIDENT VERNA: Thank
6 you. The bills just read will be placed
7 on our Second Reading and Final Passage
8 Calendar for our next session of Council.

9 The Chair recognizes
10 Councilwoman Tasco for the purpose of
11 calling up the bills and resolutions on
12 the Second Reading and Final Passage
13 Calendar to be considered today.

14 COUNCILWOMAN TASCO: Thank you,
15 Madam President. Resolution 100877,
16 100878, 100879, 100880 and 100079 are
17 being called up for Second Reading and
18 Final Passage Calendar today. Bill No.
19 100864 is being amended. All other bills
20 and resolutions are being held.

21 COUNCIL PRESIDENT VERNA:
22 Councilwoman, did you call up Resolution
23 No. 100881? It's on the bottom of Page
24 2.

25 COUNCILWOMAN TASCO: I'm sorry.

1 1/27/11 - STATED - 2ND READING

2 I missed it. And 100881. I missed that.

3 I'm sorry.

4 COUNCIL PRESIDENT Verna: And

5 also 100079, the very last bill on Page

6 7.

7 COUNCILWOMAN TASCIO: My glasses

8 must be failing me today. All right.

9 Let's try this again. Resolution 100877,

10 100878, 100879, 100880, 100881 and 100079

11 are being called up for Second Reading

12 and Final Passage Calendar today. Bill

13 No. 100864 is being amended. All other

14 bills and resolutions are being held.

15 COUNCIL PRESIDENT Verna: Thank

16 you.

17 The Chief Clerk will please

18 read the title of Resolution 100864.

19 Oh, I forgot something. I'm

20 sorry. Before considering the bills and

21 resolutions, we will consider public

22 comment on those matters listed on the

23 Second Reading and Final Passage Calendar

24 today for possible action at this week's

25 Council session.

1 1/27/11 - STATED - PUBLIC COMMENT

2 Before our first speaker comes
3 forward, let me note that Council's rules
4 have been amended to provide for a public
5 comment period. Under the newly amended
6 rules, the public comment procedure will
7 operate as follows: For each Council
8 session, there will be a sign-up sheet to
9 determine the order in which we receive
10 public comment, although no one will be
11 denied the opportunity to provide public
12 comment because they have not previously
13 signed up.

14 Public comment is listed to
15 Philadelphia residents and taxpayers. So
16 when it's your turn, please state your
17 name and where you live, and if you are
18 not a Philadelphia resident, please state
19 that you are a Philadelphia taxpayer.

20 You will then have up to three
21 minutes, three minutes, to provide public
22 comment on bills and resolutions listed
23 on the Calendar for possible action at
24 today's session.

25 I certainly want to again thank

1 1/27/11 - STATED - PUBLIC COMMENT

2 all of you for your cooperation and
3 patience as we continue to implement this
4 new procedure.

5 I would ask the Chief Clerk to
6 please call the name of our first
7 speaker.

8 CHIEF CLERK: Ann Dixon.

9 MS. DIXON: I'm Ann Dixon. I
10 live in West Philadelphia. I'm a City
11 resident and a taxpayer. I'm speaking in
12 support of Resolution No. 100864 about
13 the impacts of fracking in
14 Philadelphia -- on Philadelphia.

15 The world, including the U.S.,
16 is running out of drinkable and
17 potentially drinkable water. There are a
18 number of reasons for this. Over 60
19 percent of the world's wetlands have been
20 destroyed in the last hundred years.
21 Wetlands clean and filter water.
22 According to hydrologist Dr. Michael
23 Kravelk, about half of the earth's
24 surface is paved. Pavement keeps water
25 from becoming groundwater. Instead, it

1 1/27/11 - STATED - PUBLIC COMMENT

2 goes to the storm drains and eventually
3 to the salty ocean. Thirty billion
4 gallons of groundwater is pumped per day
5 for manufacturing purposes. Much of that
6 is permanently removed from our supply
7 because it is too polluted to be cleaned
8 properly.

9 These facts are taken from the
10 2008 movie "Blue Gold." Since the movie
11 was made, thousands of wells have been
12 fracked. I am really glad that the list
13 of recommendations, on which Councilman
14 Jones's resolution is based, acknowledges
15 that environmental impact studies should
16 address the question of de-watering.

17 Gas drilling uses millions of
18 gallons of water per frack. According to
19 the Department of Environmental
20 Protection's own website, 87 percent of
21 the water used to frack remains
22 underground. This water is permanently
23 lost to us since it contains a host of
24 toxins. In 2009, Pittsburgh city
25 residents were told not to drink their

1 1/27/11 - STATED - PUBLIC COMMENT

2 tap water for a period of time because
3 the Monongahela River, their drinking
4 water source, was polluted from fracking.

5 The Delaware River Basin
6 Commission has proposed new rules for
7 fracking even though environmental impact
8 studies have not been completed. The
9 public needs time to digest these rules
10 and weigh in on them.

11 Philadelphia needs a City
12 Council person to write to the DRBC and
13 ask them to extend their public comment
14 period to September 16th and ask for a
15 hearing in Philadelphia.

16 Immediately after passing this
17 resolution, it is critically important
18 that Council forward the resolution to
19 the DRBC and emphasize the
20 recommendations that call for an
21 extension to their public comment period
22 and for a hearing in Philadelphia.

23 If the new rules are released
24 and drilling starts, we could have 10,000
25 new wells in our watershed in a few short

1 1/27/11 - STATED - PUBLIC COMMENT

2 years. Where will we get our water if
3 one of the accidents that is bound to
4 happen pollutes the Delaware beyond the
5 capacity of our Water Department to
6 remediate it? The world water crisis
7 will have come to Philadelphia.

8 COUNCIL PRESIDENT Verna: Thank
9 you very much.

10 I'm going to ask the Chief
11 Clerk to please -- thank you. I think
12 you're going to have some assistance
13 there.

14 Our next speaker?

15 CHIEF CLERK: Alan Silberman.

16 MR. SILBERMAN: Good morning,
17 Councilmembers. Thank you for the
18 opportunity to speak. My name is Alan
19 Jerome Silberman, 805 East Passyunk
20 Avenue, in the First District. I'm here
21 to speak in support of Resolution 100864
22 on behalf of the 1,000 members of the
23 Temple University Hospital Nurses'
24 Association.

25 As a union of healthcare

1 1/27/11 - STATED - PUBLIC COMMENT

2 professionals and patient care advocates,
3 the issue of hydro-fracking in the
4 Marcellus Shale in the Delaware River
5 Basin and throughout Pennsylvania is of
6 great importance to us. The experience
7 of other regions of the country and even
8 the drilling which has been done in
9 Pennsylvania tell us that this mining
10 process is an enormous threat to public
11 health. Large quantities of toxic
12 chemicals are unavoidably released into
13 the air and water and have already
14 poisoned wells in Pennsylvania.

15 Public health studies in
16 western states where fracking is taking
17 place on the scale contemplated for
18 Pennsylvania have shown elevated rates of
19 asthma and cancer. Blood tests of
20 citizens in Colorado and Texas have found
21 elevated levels of compounds known to be
22 carcinogenic, such as ethyl benzene,
23 xylene, hexane, methyl pentane.

24 Dozens of fracking compounds
25 and by-products are known to be harmful.

1 1/27/11 - STATED - PUBLIC COMMENT

2 There's no safe dose for these chemicals.

3 The cumulative exposure increases risks.

4 We call your attention particularly to

5 the work of the Endocrine Disruption

6 Exchange in this area.

7 We know that fracking releases

8 radioactivity into the environment. We

9 know that the water purification systems

10 which treat our drinking water are not

11 equipped to treat the wastewater from

12 fracking.

13 An ounce of prevention is worth

14 a pound of cure. The profits of the gas

15 mining will go to giant corporations who

16 have no respect for Pennsylvania's

17 resources, people or future. The cost of

18 the illnesses will be borne by the

19 affected individuals, the City and the

20 Commonwealth. We believe the costs will

21 be more than the benefits unless there's

22 a much higher level of accountability,

23 both technical and financial, on the part

24 of the drilling companies that is now

25 being contemplated.

1 1/27/11 - STATED - PUBLIC COMMENT

2 We enthusiastically support the
3 resolution introduced by Councilman
4 Jones. It is not merely symbolic. You
5 can make this a real force in protecting
6 our watershed by promptly communicating
7 the decisions and recommendations to the
8 Delaware River Basin Commission and to
9 Governor Corbett, and we request drawing
10 attention specifically to your general
11 recommendation No. 1 and agency-specific
12 recommendation No. 4. The DRBC and the
13 Governor owe the people of Philadelphia
14 clear answers on these questions.

15 Only if the DRBC complies with
16 your recommendations will the citizens of
17 Philadelphia and the Delaware River Basin
18 generally have the facts we need to be
19 able to choose whether this technology
20 and this industry are worth the risks
21 they pose to our health and if we are
22 willing to incur the costs for what would
23 necessarily be an incomplete remediation.

