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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON STREETS AND SERVICES

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, October 31, 2007
10:20 a.m.

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PRESENT:

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COUNCILMAN FRANK DiCICCO, CHAIR

11

COUNCILMAN DARRELL L. CLARKE

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COUNCILWOMAN DONNA REED MILLER

13

COUNCILMAN JUAN RAMOS

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COUNCILMAN FRANK RIZZO

15

COUNCILWOMAN MARIAN TASCO

16

COUNCILWOMAN CAROL ANN CAMPBELL

17

18

BILLS 070700, 070874, 070868, 070378, 070559,
070695, 070872, 070694, 070866, 070877,
070513, 070817, 070818, 070822, 070543,
070544, 070696, 070701, 070702, 070823,
070867, 070682, 070685, 070686, 070689,
070703, 070789, 070792, 070824, 070826, 070871
and 070879

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Eleven Penn Center

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COUNCILMAN DiCICCO: Good

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morning, everyone. Welcome to the

4

Committee on Streets and Services. We do

5

have a quorum. My name is Frank DiCicco.

6

I am the Chair of this Committee. The

7

Vice-Chair, Councilman Ramos, is to my

8

far right. To my immediate right is

9

Councilwoman Donna Reed Miller. To my

10

immediate left is Councilman Darrell

11

Clarke, and to the far left is Councilman

12

Rizzo.

13

Bill No. 070700 is being held,

14

as is Bill No. 070874.

15

It is quite warm in this

16

building today. The heat was put on

17

yesterday and the temperature is rising,

18

so if you'd like to take your jackets

19

off, take your tie off, whatever makes

20

you comfortable, please do so.

21

I would ask Mr. Abernathy to

22

read the title of the first bill.

23

THE CLERK: Bill No. 070868, an

24

ordinance authorizing the installation of

25

a traffic signal at the intersection of

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Cheltenham Avenue and Walnut Lane.

3 COUNCILMAN DiCICCO: I believe
4 Councilwoman Tasco has a comment she'd
5 like to make regarding this bill.

6 Good morning.

7 COUNCILWOMAN TASCO: Yes.

8 Thank you, Mr. Chair.

9 I'd just like to say that I'm
10 here in total support of this bill, this
11 ordinance, which is to help us get a
12 traffic light at Walnut Lane and
13 Cheltenham Avenue. The residents, the
14 neighbors and friends of Cheltenham
15 Avenue at Walnut Lane and Williams Way
16 are here today in force. They have
17 collected over 10,000 signatures and have
18 made a beautiful presentation for me to
19 show all the work that they have done to
20 get a traffic light at an intersection
21 where a couple of people have been
22 killed.

23 And we have tried to work with
24 the Streets Department to get this light,
25 but you know what we always get. What do

1 10/31/07 - STREETS - BILL 070868, ETC.

2 we always get so they know I'm not the
3 only one? We must be somebody else. You
4 can't do it.

5 The state won't let you do it,
6 but we're in communication with the state
7 to get their support to putting this
8 traffic light up. And it also is not
9 just for the people who want to cross the
10 highway at that intersection, but also
11 the traffic pattern and the neighbors
12 trying to get onto Cheltenham Avenue and
13 the difficulty they have, and they will
14 share that with you.

15 But I want to thank them for
16 their tenacity. They have some wonderful
17 photographs I think you should look at.
18 They one day blocked the street with a
19 coffin.

20 So they're very committed to
21 getting a street light there. I'm very
22 committed to trying to help them. I will
23 ask this Committee if they will support
24 this bill and then we will continue our
25 fight. Surprisingly, maybe not

1 10/31/07 - STREETS - BILL 070868, ETC.
2 surprisingly, at least the Managing
3 Director has sent a letter of support to
4 the Streets Department also about this.

5 COUNCILMAN DiCICCO: And the
6 Managing Director has just entered the
7 Chambers and will be sitting down and we
8 will hear her testimony shortly.

9 COUNCILWOMAN TASCO: So we'll
10 hear testimony.

11 And I want to thank my
12 neighbors for coming out today. They
13 really care. They live in a nice
14 neighborhood. They maintain their
15 neighborhood. A number of them have been
16 there for years, and I appreciate their
17 involvement in City government and making
18 sure that government works on their
19 behalf.

20 Thank you so much for that.

21 COUNCILWOMAN DiCICCO: Thank
22 you, Councilwoman.

23 And to the neighbors, welcome
24 and thank you for attending this morning.

25 Mr. Denny or the Managing

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Director, whoever would like to go first,
3 please proceed with your testimony.