24 Thank you very much.

25 COUNCIL PRESIDENT Verna: Thank

1 1/27/11 - STATED - PUBLIC COMMENT

2 you, Mr. Silberman.

3 (Applause.)

4 COUNCIL PRESIDENT VERNA: Our
5 next witness?

6 CHIEF CLERK: Matthew Klayman.

7 MR. KLAYMAN: Hi. Good
8 morning. My name is Matthew Klayman. I
9 live in South Philadelphia. Thank you
10 for the opportunity to speak. I'm also
11 the Policy Coordinator for the Energy
12 Coordinating Agency, ECA, and the
13 Keystone Energy Efficiency Alliance,
14 KEEA. ECA is a non-profit corporation
15 whose mission is to help people conserve
16 energy and work toward a sustainable
17 energy future for all in the region. And
18 KEEA is a non-profit corporation that
19 works to promote energy efficiency market
20 transformation through education,
21 advocacy and training.

22 On September 28th, I testified
23 to ECA and KEEA's realistic approach to
24 the issue of Marcellus Shale and
25 fracking. We believe that there should

1 1/27/11 - STATED - PUBLIC COMMENT

2 be a severance tax instituted on natural
3 gas extraction and that a substantial
4 portion of that tax should be dedicated
5 to investments in energy efficiency.

6 We're very pleased to see that those
7 recommendations have been included in the
8 report that came out of that hearing.

9 Currently, the beneficiaries of
10 Marcellus Shale gas are the gas industry
11 and selected private landowners, yet all
12 Pennsylvanians feel the burden of high
13 energy prices. This is especially true
14 for customers of natural gas, fuel oil
15 and kerosene.

16 Pennsylvania Act 129 mandates
17 that electric utilities institute
18 programs that help consumers save
19 electricity, but no such mandate exists
20 for natural gas distribution companies.
21 In addition, many low-income households
22 in Philadelphia, about 40 percent of
23 them, are heated using fuel oil and
24 kerosene, and those are non-utility
25 resources that lack desperately needed

1 1/27/11 - STATED - PUBLIC COMMENT

2 energy conservation programs.

3 It's essential for
4 Pennsylvanians to benefit from Marcellus
5 Shale by using revenue from extraction to
6 help them reduce energy consumption this
7 year and every year.

8 Thank you very much for your
9 time.

10 COUNCIL PRESIDENT VERNA: Thank
11 you, sir.

12 Our next speaker?

13 CHIEF CLERK: Poune Saberi.

14 MS. DIXON: Dr. Saberi had to
15 be at a memorial service today. My name
16 is Ann Dixon. I would like to read her
17 testimony, if that's okay.

18 COUNCIL PRESIDENT VERNA:
19 Please.

20 MS. DIXON: Thank you.

21 COUNCIL PRESIDENT VERNA: You
22 can submit her testimony for the record.
23 We'll give a copy to the stenographer and
24 it will be transcribed in full.

25 MS. DIXON: Okay. So no

1 1/27/11 - STATED - PUBLIC COMMENT

2 speaking?

3 COUNCIL PRESIDENT VERNA: If
4 you don't care to give the testimony to
5 the stenographer, you can speak.

6 MS. DIXON: Okay. Speaking
7 about Resolution No. 100864, Marcellus
8 Shale gas drilling impacts on
9 Philadelphia.

10 My name is Poune Saberi. I'm a
11 family physician at the University of
12 Pennsylvania. I have lived in Center
13 City Philadelphia and been a taxpayer for
14 more than ten years. I am here to
15 support Resolution No. 100864 that
16 addresses the impact of Marcellus Shale
17 hydraulic fracturing on Philadelphia.

18 At the December 16th hearing, I
19 testified about the public health impact
20 of natural gas drilling. I spoke about
21 studies that found a 40-fold increased
22 risk of cancer after only seven days when
23 exposed to the same chemicals that have
24 contaminated the drinking water of two
25 families in Pennsylvania from shale gas

1 1/27/11 - STATED - PUBLIC COMMENT

2 drilling. In another study, EPA tested
3 the private well waters of residents who
4 live around pipelines from drilling sites
5 in Wyoming and they tested positive for
6 Bisphenol A, among other contaminants.

7 As I'm sure you are aware, Bisphenol A is
8 the same endocrine disrupting chemical
9 that is now banned from being used in
10 production of infants' milk bottles.

11 In Texas, there has been a 25
12 percent increase in cases of pediatric
13 asthma in regions where children live
14 close to well pads. We must know much
15 more about the impacts of shale gas
16 drilling on human health before you
17 invite these dangers into our own
18 beautiful, life-filled watershed. The
19 DRBC comment period on its premature
20 rules should be at least two years so
21 that it may be informed by science and
22 protect our health.

23 I strongly support the City
24 Council in adopting the proposed
25 resolution without any delay. I also

1 1/27/11 - STATED - PUBLIC COMMENT

2 urge you to extend the public hearing
3 period on DRBC recommendations beyond
4 March 16th. Philadelphians have the
5 right to be educated and participate in
6 what directly impacts their health.

7 As before, I thank the City
8 Council for being frontrunners in all
9 matters that concern the public health of
10 their residents. I urge you to continue
11 to stand up for Philadelphia and push for
12 a public hearing session on DRBC
13 recommendations in our city.

14 COUNCIL PRESIDENT VERNA: Thank
15 you.

16 (Applause.)

17 COUNCIL PRESIDENT VERNA: Thank
18 you. Our next speaker?

19 CHIEF CLERK: Lisa Armstrong.

20 COUNCIL PRESIDENT VERNA: Good
21 morning. Welcome.

22 MS. ARMSTRONG: Thank you very
23 much. My name is Lisa Armstrong. I live
24 in Philadelphia and own a business in
25 Philadelphia. I have been here since

1 1/27/11 - STATED - PUBLIC COMMENT

2 1978. I'm a member of the Delaware
3 Riverkeeper Network, and I was a
4 volunteer water monitor that sampled the
5 water quality of the Schuylkill River at
6 Walnut Street Bridge on a monthly basis
7 for over eight years. I also represent
8 the Greenfield School community, and I've
9 worked closely with you, Council
10 President Verna, and your staff to raise
11 money and install a storm water
12 management system at the grounds of
13 Greenfield School, which collects all of
14 the rainwater and reduces the pollutants
15 that flow into the Schuylkill River
16 through our combined overflow sewage
17 system.

18 As you can tell, protecting the
19 waters of the Delaware River watershed is
20 something that's very, very important to
21 me. I've spent a lot of my adult life
22 volunteering to do this.

23 Today, I am speaking on behalf
24 of the Delaware Riverkeeper Network and
25 the 7,000 members who have major concerns

1 1/27/11 - STATED - PUBLIC COMMENT

2 about unconventional shale gas drilling
3 in the Delaware River watershed.

4 Thank you, Councilman Jones and
5 Councilwoman Reynolds Brown, for your
6 continued leadership and past actions to
7 shed light on the potential threats
8 hydraulic fracturing in the Marcellus
9 Shale may bring to the drinking water of
10 Philadelphia and the 17 million people
11 who rely on the Delaware and Schuylkill
12 Rivers for their drinking water. Maya
13 van Rossum, the Delaware Riverkeeper, was
14 delighted to share testimony as one of
15 the 19 panelists at the September 28th,
16 2010 hearing conducted by the Joint
17 Committees on Transportation and Public
18 Utilities and the Environment.

19 The expert concerns from that
20 hearing and outlined in the report
21 clearly indicate the continued need for
22 your leadership on this issue. Your
23 action to pass this resolution and the
24 report and recommendations today is ever
25 more critical with the events that have

1 1/27/11 - STATED - PUBLIC COMMENT

2 transpired since the hearing on September
3 28th. Delaware Riverkeeper Network wants
4 to share recent events for your
5 consideration that raise the urgency of
6 this issue for the Delaware River
7 watershed today.

8 Despite a storm of protest and
9 requests from thousands to wait for the
10 science to be completed, including
11 Philadelphia City Council, New York
12 Governor David Paterson, Congressman
13 Maurice Hinchey of New York, Congressman
14 Rush Holt of New Jersey, New York City
15 Mayor Michael Bloomberg and New York City
16 Council, the Delaware River Basin
17 Commission prematurely issued draft
18 natural gas development regulations for
19 the Delaware River watershed at the
20 December 8th meeting.

21 The Delaware River Basin
22 Commission began an inadequate 90-day
23 comment period and only three public
24 hearings on the regulations. This is in
25 direct conflict with Philadelphia

1 1/27/11 - STATED - PUBLIC COMMENT

2 Council's recommendations, past
3 resolution and letters, and the current
4 resolution being considered. It is also
5 in direct conflict to the over 10,000
6 citizens who called the Delaware River
7 Basin Commission to wait until the
8 science and the cumulative impact study
9 for the Delaware River watershed has been
10 conducted and important studies like the
11 EPA study on the effects of hydraulic
12 fracturing on drinking water is complete.

13 Furthermore, the Delaware River
14 Basin Commission announced on January
15 24th the three meeting dates set for the
16 public to be heard regarding the draft
17 drilling --

18 COUNCIL PRESIDENT VERNA:

19 Ms. Armstrong, can you please come to
20 some conclusion, because your time has
21 been up.

22 MS. ARMSTRONG: Sure. One of
23 the main points of concern is, not one of
24 the three hearings is in Philadelphia,
25 and we would really like City Council to

1 1/27/11 - STATED - PUBLIC COMMENT

2 implore to the Delaware River Basin
3 Commission that they reconsider and have
4 a hearing in Philadelphia. And if they
5 do not respond to that request for a
6 fourth hearing in the City limits, we
7 respectfully request the Council to hold
8 a public hearing in the City limits and
9 submit the transcript to the Delaware
10 River Basin Commission for official
11 public comment before the March 16th
12 comment deadline.

13 In addition, the Delaware
14 Riverkeeper Network urges Philadelphia
15 Council to publicly and strongly call on
16 the Delaware River Basin Commission to
17 hold -- to put hold on the regulatory
18 process until the science is complete.

19 COUNCIL PRESIDENT VERNA: Thank
20 you very much.

21 MS. ARMSTRONG: I have more on
22 the testimony here, which I'll hand in.

23 COUNCIL PRESIDENT VERNA: Thank
24 you.

25 MS. ARMSTRONG: But thank you

1 1/27/11 - STATED - PUBLIC COMMENT

2 very much.

3 (Applause.)

4 COUNCIL PRESIDENT Verna: Our
5 next speaker?

6 CHIEF CLERK: Francine Cohen.

7 COUNCIL PRESIDENT Verna: Is
8 Francine Cohen here? Yes.

9 MS. COHEN: Good morning.

10 COUNCIL PRESIDENT Verna: Good
11 morning. Welcome.

12 MS. COHEN: Thank you very much
13 for allowing me to speak. My name is
14 Francine Cohen. I am here in favor of
15 Resolution 100864. I am here today as
16 both a very concerned citizen of
17 Philadelphia as well as the Executive
18 Director of Philagreen Hospitality
19 Association, which represents hotels in
20 the region interested in sustainable
21 practices, mostly in Center City. I'm
22 here to express the consequences on the
23 hospitality industry should our drinking
24 water become contaminated as a result of
25 hydraulic fracturing in the Delaware

1 1/27/11 - STATED - PUBLIC COMMENT

2 River Basin. The fact that we even need
3 to address this is beyond my
4 comprehension, as our right to clean
5 drinking water should be undeniable. And
6 with the 2,000-plus violations already
7 amassed by the gas industry, it should be
8 obvious that the government needs to step
9 in and take every action within its
10 authority to protect the highly
11 profitable tourism industry as well as
12 its citizens.

13 As I'm sure you're well aware,
14 tourism is big business here and is
15 poised to become even bigger with the
16 expansion of the Convention Center.
17 There are over 11,000 hotel rooms in
18 Philadelphia currently, employing over
19 10,000 people, 80 percent of whom are
20 Philadelphia residents. Philadelphia
21 hotels currently generate over \$110
22 million annually in tax revenue for the
23 City and the Commonwealth. According to
24 the GPTMC, visitor spending in Greater
25 Philadelphia generated \$8.2 billion in

1 1/27/11 - STATED - PUBLIC COMMENT

2 2009. In that year, visitor spending
3 sustained 83,664 full-time jobs,
4 generating \$1.2 billion in total taxes.

5 Certainly the current economic
6 climate has affected this industry, with
7 lower hotel room rates and fewer
8 conventions in the past, and although the
9 expanded Convention Center promises
10 increased occupancy, should our drinking
11 water become contaminated here in the
12 City, those rooms will not be filled.
13 Travelers will certainly take their
14 business to a city where they are not
15 forced to drink bottled water.

16 Just imagine, if you will,
17 signs in our hotels warning guests not to
18 drink the water from their sinks. This
19 is not a third-world country struck by an
20 unavoidable environmental disaster. We
21 have an opportunity now to prevent this
22 from happening, and if you don't do all
23 that you can to protect your citizens and
24 this industry, you will be part of the
25 problem rather than the solution. The

1 1/27/11 - STATED - PUBLIC COMMENT

2 Delaware River will be contaminated. The
3 cost to clean it up will be more than any
4 agency can afford, if in fact it can ever
5 be remediated to its current state.

6 Certainly prevention trumps such dubious
7 attempts.

8 Please urge the DRBC to extend
9 its moratorium until an impact study has
10 been released and ensure our citizens in
11 Philadelphia have a voice to the DRBC by
12 holding a formal meeting here prior to
13 their March 16th deadline.

14 Thank you for your time.

15 COUNCIL PRESIDENT VERNA: Thank
16 you.

17 (Applause.)

18 COUNCIL PRESIDENT VERNA: Our
19 next speaker?

20 CHIEF CLERK: Iris Marie Bloom.

21 MS. BLOOM: Councilman Curtis
22 Jones, Councilwoman Blondell Reynolds
23 Brown and all of you in City Council who
24 have taken leadership to protect our
25 water, air and public health, I commend

1 1/27/11 - STATED - PUBLIC COMMENT

2 you. Thank you for your steadfast
3 courage. We're going to need more of
4 that very soon.

5 Due to the inability of federal
6 or state regulators to properly regulate
7 this industry, the chemicals used in
8 fracking continue to be kept secret,
9 violating the public's right to know.

10 The human impacts from shale gas drilling
11 out west and here in Pennsylvania are
12 mounting. People are beginning to die
13 from exposure to fracking chemicals.
14 I'll mention two deaths.

15 Last year on September 11th,
16 Jose Lara, a worker who sprayed the --
17 cleaned the containers containing
18 fracking chemicals, died at the age of 42
19 from pancreatic cancer. His doctor
20 believes that was due to exposure to
21 fracking chemicals. Two months later,
22 Chris Mobaldi of Garfield County,
23 Colorado, who had been sickened by
24 intensive exposure to gas drilling fumes,
25 died from a rare pituitary tumor. Also

1 1/27/11 - STATED - PUBLIC COMMENT

2 in her case, not only she and her family,
3 but her family physician believe that was
4 because of exposure to fracking
5 chemicals, which move both through water
6 and through air.

7 Members of Council, you stand
8 uncorrupted. To my knowledge, unlike
9 Dick Cheney, none of you is a former
10 Halliburton CEO. To my knowledge, unlike
11 Governor Corbett, you have not taken \$1.2
12 million from the gas drilling companies,
13 and unlike former Governor Tom Ridge, you
14 do not have a \$900,000 lobbying contract
15 with the industry.

16 Pennsylvania is the place and
17 2011 is the time in which the revolving
18 door between government, industry and
19 regulators spin faster and faster. Last
20 month, a judge in the Delaware River
21 Basin cancelled a very important hearing
22 at which scientific evidence would have
23 been presented arguing authoritatively
24 that no drilling should take place in the
25 Delaware River Basin. This month, that

1 1/27/11 - STATED - PUBLIC COMMENT

2 same judge, it turns out, his firm
3 actually is a member of the industry
4 lobbying group, the Marcellus Shale
5 Coalition.

6 So we are counting on you,
7 Council, to take a different tact. Big
8 money talks, and public officials are
9 supposed to protect us, listening to
10 science and the public interests.

11 What we're asking of you now,
12 City Council, is not just to pass
13 Resolution No. 100864. We look forward
14 to its passage. We're not aware of any
15 amendment, so we're not sure what that's
16 about, but here's the most important
17 thing: Regardless of whether that
18 resolution is passed today, we need you
19 to send a letter to the DRBC tomorrow
20 demanding two things. This is in
21 Resolution 100864, which has already been
22 passed by the Joint Committees on
23 Transportation and Utilities and the
24 Environment. Please demand that the
25 March 16th deadline for public comment on

1 1/27/11 - STATED - PUBLIC COMMENT

2 fracking in the Delaware River watershed
3 be extended beyond March 16th. That's an
4 outrageously short public comment period.
5 And please hold a hearing in Philadelphia
6 so that we can have a voice in our
7 watershed. We need to do that within the
8 next six weeks, before the March 16th
9 deadline.

10 Thank you so much.

11 COUNCIL PRESIDENT Verna: Thank
12 you.

13 (Applause.)

14 COUNCIL PRESIDENT Verna: Our
15 next speaker?

16 CHIEF CLERK: Elizabeth Arnold,
17 commenting on 100864.

18 MS. ARNOLD: Hi. Good morning.
19 My name is Elizabeth Arnold. I'm a
20 lifetime resident of Philadelphia and a
21 taxpayer. I'm testifying today in
22 support of the passage of Councilman
23 Jones's Resolution 100864.