4 MR. DENNY: Mr. Chairman,
5 members of the Committee, thank you for
6 the opportunity to appear before you
7 today. My name is Charles Denny. I'm
8 the Acting Chief Traffic Engineer for the
9 Department of Streets. I'm here to offer
10 testimony on Bill 070823 (sic).

11 The Streets Department supports
12 this bill. On October 15, 2007, Managing
13 Director Loree Jones sent a letter to
14 PennDOT asking for assistance making the
15 intersection of Cheltenham and Walnut
16 Lane safer for pedestrians by installing
17 a pedestrian traffic signal. We have a
18 letter from the Managing Director to
19 PennDOT, Rina Cutler, which either I or
20 the Managing Director will read. We are
21 awaiting an answer from PennDOT and we
22 will keep Councilwoman Tasco informed.

23 COUNCILMAN DiCICCO: May I ask
24 a question, Mr. Denny? Why is it we need
25 PennDOT to sign off? Is it a state

1 10/31/07 - STREETS - BILL 070868, ETC.
2 highway?

3 MR. DENNY: It's a state
4 highway and it's a border street. So
5 half the street is in the City, half the
6 street is in Cheltenham Township.

7 COUNCILMAN DiCICCO: Oh, okay.
8 And did we get any feedback from the
9 folks in Cheltenham Township, any elected
10 officials, any opposition to it?

11 MR. DENNY: I have not heard
12 any opposition, but we have not had any
13 feedback from Cheltenham Township.

14 COUNCILMAN DiCICCO:
15 Councilwoman Tasco, would you happen to
16 know, was there any feedback regarding
17 this issue from the representatives in
18 Cheltenham Township?

19 COUNCILWOMAN TASCO: No.

20 COUNCILMAN DiCICCO: I'm just
21 curious, because obviously it's to their
22 benefit as well, I would assume.

23 COUNCILWOMAN TASCO: Could I
24 ask -- I didn't hear what he said. Was
25 your question --

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: My
3 question was, it's a state highway. I
4 assume that's why we need state
5 authorization. Mr. Denny indicated that
6 is correct and also it borders
7 Philadelphia County and Cheltenham
8 County.

9 COUNCILWOMAN TASC0: I heard
10 that.

11 Are you saying that you
12 contacted Cheltenham Township?

13 COUNCILMAN DiCICCO: Identify
14 yourself.

15 MS. JONES: Loree Jones,
16 Managing Director.

17 We sent a letter to PennDOT
18 requesting authorization to do this.
19 Even if it were a state street that was
20 just inside of the City of Philadelphia,
21 we would have the authorization to do it,
22 but because it's a border street, we need
23 to get their input and approval. Half of
24 the street, as you know, is in
25 Philadelphia County, the other half is in

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Montgomery County. And so we would need
3 PennDOT approval for that. In sending
4 the letter, we copied all of the elected
5 officials on the other side of Cheltenham
6 as well.

7 COUNCILMAN DiCICCO: That was
8 my question. You did contact them.

9 MS. JONES: Right.

10 COUNCILMAN DiCICCO: Because it
11 obviously would be helpful to have
12 support from both elected officials on
13 both sides.

14 COUNCILWOMAN TASC0: We have a
15 good working relationship with Cheltenham
16 Township. We certainly have the
17 community committee working together with
18 Cheltenham and Philadelphia. So that
19 just takes a phone call, and we'll do
20 that.

21 COUNCILMAN DiCICCO: That's
22 good.

23 If PennDOT or state agrees to
24 allow the signal to be installed, is it
25 the state that would be doing the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 installation or would the City and/or
3 Cheltenham County be doing that?

4 MR. DENNY: Probably the City
5 would do the installation. It would
6 depend on how we would do it. If we're a
7 contract -- if a contractor was available
8 that we could do it with the state, then
9 we might be able to work something out,
10 but most likely it would be a City
11 contractor.

12 COUNCILMAN DiCICCO: I like to
13 bend the rules sometimes when it comes to
14 traffic issues. What would happen if we
15 were, the City of Philadelphia, were to
16 install the traffic signal before we got
17 the, no pun intended, green light from
18 the state? And I see the Managing
19 Director smiling, but it's an issue of
20 public safety and sometimes, as you know,
21 the bureaucracy just takes forever.