24 Hydraulic gas fracturing, or
25 fracking, has negatively impacted

1 1/27/11 - STATED - PUBLIC COMMENT

2 communities across the state. I've
3 spoken to people who live near the drill
4 heads. They say there is no adequate
5 compensation for the sounds, smell,
6 sight, contamination and environmental
7 degradation caused by gas drilling.
8 Fracking pollutes the water that people
9 and animals depend on for life. It
10 produces air pollution and causes
11 irreparable damage to the very
12 composition of our planet.

13 New York, Arkansas and the City
14 of Pittsburgh have moratoriums on
15 fracking. Pennsylvania needs a
16 moratorium on fracking immediately. A
17 moratorium is the minimum needed at least
18 until complete disclosure of all the
19 596-plus chemicals used in the fracking
20 process becomes mandatory, until the
21 Halliburton Loophole, which exempts gas
22 drilling from meeting basic federal
23 environmental protection laws such as the
24 Clean Water Act, the Safe Drinking Water
25 Act, the Clean Air Act and more. We need

1 1/27/11 - STATED - PUBLIC COMMENT

2 a moratorium until the EPA study is
3 complete and a cumulative impact study
4 has been assessed for each watershed in
5 the state - the Ohio, Susquehanna and the
6 Delaware River Basins. We need a
7 moratorium until open plastic line
8 impoundments filled with toxic waste are
9 outlawed throughout Pennsylvania. We
10 need a moratorium until greenhouse gas
11 emissions from the industry are measured
12 and regulated. And we need a moratorium
13 until the wastewater from drilling in 100
14 percent -- a moratorium until the
15 wastewater from drilling is 100 percent
16 accounted for and until toxic loads in
17 streams are measured daily, not monthly.

18 I urge City Council not just to
19 pass Resolution 100864, but also to
20 really fight to keep Philadelphians safe
21 by demanding that the Delaware River
22 Basin Commission continue its current
23 moratorium on drilling in the Delaware
24 River Basin.

25 Right now the DRBC is only

1 1/27/11 - STATED - PUBLIC COMMENT

2 giving the public until March 16th to
3 comment on whether to continue the
4 moratorium. There is no hearing
5 scheduled to be held in Philadelphia
6 before that date. The DRBC needs to hold
7 a hearing in Philadelphia so that this
8 major population center whose water
9 supply is at stake can voice its opinion
10 on the fate of our water.

11 Many people in Philadelphia
12 still don't know about this issue.
13 People need time to get to know the
14 issue, to get to know what's at stake and
15 to be able to voice their comments here
16 locally without having to go halfway
17 across the state.

18 I sincerely hope that City
19 Council will heed the words of this
20 morning's Mount Airy minister and be an
21 inspiration and example to our city,
22 state and nation by calling for a
23 moratorium on drilling in the Delaware
24 Valley watershed.

25 Thank you.

1 1/27/11 - STATED - PUBLIC COMMENT

2 COUNCIL PRESIDENT Verna: Thank

3 you.

4 (Applause.)

5 COUNCIL PRESIDENT Verna: Our

6 next speaker?

7 CHIEF CLERK: Daniel P.

8 Cordero, commenting on trash plan fines.

9 MR. CORDERO: Good morning,

10 President Verna --

11 COUNCIL PRESIDENT Verna:

12 Mr. Cordero?

13 MR. CORDERO: -- and

14 Councilmembers.

15 COUNCIL PRESIDENT Verna:

16 Excuse me, sir.

17 MR. CORDERO: My name is

18 Daniel --

19 COUNCIL PRESIDENT Verna:

20 Excuse me. What bill number on the

21 Second Reading and Final Passage Calendar

22 are you testifying on?

23 MR. CORDERO: It's not. I'm

24 commenting on --

25 COUNCIL PRESIDENT Verna: I

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2 can't hear a word you're saying.

3 MR. CORDERO: Pardon me?

4 COUNCIL PRESIDENT VERNA: I
5 cannot hear you.

6 MR. CORDERO: I'm told that I
7 can speak on anything at this time. I
8 have no bill in front of me. It's a plan
9 that you's have imposed on the
10 businessowners of the City of
11 Philadelphia in 2009 that we haven't been
12 informed of. Now you's are turning
13 around and you are fining us for not
14 having a trash plan filed in the City of
15 Philadelphia.

16 COUNCIL PRESIDENT VERNA: No.
17 I'm sorry, sir. I don't know who
18 informed you that you would be able to
19 speak today. I'm sure that there will be
20 an appropriate time that you could come
21 in. We will be having public hearings on
22 our budget, and when the Streets
23 Department comes in to testify and when
24 we have public testimony, you're more
25 than welcome to come in to speak at that

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2 time. But there is nothing on the Second
3 Reading and Final Passage Calendar to
4 address the issue that you want to speak
5 on.

6 MR. CORDERO: If I can take a
7 minute just to be out of order, Council
8 President Verna. I'm asking you at this
9 time to stop all fines on the businesses
10 of the City of Philadelphia over a trash
11 plan that you've implemented that we have
12 no knowledge of. You're fining the
13 businessowners and we're asking you to
14 stop it.

15 COUNCIL PRESIDENT VERNA: Sir,
16 excuse me.

17 MR. CORDERO: I'm done. I'm
18 sorry.

19 COUNCIL PRESIDENT VERNA:
20 Excuse me. I think you ought to talk to
21 the District Councilperson.

22 MR. CORDERO: I did.

23 COUNCIL PRESIDENT VERNA: Okay.

24 MR. CORDERO: They informed me
25 to come here at this meeting. That's why

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2 I'm here.

3 COUNCIL PRESIDENT VERNA: You
4 have been misinformed. I'm terribly,
5 terribly sorry.

6 MR. CORDERO: You've been
7 misinformed if you think you can impose
8 laws on the City without informing us of
9 what they are. You're not -- that's not
10 your purpose -- that is not the reason we
11 elected you. You're here to represent
12 the citizens of the City of Philadelphia,
13 and you're not properly doing this.

14 If you don't care to look into
15 my problem, that's your problem. I'm
16 asking you to look into my problem, see
17 what it is. No one seems to care. I'm
18 telling you what it is, and you should at
19 least give me the respect to tell me that
20 you would look into it and get back to me
21 on that.

22 COUNCIL PRESIDENT VERNA: If
23 you --

24 MR. CORDERO: Thank you for
25 your time. Evidently you don't care to

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2 listen.

3 COUNCIL PRESIDENT VERNA:

4 Excuse me. Excuse me. If you would
5 check with a member of the staff and tell
6 them what it is that you wanted to speak
7 about, maybe there's something we can
8 look into. I just don't know what it is
9 that you wanted to speak about.

10 Thank you.

11 Our next speaker?

12 CHIEF CLERK: Iwanka

13 Kultschycky, commenting on Resolution
14 100864.

15 MR. KULTSCHYCKYI: Let me help
16 you with my name. It's Iwanka
17 Kultschycky, and I am a resident of
18 Philadelphia and a taxpayer. I am also a
19 bit under the weather, like most of all
20 of you. So good morning. And I am a
21 student of Community College of
22 Philadelphia.

23 I not only support the passage
24 of Councilman Jones' Resolution 100864,
25 but I am also reading a letter from Mark

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2 Schmerling, a documentary photographer,
3 to the Delaware River Basin Commissioners
4 dated January 26th, 2011. It reads as
5 follows:

6 Dear Commissioners, my purpose
7 in writing to you is simple: To implore
8 you to continue the moratorium against
9 Marcellus Shale gas drilling in the
10 entire river basin. The reasons are many
11 and serious.

12 As a documentary photographer,
13 I have already learned about the
14 widespread contamination of both
15 groundwater and drinking water wells from
16 the entire cycle of coal. In my travels
17 to Southwest Pennsylvania to meet with
18 residents negatively impacted by the
19 consequences of drilling or being
20 sickened by toxins emitted from recently
21 constructed nearby compressor stations,
22 it is shocking that our elected officials
23 have let this predatory industry into my
24 beloved state. I challenge you to show
25 me a more precious resource than pure

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2 groundwater.

3 I've seen the lines of trucks
4 driven by workers who have invaded these
5 rural areas, the menacing drill rigs and
6 pads. I've met individuals whose blood
7 contained phenol and benzene from living
8 near compressor stations. I've witnessed
9 the awful chemical stench from one such
10 station, just part of the immense
11 infrastructure that is turning some of
12 our Edens into wastelands.

13 I've met landowners whose
14 cattle have died and/or delivered
15 stillborn calves from the adults having
16 drank water contaminated by the drilling.
17 Arsenic and other heavy metals have
18 infiltrated drinking water wells and
19 water used by cattle. Surviving beef
20 cattle eat but don't gain the normal
21 weight. I've seen black water in a
22 family's toilet tank, water which one PA
23 DEP representative didn't think was
24 tainted.

25 This much is certain: We got

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2 along without gas from any of these deep
3 shale deposits. We can continue getting
4 along without it. Prolonging our fossil
5 fuel addiction, when renewable energy is
6 so much more healthful and produces
7 greater and sustained employment,
8 produces energy for the United States as
9 opposed to huge amounts of both coal and
10 gas being shipped abroad, is criminally
11 irresponsible.

12 COUNCIL PRESIDENT Verna:

13 Excuse me. Your testimony is really
14 quite interesting, but your time is up,
15 so I would ask you to conclude your
16 statement, please.

17 MS. KULTSCHYCKYI: The letter
18 reads on further, so may I finish at
19 least four sentences?

20 COUNCIL PRESIDENT Verna: Okay.

21 MS. KULTSCHYCKYI: Natural gas
22 is not a bridge fuel. Relying on it only
23 prevents us from rapidly transitioning to
24 renewable energy sooner, with more jobs,
25 better health, safer water for drinking

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2 and for wildlife, and fewer taxpayer
3 subsidies. Keeping drillers out of state
4 forests and similar land will help
5 maintain our tourist industry, keep more
6 jobs in forestry and in the hardwood
7 industry. In addition, the cycle of
8 natural gas drilling releases immense
9 amounts of CO2.

10 In the end, we ask that Council
11 safeguard all of its citizens, the
12 present and the future.

13 COUNCIL PRESIDENT Verna: Thank
14 you.

15 (Applause.)

16 COUNCIL PRESIDENT Verna: Our
17 next speaker?

18 CHIEF CLERK: Fred Fisher,
19 commenting on the DROP.

20 MR. FISHER: Good morning.

21 COUNCIL PRESIDENT Verna: Good
22 morning.

23 MR. FISHER: I've run into some
24 people who I know here. I'm a retired
25 City employee. I was in charge of the

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2 Cable Television Unit. I live in Center
3 City Philadelphia.

4 COUNCIL PRESIDENT VERNA:

5 Excuse me.

6 MR. FISHER: Yes, ma'am.

7 COUNCIL PRESIDENT VERNA: I
8 don't see the DROP issue on the Second
9 Reading and Final Passage Calendar. It
10 is my sincere hope that before long that
11 is an issue that we will be addressing,
12 and I would certainly welcome you to come
13 back at the appropriate time.

14 MR. FISHER: Well, let me say
15 this: I understand the rules. I walked
16 up here in the snow because you were in
17 session, and I thought I was going to be
18 able to speak. The DROP is -- there is a
19 bill introduced. I know it's not on the
20 final thing. I would like to have a
21 minute to speak about DROP, because the
22 City -- one minute and I'll shut up.

23 I've worked for the City 26
24 years. These cameras that are here were
25 put in by my office and that people who

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2 worked for me are the ones who operate
3 it.

4 But there has been three or
5 four editorials about DROP in the
6 Inquirer. It's a rip-off. It's cost
7 \$258 million, a quarter of a billion
8 dollars. I'm not talking about just the
9 politicians. No one should get four
10 years pension and salary at the same
11 time. It is a rip-off.

12 COUNCIL PRESIDENT VERNA: Mr.

13 Fisher --

14 MR. FISHER: Thank you very
15 much.

16 COUNCIL PRESIDENT VERNA: --

17 I'm going to repeat -- thank you.

18 (Applause.)

19 COUNCIL PRESIDENT VERNA: Our

20 next speaker?

21 MR. FISHER: I am a chief party
22 member, and we will be voting against you
23 guys who are taking the money.

24 Thank you.

25 COUNCIL PRESIDENT VERNA: Thank

1 1/27/11 - STATED - PUBLIC COMMENT

2 you.

3 Our next speaker?

4 CHIEF CLERK: Austin A. Kelley,
5 commenting on Resolution 100864.

6 MR. KELLEY: My name is Austin
7 Kelley. I reside in the City of
8 Philadelphia. I'm going to read the
9 concluding portions of Mark Schmerling's
10 testimony.

11 It is also evident that our
12 environmental regulatory agencies have
13 insufficient personnel and pitifully
14 little mandate for most politicians to
15 protect our environment and our health.
16 It is no accident that former Halliburton
17 CEO Dick Cheney, a man whose dictionary
18 excludes the term "conflict of interest,"
19 helped Congress jam through the so-called
20 Halliburton Loophole in 2005 excluding
21 the oil and gas industries from the major
22 portions of the Clean Water Act and Safe
23 Drinking Water Act. If hydraulic
24 fracturing is so safe, why is this? If
25 it's so safe, why does legislation allow

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2 companies like Halliburton to hide the
3 contents of the fluid? Those 596
4 ingredients don't include fresh
5 vegetables, whole grain, pure water or
6 even jelly doughnuts.

7 I'll let you speak with Ron
8 Gulla of Hickory, Washington County, PA
9 whose farm was poisoned and hijacked by
10 Range Resources. Ron has no place to
11 live now, because his land, like that of
12 others, is unfit for habitation. You can
13 talk with Phyllis Carr of Southwest
14 Fayette County who, along with her
15 grandchildren, has become ill from the
16 poisons coming off a nearby compressor
17 station. You can talk with Wayne and
18 Angel Smith of Clearville, Bedford County
19 whose cattle have either died or have
20 stunted growth, whose water contains
21 arsenic only since a gas well and
22 compressor station were constructed
23 nearby. Or meet Sandy McDaniel, also of
24 Clearville, who has suffered severe
25 health problems from mercaptan, and who

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2 knows what else, coming from the same
3 compressor station near her home. Or
4 meet Terry Greenwood of Daisytown,
5 Washington County. Terry and his wife
6 bought their farm in 1988 and have never
7 signed a lease for gas drilling.
8 However, someone signed a lease in 1921
9 and the Greenwoods are suffering for it,
10 with fields damaged for road building and
11 with three of the farm's four water
12 sources either poisoned or otherwise put
13 out of commission. The drilling company
14 provides some water, not the pure water
15 the farm once produced, and not enough to
16 keep the beef production going. Two
17 years ago, Terry's cows delivered ten
18 stillborn calves after the cows drank
19 water coming off a well site on the farm.

20 Or you can meet Steph Hallowich
21 whose family has been sickened and their
22 land and home made valueless by their
23 proximity to a complex of wells,
24 compressor stations and other legacies of
25 this bridge-to-nowhere fuel.

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2 This, folks, is merely the very
3 tip of the iceberg. This is what will
4 happen in the Delaware River Basin if the
5 moratorium is lifted. This is my
6 drinking water potentially being poisoned
7 and that of millions of other residents
8 of Pennsylvania, New York, New Jersey and
9 Delaware.

10 We have the sun and the wind
11 and the technology now to power our
12 homes, cars and industries from them.
13 Please do not let a greedy and corrupting
14 industry bleed the life out of this
15 magnificent resource and its millions of
16 residents. I implore you to keep the
17 current moratorium on Marcellus Shale gas
18 drilling in the river basin. Go with
19 science, not politics.

20 And I'll simply add that a
21 direct letter to the Delaware River Basin
22 Commission affirming the need and the
23 right for residents of this watershed
24 down here to be able to publicly comment
25 on these issues is imperative for the

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2 health of all of us.

3 Thank you.

4 COUNCIL PRESIDENT Verna: Thank

5 you.

6 (Applause.)

7 COUNCIL PRESIDENT Verna: Our

8 next speaker?

9 CHIEF CLERK: Dr. Andrea

10 Brockman, commenting on Resolution

11 100864.

12 DR. BROCKMAN: Good morning.

13 COUNCIL PRESIDENT Verna: Good

14 morning, Doctor. Welcome.

15 DR. BROCKMAN: Good morning. I

16 reside in the Art Museum area of

17 Philadelphia. I own a Mercury-safe

18 dental practice in the Roxborough area

19 for over 25 years.

20 I am here as a citizen of

21 Philadelphia, but also a citizen of the

22 State of Pennsylvania, because I do own a

23 home in Sullivan County as well where

24 there is fracking being done and well

25 pads being put up all around my house. I

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2 first heard of this issue about two years
3 ago. We resisted it because we did not
4 want our water contaminated. It didn't
5 matter. All the landowners around our
6 property had sold gas leases and were
7 putting well pads on, which was affecting
8 not only our well water, but it was also
9 affecting our roads. It was affecting
10 the beauty of our area, the tourism that
11 was coming up to Eagles Mere and using
12 the lakes. People coming into the area
13 were very affected by the site and the
14 traffic of all the rigs and trucks that
15 were going by, affecting the look of the
16 sky.