22 How long have you been working
23 on this?

24 COUNCILWOMAN TASCO: Almost a
25 year.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: A year.

3 MR. McCLOSKEY: We have, but
4 the total neighborhood has been working
5 on it for about 40 years.

6 COUNCILMAN DiCICCO: I'm just
7 curious. What happens to us as a city if
8 we went ahead and installed that traffic
9 light?

10 MR. DENNY: I don't really
11 know.

12 COUNCILWOMAN TASC0: Nothing.

13 COUNCILMAN DiCICCO: So maybe
14 we ought to install it and then we'll
15 know the answer to what will happen if we
16 install it.

17 (Applause.)

18 MS. JONES: Works for me.

19 COUNCILMAN DiCICCO: And I'm
20 not being critical of the Streets
21 Department, because we're all in this
22 together. These things just could take
23 forever and a day.

24 COUNCILWOMAN TASC0: This issue
25 is one that not only causes the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Philadelphia elected officials to have
3 some concern, as a member of the
4 Pennsylvania League of Cities, it is
5 often a topic of mayors from other cities
6 across this state that resent the fact
7 that they have to get PennDOT approval to
8 install traffic lights.

9 COUNCILMAN DiCICCO: And that's
10 my point. So maybe we need to push the
11 envelope and see what happens.

12 Councilman Rizzo.

13 COUNCILMAN RIZZO: Mr. Denny,
14 since we're going to install a new
15 traffic signal at this location, would
16 you please consider also the pedestrian
17 crossing countdown timers at that
18 location? I think if you're going to do
19 this, do it to benefit the pedestrians
20 especially that need to cross there. Is
21 that in your application, to put the
22 pedestrian cross signals with countdown
23 timers?

24 MR. DENNY: It's not mentioned,
25 but that's something we would look at and

1 10/31/07 - STREETS - BILL 070868, ETC.
2 design and most likely would do.

3 COUNCILMAN RIZZO: I'm sure
4 Council Lady Tasco would not mind that
5 added to the request.

6 COUNCILWOMAN TASCO: No.

7 COUNCILMAN RIZZO: Thank you.

8 COUNCILMAN DiCICCO:
9 Councilwoman Miller.

10 COUNCILWOMAN MILLER: Well,
11 actually, I was going to suggest
12 pedestrian countdown timers also. But I
13 just for the record want to say that I
14 was on Cheltenham Avenue a few weeks ago,
15 maybe more than a few weeks ago, and I
16 called Marian Tasco, Councilwoman Tasco,
17 and said, Tasco, all these people are up
18 here protesting, and that's when I -- I
19 had heard about the issue earlier in the
20 year, but these folks are out every
21 Saturday, and that's commitment, and
22 they're taking this issue very seriously.
23 And one of the people that were injured
24 actually is a former committee person of
25 mine, and she's still in the hospital.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 It's my understanding she's been there
3 two months. So I just want us to take
4 this very serious.

5 COUNCILMAN DiCICCO: Thank you.

6 Mr. Denny, one other question.

7 Assuming this bill comes out of this
8 Committee with a favorable recommendation
9 and it gets past City Council, would you
10 still need the authorization from the
11 state or would you be waiting for the
12 authorization from the state before
13 installation would occur?

14 MR. DENNY: I think we would
15 like authorization from the state, but we
16 also need to work out a contract that
17 we're putting out now that would put the
18 signal in, which is probably going to
19 take some time before we can get to that
20 point.

21 COUNCILMAN DiCICCO: How long
22 will it take to work out the design and
23 get the contract up, worst-case scenario?

24 MR. DENNY: We're preparing a
25 contract now to put out the bid. So the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 bid process, we'd probably have a
3 contract maybe January, February. The
4 design could be done by that time as
5 well.

6 COUNCILMAN DiCICCO: My
7 recommendation would be that you move
8 forward with the design as though you've
9 already gotten approval from the state,
10 and at the time you're completed, if we
11 still have not gotten the approvals from
12 the state, we need to revisit this and
13 basically ask that the City install it
14 without that authorization from the
15 state. I just want to keep this thing
16 moving. Okay? Thank you.

17 MR. DENNY: One other thing --
18 (Applause.)

19 MR. DENNY: I made an error in
20 my testimony and listed the wrong bill.
21 This is Bill No. 070868.

22 COUNCILMAN DiCICCO: Correct.
23 Thank you. So noted.

24 Councilman Clarke.

25 COUNCILMAN CLARKE: Thank you,

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Mr. Chairman.