17 When I found that this was
18 coming into Philadelphia as well, I found
19 that people here just did not know about
20 it. Most people have never heard of the
21 Marcellus Shale in Philadelphia and don't
22 know what the effects are to the drinking
23 water.

24 I have to say that when
25 fracking started in our area of well pads

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2 that were in the thousand to 3,000 feet
3 of our well water, the ink was not even
4 dry on the leases when our well water was
5 tested and there was already arsenic and
6 chloride. This is within just weeks of
7 fracking.

8 I think that more needs to be
9 done to inform the citizens of
10 Philadelphia, how our water can be
11 affected, because people have no idea of
12 how our lives can be impacted by not
13 having safe drinking water, water that's
14 going to be used for baiting, for
15 irrigating our crops. This is going to
16 have a much greater effect than the
17 energy crisis that we're in. And I would
18 implore that this would get into the
19 newspapers and the news stations daily so
20 that people become more aware of this
21 issue.

22 This will affect our tourism in
23 Philadelphia. It will affect higher
24 education. People will not be wanting to
25 send their children to the colleges that

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2 are in Philadelphia if the water is
3 contaminated. These are things that are
4 affecting all Philadelphians, but
5 consider yourself at risk if you are not
6 going to put a moratorium on this and
7 have our great numbers of Philadelphia
8 have an impact on the vote that goes on
9 in this state so that our drinking water
10 is not affected.

11 Thank you.

12 (Applause.)

13 COUNCIL PRESIDENT Verna: Thank
14 you.

15 Our next speaker?

16 CHIEF CLERK: Norma Van Dyke,
17 commenting on Resolution 100864.

18 COUNCIL PRESIDENT Verna: Good
19 morning.

20 MS. VAN DYKE: Good morning.
21 My name is Norma Van Dyke. I live in
22 Center City.

23 I join with others in thanking
24 Councilman Jones and Blondell Reynolds
25 Brown for their leadership in bringing

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2 the matter of fracking in the Marcellus
3 Shale before this Council and for
4 Council's strong response.

5 As you've just heard from Iris
6 Marie Bloom, on December 8th, the gas
7 industry withdrew from a hearing
8 scheduled with the Delaware River Basin
9 Commission for January 18th. The hearing
10 was scheduled to defend the
11 appropriateness of the DRBC to regulate
12 all exploratory gas wells and to
13 challenge the inappropriateness of the
14 possibility of 15 wells, gas wells, being
15 drilled in the Delaware River Basin.

16 By withdrawing in silence, the
17 gas industry could not have made a louder
18 confession that claims that fracking is
19 benign are bogus. I hope this Council
20 will demand that there be hearings here
21 in Philadelphia on the pros and cons of
22 fracking and what it's going to mean to
23 our state.

24 Thank you.

25 (Applause.)

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2 COUNCIL PRESIDENT Verna: Thank
3 you.

4 Is there anyone else who wishes
5 to provide public comment on today's
6 agenda?

7 MS. Fishman: Yes. My name is
8 Janet Fishman. I live in Philadelphia.
9 I'm a mother, and my son is 22. He has
10 many lovely young friends. We're all
11 healthy. If there's any chance that
12 fracking could be a risk to health, that
13 it would increase the rates of cancer
14 that are rising all the time, I think
15 even if there is a chance -- and I
16 believe there's more than a chance -- it
17 is worth a moratorium to have a careful
18 study of the effects and to give us time
19 to comment on it.

20 Thank you.

21 COUNCIL PRESIDENT Verna: Thank
22 you all very much.

23 (Applause.)

24 COUNCIL PRESIDENT Verna: Again
25 I would ask, is there anyone else who

1 1/27/11 - STATED - PUBLIC COMMENT
2 wishes to provide public comment on
3 today's agenda?

4 MS. LAUGHLIN: Hello.

5 COUNCIL PRESIDENT VERNA:
6 Hello.

7 MS. LAUGHLIN: My name is
8 Marjorie Laughlin and I am not a
9 Philadelphia resident, but I am a
10 taxpayer and a citizen of this great
11 state.

12 The moratorium that went into
13 effect, according to the DEP and
14 Representative Paul Clymer, was not to
15 stop drilling. It was only to stop
16 withdrawing water from the Delaware
17 River. If this moratorium is successful
18 in going through, which I pray it will,
19 please make sure that the deep pockets of
20 whoever writes the paperwork that gets
21 submitted, that it is for stopping the
22 drilling. That is critical.

23 COUNCIL PRESIDENT VERNA: Thank
24 you very much.

25 (Applause.)

1 1/27/11 - STATED - 2ND READING

2 COUNCIL PRESIDENT Verna: Is
3 there anyone else who wishes to provide
4 testimony?

5 (No response.)

6 COUNCIL PRESIDENT Verna:
7 Seeing none, we will now consider bills
8 and resolutions on the Second Reading and
9 Final Passage Calendar.

10 I would ask the Chief Clerk to
11 please read the title of Resolution No.
12 100864.

13 CHIEF CLERK: A resolution
14 adopting the report issued by Council's
15 Joint Committees on Transportation and
16 Public Utilities and the Environment on
17 the economic and environmental impacts
18 that hydraulic drilling of Marcellus
19 Shale will have on Philadelphia and the
20 surrounding region.

21 COUNCIL PRESIDENT Verna: The
22 Chair recognizes Councilman Jones.

23 COUNCILMAN JONES: Thank you,
24 Madam President. I would like to offer
25 an amendment to Resolution No. 100864.

1 1/27/11 - STATED - 2ND READING

2 The amendment would simply attach to the
3 resolution the final report issued by the
4 Joint Committee of Transportation and
5 Public Utilities and the Environment with
6 certain modifications. A copy of the
7 amendment has been circulated to all
8 members of Council, and I move for the
9 adoption.

10 (Duly seconded.)

11 COUNCIL PRESIDENT VERNA: It
12 has been moved and properly seconded that
13 the amendment be adopted.

14 All in favor will say aye.

15 (Aye.)

16 COUNCIL PRESIDENT VERNA: Those
17 opposed?

18 (No response.)

19 COUNCIL PRESIDENT VERNA: The
20 ayes have it, the motion carries, and,
21 again, the Chair recognizes Councilman
22 Jones.

23 COUNCILMAN JONES: Thank you
24 again, Madam President. I move for the
25 adoption of the resolution.

1 1/27/11 - STATED - 2ND READING

2 (Duly seconded.)

3 COUNCIL PRESIDENT Verna: It
4 has been moved and seconded that the
5 resolution be adopted.

6 All in favor will say aye.

7 (Aye.)

8 COUNCIL PRESIDENT Verna: Those
9 opposed?

10 (No response.)

11 COUNCIL PRESIDENT Verna: The
12 ayes have it and the motion carries.
13 Thank you.

14 (Applause.)

15 COUNCIL PRESIDENT Verna: The
16 Chief Clerk will please read the title of
17 Resolution No. 100 --

18 COUNCILWOMAN TASC0: Madam
19 President, I have my light on.

20 COUNCIL PRESIDENT Verna:
21 Pardon me?

22 COUNCILWOMAN TASC0: I have my
23 light on.

24 COUNCIL PRESIDENT Verna: I'm
25 sorry. I can't see it. The flag is in

1 1/27/11 - STATED - 2ND READING

2 the way.

3 COUNCILWOMAN TASCO: It's
4 relative to the resolution that was
5 just --

6 COUNCIL PRESIDENT VERNA: Very
7 well. Councilwoman Tasco.

8 COUNCILWOMAN TASCO: Thank you
9 very much. I just wanted to say that I
10 do support the amended version of
11 Resolution 100864. The amendments will
12 change the two recommendations in the
13 Committee's report directed at the
14 Philadelphia Gas Works and the
15 Philadelphia Gas Commission. The Gas
16 Commission has notified City Council that
17 it supports the report if the changes are
18 made.

19 The amendments to the report
20 are intended to remove a potential
21 conflict of state law. State law
22 requires PGW and all other gas utilities
23 in Pennsylvania to buy the least cost
24 fuel when they purchase gas supply for
25 their customers. If there is to be any

1 1/27/11 - STATED - 2ND READING

2 change in how this cost is calculated so
3 that environmental impacts can be taken
4 into consideration, that will require
5 discussions with the State Public Utility
6 Commission.

7 PGW is not now buying, and has
8 no immediate plans to buy, gas directly
9 from the Marcellus Shale. PGW contracts
10 for all its gas supply in the Gulf of
11 Mexico region, and this is its cheapest
12 source of gas right now. There are also
13 no pipeline connections from PGW to the
14 Marcellus Shale. Unless Marcellus gas
15 becomes directly available to
16 Philadelphia, is among the cheapest
17 sources and is being delivered in a way
18 that is in the public's best interest,
19 PGW has stated it has no plans to buy it.

20 This being the case, the Gas
21 Commission did not direct, did not direct
22 PGW not to buy any Marcellus Shale gas,
23 nor would Philadelphia become the first
24 city in the United States to refuse to
25 buy Marcellus gas, as has been

1 1/27/11 - STATED - 2ND READING

2 incorrectly reported by some other media.

3 Instead, the recommended amendments

4 represent a responsible course of action

5 on this issue, and the Commission met

6 with Councilman Jones, made a

7 presentation to the Commission, full

8 discussion, because there are

9 implications for PGW, and we came out

10 unanimous in support of his report on

11 behalf of the gas company.

12 COUNCIL PRESIDENT Verna: Thank

13 you.

14 COUNCILWOMAN TASCIO: Thank you.

15 COUNCIL PRESIDENT Verna: Thank

16 you.

17 The Chief Clerk will please

18 read the title of Resolution 100877.

19 CHIEF CLERK: A resolution

20 Recognizing Vivian T. Miller for a Career

21 of Service to the Citizens of

22 Philadelphia in Her Roles as Community

23 Organizer, Ward Leader and Philadelphia

24 Clerk of Quarter Sessions.

25 COUNCIL PRESIDENT Verna: The

1 1/27/11 - STATED - 2ND READING

2 Chair recognizes Councilwoman Blackwell.

3 COUNCILWOMAN BLACKWELL: Thank
4 you, Madam President. I move for the
5 adoption of the resolution.

6 (Duly seconded.)

7 COUNCIL PRESIDENT Verna: It
8 has been moved and properly seconded that
9 the resolution be adopted.

10 All in favor will indicate by
11 saying aye.

12 (Aye.)

13 COUNCIL PRESIDENT Verna: Those
14 opposed?

15 (No response.)

16 COUNCIL PRESIDENT Verna: The
17 ayes have it and the resolution is
18 adopted.

19 We will now consider Resolution
20 No. 100878.

21 CHIEF CLERK: A resolution
22 approving the redevelopment contract and
23 disposition supplement of the
24 Redevelopment Authority of the City of
25 Philadelphia for the redevelopment and

1 1/27/11 - STATED - 2ND READING

2 urban renewal of a portion of the Point
3 Breeze Urban Renewal Area, designated as
4 Parcel Nos. 103 and 104 and also
5 sometimes identified by house addresses
6 and street addresses for Parcel No. 103
7 as 1626 through 36 Federal Street and for
8 Parcel No. 104 as 1218 through 28 South
9 Seventeenth Street.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 The Chair recognizes
13 Councilwoman Tasco.

14 COUNCILWOMAN TASCO: I move for
15 the adoption of the resolution.

16 (Duly seconded.)

17 COUNCIL PRESIDENT VERNA: It
18 has been moved and seconded that
19 Resolution No. 100878 be adopted.

20 All in favor will say aye.

21 (Aye.)

22 COUNCIL PRESIDENT VERNA: Those
23 opposed?

24 (No response.)

25 COUNCIL PRESIDENT VERNA: The

1 1/27/11 - STATED - 2ND READING

2 ayes have it and the resolution is
3 adopted.

4 We will now consider Resolution
5 No. 100879.

6 CHIEF CLERK: A resolution
7 authorizing the Commissioner of Public
8 Property to execute and deliver to the
9 Redevelopment Authority of the City of
10 Philadelphia, without consideration,
11 deeds conveying conditional fee simple
12 title to certain City-owned lots or
13 pieces of ground with the buildings and
14 improvements thereon, situate in the
15 Seventeenth Ward of the City of
16 Philadelphia.

17 COUNCIL PRESIDENT VERA: Thank
18 you.

19 The Chair recognizes
20 Councilwoman Miller for a motion.

21 COUNCILWOMAN MILLER: Thank
22 you, Madam President. I move for the
23 adoption of the resolution.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERA: It

1 1/27/11 - STATED - 2ND READING

2 has been moved and properly seconded that
3 the resolution be adopted.

4 All in favor will say aye.

5 (Aye.)

6 COUNCIL PRESIDENT Verna: Those
7 opposed?

8 (No response.)

9 COUNCIL PRESIDENT Verna: The
10 ayes have it and the resolution is
11 adopted.

12 We will now consider Resolution
13 No. 100880.

14 CHIEF CLERK: A resolution
15 authorizing Council's Committee on
16 Housing, Neighborhood Development, and
17 the Homeless to hold hearings on the
18 consequences of mass foreclosure in the
19 Kensington and Port Richmond
20 neighborhoods of rental properties owned
21 by Landvest Limited Liability Company and
22 related companies associated with Robert
23 N. Coyle, Sr.

24 COUNCIL PRESIDENT Verna: Thank
25 you.

1 1/27/11 - STATED - 2ND READING

2 The Chair recognizes
3 Councilwoman Sanchez.

4 COUNCILWOMAN SANCHEZ: Thank
5 you, Madam President. I move for the
6 adoption.

7 (Duly seconded.)

8 COUNCIL PRESIDENT VERNA: It
9 has been moved and properly seconded that
10 the resolution be adopted.

11 All in favor will say aye.

12 (Aye.)

13 COUNCIL PRESIDENT VERNA: Those
14 opposed?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: The
17 ayes have it and the resolution is
18 adopted.

19 The Chief Clerk will please
20 read the title of Resolution No. 100881.

21 CHIEF CLERK: A resolution
22 authorizing the Commissioner of Public
23 Property to execute and deliver to the
24 Redevelopment Authority of the City of
25 Philadelphia, without consideration,

1 1/27/11 - STATED - 2ND READING

2 deeds conveying conditional fee simple
3 title to certain City-owned lots or
4 pieces of ground with the buildings and
5 improvements thereon, situate in the
6 Seventh, Nineteenth and Thirty-Seventh
7 Wards of the City of Philadelphia.

8 COUNCIL PRESIDENT Verna: Thank
9 you.

10 The Chair recognizes
11 Councilwoman Sanchez.

12 COUNCILWOMAN SANCHEZ: Thank
13 you, Madam President. I move for the
14 adoption.

15 (Duly seconded.)

16 COUNCIL PRESIDENT Verna: It
17 has been moved and properly seconded that
18 the resolution be adopted.

19 All in favor will indicate by
20 saying aye.

21 (Aye.)

22 COUNCIL PRESIDENT Verna: Those
23 opposed?

24 (No response.)

25 COUNCIL PRESIDENT Verna: The

1 1/27/11 - STATED - 2ND READING

2 ayes have it and the resolution is
3 adopted.

4 The Chief Clerk will please
5 read the title of Bill No. 100079.

6 CHIEF CLERK: An ordinance
7 amending Title 14 of The Philadelphia
8 Code, entitled "Zoning and Planning," by
9 adding a new Section 14-1640, entitled
10 "Ridge Avenue Special District Controls."

11 COUNCIL PRESIDENT VERNA: This
12 bill having been read on two different
13 days, the question now is shall the bill
14 pass finally.

15 The Chief Clerk will please
16 call the roll.

17 CHIEF CLERK: Councilwoman
18 Blackwell.

19 COUNCILWOMAN BLACKWELL: Aye.

20 CHIEF CLERK: Councilman
21 Clarke.

22 COUNCILMAN CLARKE: Aye.

23 CHIEF CLERK: Councilman
24 DiCicco.

25 COUNCILMAN DiCICCO: Aye.

1 1/27/11 - STATED - 2ND READING

2 CHIEF CLERK: Councilman Goode.

3 COUNCILMAN GOODE: Aye.

4 CHIEF CLERK: Councilman Green.

5 COUNCILMAN GREEN: Aye.

6 CHIEF CLERK: Councilman

7 Greenlee.

8 COUNCILMAN GREENLEE: Aye.

9 CHIEF CLERK: Councilman Jones.

10 COUNCILMAN JONES: Aye.

11 CHIEF CLERK: Councilman

12 Kenney.

13 COUNCILMAN KENNEY: Aye.

14 CHIEF CLERK: Councilwoman

15 Miller.

16 COUNCILWOMAN MILLER: Aye.

17 CHIEF CLERK: Councilman

18 O'Neill.

19 COUNCILMAN O'NEILL: Aye.

20 CHIEF CLERK: Councilwoman

21 Reynolds Brown.

22 COUNCILWOMAN BROWN: Aye.

23 CHIEF CLERK: Councilman Rizzo.

24 COUNCILMAN RIZZO: Aye.

25 CHIEF CLERK: Councilwoman

1 1/27/11 - STATED - SPECIAL BUSINESS

2 Sanchez.

3 COUNCILWOMAN SANCHEZ: Aye.

4 CHIEF CLERK: Councilwoman

5 Tasco.

6 COUNCILWOMAN TASCO: Aye.

7 CHIEF CLERK: Council President

8 Verna.

9 COUNCIL PRESIDENT VERNA: Aye.

10 The ayes are 15; the nays are
11 zero. A majority of all members having
12 voted in the affirmative, the bill
13 passes.