3 Good morning, Mr. Denny.

4 Mr. Denny, my understanding in
5 the regulatory process is that there's a
6 requirement to meet certain warrants.
7 The state determines the warrants to
8 enable the City of Philadelphia to place
9 traffic signals, stop signs. The
10 assumption is that this particular
11 intersection meets the warrant as
12 regulated by the state.

13 MR. DENNY: This particular
14 intersection does not currently meet the
15 warrant, but the layout of the
16 intersection and the difficulty of people
17 crossing and entering the intersection
18 diverts people away from this location.
19 So they are using other routes. We
20 believe when the signal is installed,
21 people will use it.

22 COUNCILMAN CLARKE: So is that
23 why we need state authorization, because
24 it doesn't meet the current warrant?

25 MR. DENNY: Well, no. It's a

1 10/31/07 - STREETS - BILL 070868, ETC.

2 state highway. We're crossing the City
3 boundary into the county.

4 COUNCILMAN CLARKE: I guess my
5 question is, I know because I've tried to
6 get certain traffic lights in locations
7 and I was told by a certain individual,
8 whose name I will not mention because he
9 is retired, that it didn't meet the
10 warrant, so, therefore, they couldn't
11 place the appropriate signal, in our
12 minds, at that particular location. And
13 you're saying this particular
14 intersection doesn't meet the warrant per
15 the state regs?

16 MR. DENNY: But we expect the
17 volumes to increase after the signal is
18 installed.

19 COUNCILMAN CLARKE: Once the
20 signal is installed.

21 MR. DENNY: Because the basic
22 layout of the intersection is that there
23 are two adjacent signals. They operate
24 on alternate cycles, so when one is
25 green, the traffic is approaching the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 intersection from the left. When that
3 signal to the left goes red and that
4 traffic stops approaching, the signal to
5 the right goes green and that traffic
6 approaches. So the people basically
7 don't have a chance to cross because
8 there is no gap due to the high volume of
9 traffic on Cheltenham Avenue, which is
10 actually Route 309 and that's leading to
11 the 309 Expressway.

12 COUNCILMAN CLARKE: And that
13 analysis has been forwarded to PennDOT?

14 MR. DENNY: We've included that
15 in our letter to PennDOT.

16 COUNCILMAN CLARKE: All right.
17 Thank you.

18 Thank you, Mr. Chairman.

19 COUNCILMAN DiCICCO: Thank you.

20 Let the record reflect that
21 Councilwoman Carol Campbell, who is also
22 a member of this Committee, is present.

23 Any other questions for these
24 witnesses?

25 (No response.)

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: Madam
3 Managing Director, do you have testimony?

4 MS. JONES: I would like to
5 read the letter into the record, if
6 that's okay.

7 COUNCILMAN DiCICCO: Fine.
8 Thank you.

9 MS. JONES: Thank you.

10 This letter is addressed to
11 Ms. Rina Cutler, Deputy Secretary of
12 Transportation, Commonwealth of
13 Pennsylvania.

14 Dear Ms. Cutler, I'm writing
15 to -- and it's dated October 15, 2007.

16 Dear Ms. Cutler, I'm writing to
17 request your assistance with making the
18 intersection of Cheltenham Avenue and
19 Walnut Lane safer for pedestrians by
20 installing a traffic signal.

21 There have been two pedestrian
22 accidents at this intersection in recent
23 months. On July 6, 2007, an accident
24 occurred in which a 62-year-old woman was
25 killed and one of her two

1 10/31/07 - STREETS - BILL 070868, ETC.
2 great-grandchildren traveling with her
3 was injured. On September 20, 2007, a
4 50-year-old woman was seriously injured
5 in an accident. Residents in the area
6 have circulated a petition and contacted
7 the local and state officials requesting
8 a traffic light.

9 Cheltenham Avenue is a
10 multi-lane highway that divides
11 Philadelphia and Montgomery Counties.
12 There is a residential neighborhood on
13 the Philadelphia side and an apartment
14 complex on the Montgomery County side of
15 this intersection. There are SEPTA bus
16 stops on both sides of the Avenue and no
17 pedestrian crosswalk or traffic signal.
18 There are traffic signals and, therefore,
19 pedestrian crossings 820 feet to the west
20 at Washington Lane and 690 feet to the
21 east at 20th Street/Massy Way.

22 The City of Philadelphia
23 conducted a signal warrant analysis.
24 While the results are that the
25 intersection does not meet any of the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Manual on Uniform Traffic Control
3 Devices, we believe that there would be
4 larger numbers of pedestrians if
5 pedestrians felt safer crossing this
6 intersection and if it were easier for
7 cars to turn from Walnut onto Cheltenham.
8 Due to the lack of gaps, vehicle
9 operators do not use this intersection to
10 access Cheltenham Avenue.