14 The Chief Clerk will please
15 read any additional resolutions on the
16 Final Passage Calendar.

17 CHIEF CLERK: A resolution
18 requesting that the Mayor return to
19 Council Bill No. 100750, entitled "An
20 ordinance to amend the Institutional
21 Development District Master Plan of Holy
22 Family University, located at 4500 Grant
23 Avenue, by allowing for the construction
24 of a new administrative building," for
25 the purpose of reconsideration by the

1 1/27/11 - STATED - SPECIAL BUSINESS

2 Council of the vote by which said bill
3 passed Council.

4 COUNCIL PRESIDENT Verna: Thank
5 you.

6 The Chair recognizes
7 Councilwoman Tasco.

8 COUNCILWOMAN TESCO: Thank you,
9 Madam President. I move that the rules
10 of Council be suspended to permit
11 consideration at this time of special
12 business relating to the re-call of Bill
13 No. 100750.

14 COUNCIL PRESIDENT Verna: I'm
15 sorry. Just a moment.

16 (Duly seconded.)

17 COUNCIL PRESIDENT Verna: The
18 Chair recognizes Councilwoman Tasco for a
19 motion.

20 COUNCILWOMAN TESCO: I move for
21 the adoption.

22 (Duly seconded.)

23 COUNCIL PRESIDENT Verna: It
24 has been moved and seconded.

25 All in favor will indicate by

1 1/27/11 - STATED - SPECIAL BUSINESS

2 saying aye.

3 (Aye.)

4 COUNCIL PRESIDENT Verna: Those
5 opposed?

6 (No response.)

7 COUNCIL PRESIDENT Verna: The
8 ayes have it and the motion carries.

9 The Chair recognizes
10 Councilwoman Tasco.

11 COUNCILWOMAN TESCO: Madam
12 President, I move that the rules of
13 Council be suspended to permit
14 consideration at this time of special
15 business relating to the re-call of Bill
16 No. 100750.

17 (Duly seconded.)

18 COUNCIL PRESIDENT Verna: It
19 has been moved and seconded that the
20 rules of Council be suspended to permit
21 consideration of special business at this
22 time.

23 All in favor?

24 (Aye.)

25 COUNCIL PRESIDENT Verna: Those

1 1/27/11 - STATED - SPECIAL BUSINESS

2 opposed?

3 (No response.)

4 COUNCIL PRESIDENT VERNA: The
5 ayes have it and the motion passes.

6 The Clerk will please read the
7 letter from the Mayor.

8 CHIEF CLERK: To the President
9 and members of the Council of the City of
10 Philadelphia, I am returning herewith, as
11 requested by your resolution adopted
12 January 27, 2011, Bill No. 100750,
13 entitled "An ordinance to amend the
14 Institutional Development District Master
15 Plan of Holy Family University," for the
16 purpose of reconsideration by the Council
17 of the vote by which said bill passed
18 Council.

19 COUNCIL PRESIDENT VERNA: Thank
20 you.

21 The Chair recognizes
22 Councilwoman Tasco for a motion that
23 Council reconsider the vote by which Bill
24 No. 100750 was passed.

25 COUNCILWOMAN TASCO: So moved,

1 1/27/11 - STATED - SPEECHES

2 Madam President.

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: All
5 in favor will signify by saying aye.

6 (Aye.)

7 COUNCIL PRESIDENT VERNA: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: The
11 ayes have it. A majority of all members
12 having voted in the affirmative, the
13 motion carries and the vote by which Bill
14 No. 100750 was passed has been
15 reconsidered. The bill will be placed on
16 our Second Reading and Final Passage
17 Calendar for our next session of Council.

18 That concludes our Calendar for
19 today.

20 Are there speeches on the part
21 of the minority?

22 (No response.)

23 COUNCIL PRESIDENT VERNA: Are
24 there speeches on the part of the
25 majority?

1 1/27/11 - STATED - SPEECHES

2 The Chair recognizes Councilman
3 Jones.

4 COUNCILMAN JONES: Briefly,
5 Madam President.

6 COUNCIL PRESIDENT Verna: Take
7 your time.

8 COUNCILMAN JONES: Because of
9 the public comment. All that I would
10 have said has been said far more
11 eloquently than I could, but I would like
12 to thank all members of Council for
13 voting for the recommendations dealing
14 with the Marcellus Shale fracking
15 drilling issue. I want to thank
16 particularly Councilwoman Tasco and her
17 leadership at the Gas Works. She told me
18 early on as a freshman, act in haste and
19 you will repent in your leisure. And it
20 was true then and it is true now. It is
21 better when we consider public policy
22 that has far-reaching ramifications well,
23 and in those amendments, I think it best
24 served not only the City of Philadelphia
25 but the Gas Works in particular.

1 1/27/11 - STATED - SPEECHES

2 Also, the Chair of the
3 Committee on Council in Environment,
4 Councilman Kenney, who worked with me on
5 listening to six hours worth of testimony
6 on this issue, Councilwoman Blondell
7 Reynolds Brown, who was a vanguard and
8 leader on the issue of Marcellus Shale
9 drilling and its impacts to our waterway,
10 and just say that the criticism from the
11 drilling industry is, A, that this is
12 much to do about nothing, but if we could
13 have turned back the clock and been a
14 year before the Gulf spill and put some
15 recommendations, simple recommendations,
16 like early warning systems, reporting
17 about the toxic stew that is used to
18 ferret the gas from the earth, if we
19 could have put those safeguards in place,
20 if we could have known that an extraction
21 tax could have paid for the billions of
22 dollars worth of environmental cleanup in
23 advance, those legislators then would
24 have looked like geniuses today.

25 So it doesn't mean earthshaking

1 1/27/11 - STATED - SPEECHES

2 a lot that this body pass this
3 recommendation, but when we join our
4 voices with our colleagues in New York,
5 with our colleagues in Pittsburgh, I
6 think that the coalition and those that
7 are responsible for this type of drilling
8 will get the message that we are paying
9 attention, that we won't just sweep it
10 under the rug, that ignoring the EPA
11 regulations is wrong and that our
12 grand-kids deserve better.

13 Thank you, Madam President.

14 COUNCIL PRESIDENT VERNA: Thank
15 you.

16 The Chair recognizes Councilman
17 Green.

18 COUNCILMAN GREEN: Thank you,
19 Madam President. I just want to mention
20 that President Obama's eloquent speech on
21 Tuesday night focused on things that we
22 have been focused on in the City of
23 Philadelphia for the past three years.
24 He talked about making government more
25 efficient through the use of technology.

1 1/27/11 - STATED - SPEECHES

2 We have appropriated \$125 million of
3 capital dollars, which we have not yet
4 spent, which can make this government
5 more efficient through the use of
6 technology and save \$200 million a year
7 after full implementation.

8 He talked about having 98
9 percent of the country having wireless
10 broadband available to the citizens of
11 the United States, while we in the City
12 of Philadelphia now own the assets of the
13 former EarthLink network and can, within
14 six months, have broadband wireless
15 access available to every citizen of the
16 City of Philadelphia at low or no cost
17 using federal E9-1-1 and other dollars.

18 And so I just want to see the
19 City of Philadelphia lead the nation in
20 what President Obama has asked us to do.
21 We can do it in the City of Philadelphia,
22 and we should. Since we have the
23 resources, we've appropriated the money,
24 make this happen here first and lead the
25 nation and be an example for the rest of

1 1/27/11 - STATED - ADJOURNMENT
2 the country in fulfilling President
3 Obama's requests and wishes for our
4 nation.

5 Thank you, Madam President.

6 COUNCIL PRESIDENT Verna: Thank
7 you.

8 The Chair now recognizes
9 Councilman Clarke for a motion to
10 adjourn.

11 COUNCILMAN CLARKE: Thank you,
12 Madam President. I move that Council
13 stand adjourned until February the 3rd,
14 2011, 10:00 a.m.

15 (Duly seconded.)

16 COUNCIL PRESIDENT Verna: It
17 has been moved and seconded that Council
18 stand adjourned until Thursday, February
19 3rd, 2011 at 10:00 a.m.

20 All in favor will say aye.

21 (Aye.)

22 COUNCIL PRESIDENT Verna: Those
23 opposed?

24 (No response.)

25 COUNCIL PRESIDENT Verna: The

1 1/27/11 - STATED - ADJOURNMENT

2 ayes have it and the motion carries.

3 Thank you.

4 (Stated Meeting adjourned at

5 12:20 p.m.)

6 - - -

1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on January 27, 2011, and that
8 this is a true and correct transcript of same.

9
10
11
12
13 -----
14 MICHELE L. MURPHY
15 RPR-Notary Public
16
17
18

19 (The foregoing certification of this
20 transcript does not apply to any reproduction
21 of the same by any means, unless under the
22 direct control and/or supervision of the
23 certifying reporter.)
24
25