11 If a signal were present, we
12 would expect higher numbers. Pedestrians
13 only cross the street where they board or
14 depart SEPTA buses. Our engineers
15 conducted a four-hour count of
16 pedestrians last week and had our counts
17 of 15, 9, 10 and 18 pedestrians per hour
18 from 3:00 to 7:00 p.m. They conducted a
19 count in July 2007 and counted 23
20 pedestrians in 15 minutes or 92 per hour
21 from 5:35 to 5:50 p.m. Our engineers
22 believe that in a year traffic volumes
23 will grow to warrant the signal, and it
24 is the safest option for pedestrians
25 crossing Cheltenham Avenue.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 We clearly need to add
3 additional traffic control for
4 pedestrians crossing at this point. One
5 option that we considered is widening the
6 median to at least eight feet and make it
7 concrete. We would like to add a
8 crosswalk, but the current federal
9 regulations do not recommend installing
10 crosswalks on multi-lane roadways due to
11 the multiple-threat problem. This leaves
12 the option of establishing a signal for
13 pedestrians or banning the pedestrian
14 movement and forcing a 1,380 feet detour
15 for the pedestrian. We do not believe
16 the pedestrians would obey the ban and,
17 therefore, not ameliorate the present
18 conditions.

19 I'm asking for PennDOT's
20 concurrence to install a traffic signal
21 at this location. Please contact me at
22 your earliest convenience should you have
23 any question or would like to meet with
24 me to further discuss this issue.

25 Sincerely, Loree Jones,

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Managing Director.

3 COUNCILMAN DiCICCO: Thank you,

4 Ms. Jones.

5 Councilwoman Tasco.

6 COUNCILWOMAN TASCO: Thank you.

7 Ms. Jones, you talk about the
8 federal government would not allow a
9 crosswalk. You mean a crosswalk over the
10 street or crosswalk in the street?

11 MS. JONES: No; just striping
12 the street and putting a crosswalk
13 without adding any additional signals
14 there.

15 COUNCILWOMAN TASCO: Okay. The
16 other question I'd like to ask Mr. Denny.
17 What is the process when we request a
18 traffic light at an intersection or even
19 a stop sign and you have to get state
20 approval? Do you send a letter? Do you
21 call them and then -- is there just a
22 form that you send? How do you
23 communicate with the state to let them
24 know that you want this to happen?

25 MR. DENNY: We generally don't.

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2 We're a city of the first class, so we
3 can install the devices once we do the
4 study and determine the device, whether
5 it's a stop sign or a traffic signal --

6 COUNCILWOMAN TASC0: I can't
7 hear you.

8 MR. DENNY: Once we decide to
9 install either a traffic signal or a stop
10 sign, we can go out and install it. We
11 don't have to notify the state.

12 COUNCILWOMAN TASC0: You don't
13 have to notify?

14 MR. DENNY: We don't have to.

15 COUNCILWOMAN TASC0: So why do
16 we have to notify the state in this
17 instance?

18 MR. DENNY: We're crossing the
19 boundaries.

20 COUNCILMAN DiCICCO: Crossing
21 county boundaries.

22 COUNCILWOMAN TASC0: You know,
23 that's not right. I mean, because when
24 we were doing this traffic light at Adams
25 Avenue and Rising Sun, I was told we had

1 10/31/07 - STREETS - BILL 070868, ETC.
2 to get state approval, and that's all
3 City.

4 MR. DENNY: In some cases we
5 use federal money, which comes through
6 the state, and we in those cases do need
7 to go to the state and have them approve
8 if they're providing the funds for that
9 project.

10 COUNCILMAN DiCICCO: Let me ask
11 a similar question. If the City agrees
12 that a traffic device is warranted there,
13 if Cheltenham Township or County agrees
14 as well, why would either of us then have
15 to go to the state? Because if I hear
16 you correctly, you said if it were in
17 Philadelphia boundaries only, we can just
18 install it, but because it's across
19 county lines, we then need to go to the
20 state. But if Cheltenham agrees and we
21 agree, can we bypass that?

22 MR. DENNY: Cheltenham cannot
23 do that.

24 COUNCILMAN DiCICCO: Because
25 they're not a city of the first class?

1 10/31/07 - STREETS - BILL 070868, ETC.

2 MR. DENNY: The law
3 specifically restricts everyone except
4 cities of the first and second class, are
5 the only ones that are allowed to install
6 signals on their own account. However,
7 if we have the permission of Cheltenham
8 Township to do so, we can do so.

9 COUNCILWOMAN TASC0: So the
10 Streets Department can -- not you.
11 You're new. But the Streets Department
12 can -- we request a light. I had to
13 introduce an ordinance to get that light
14 at Rising Sun and Adams also. So if I
15 say, Well, we need a light at Rising Sun
16 and Adams Avenue, and you say, Well, we
17 can do it. But then I was told you can't
18 do it, so they're probably saying, Well,
19 we're going to use some federal funds
20 here and that way we don't have to do it.

21 I mean, how do you make that
22 decision?

23 MR. DENNY: That was a left
24 turn signal at an existing signalized
25 intersection, and there's questions about

1 10/31/07 - STREETS - BILL 070868, ETC.
2 what the effect of the left turn signal
3 has, which can be a problem. The tipping
4 point in there was the number of trucks
5 that use that left turn, because the site
6 that's around the corner was sending
7 their trucks up that way and there was a
8 fairly large number of trucks and that
9 was a different category, so that we in
10 looking at it that way, we determined
11 that a left turn signal was more
12 appropriate in that case.

13 COUNCILWOMAN TASC0: Okay. I
14 won't belabor the problem. We'll just
15 talk about it at budget time.

16 MR. DENNY: Okay.

17 COUNCILMAN DiCICCO: But we
18 agree that we're going to keep this
19 moving along and at some point if we
20 haven't received an authorization from
21 the state, then we'll revisit it and make
22 a decision.

23 Any other questions for these
24 witnesses?

25 (No response.)

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: I assume
3 there is someone else here who wishes to
4 testify on behalf of this bill.

5 MS. JONES: Thank you.

6 COUNCILMAN DiCICCO: If you're
7 testifying, please come to the witness
8 table.

9 Good morning. I would ask that
10 you identify yourself for the record and
11 then proceed with your testimony. I
12 would also ask -- I understand that this
13 has been a long-going issue and I
14 certainly respect the time and the energy
15 that's been put into this, but if you can
16 combine your statement so it's not being
17 repetitive, I think that would help this
18 as well, because I think you hear from
19 our questions and statements this morning
20 that we're certainly going to work to
21 make sure this happens.

22 And with that, I would ask the
23 first witness to identify him or herself
24 and proceed with your testimony.

25 MR. McCLOSKEY: Good morning,

1 10/31/07 - STREETS - BILL 070868, ETC.
2 sir, and good morning, Councilmembers.
3 My name is Bryant McCloskey. I'm a
4 resident of Cheltenham Avenue, 2114 West,
5 and we've established this effort earlier
6 in the summer to try to get this traffic
7 light following the death of Ms. Mattie
8 Nash, but also tied in with other
9 accidents that happened previously over
10 the past 40 years that we've been
11 residents there. And this morning we're
12 here to ask you to consider what we have
13 submitted before you and that our
14 motivation for being here today is
15 prompted by concerns for both life and
16 safety of both vehicular and pedestrian
17 traffic that travel along the Cheltenham
18 corridor between Washington Lane and 20th
19 Street on a daily basis.

20 This is a state highway that
21 separates the communities of Cheltenham
22 Township and Philadelphia at a point
23 where there is a very large pedestrian
24 population on both sides of this highway
25 who must cross it from each side on a

1 10/31/07 - STREETS - BILL 070868, ETC.
2 daily basis to access basic needs and
3 services.

4 On Cheltenham Township side of
5 this highway is the community of
6 Lynnewood Gardens, a garden style
7 apartment complex that contains 1,798
8 rental units spread out over 122 acres,
9 housing approximately 4,000 residents.

10 This community stretches along
11 Cheltenham Avenue for six-tenths of a
12 mile between Washington Lane to the
13 northwest and Penrose Avenue, which is
14 19th Street in Philadelphia, to the
15 southeast.

16 Over the years, this community
17 has had many changes in the age,
18 demographics and composition of the
19 residents. There are families now, some
20 are multi level, such as parents whose
21 children have children, as opposed to
22 mostly the elderly and widowed, as in the
23 past.

24 These changes have caused a
25 blending of our two communities, which is

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2 a major factor in our persisting and
3 growing problem.

4 Factor number two is the very
5 heavy and ever-increasing traffic on
6 Cheltenham Avenue, which is also Route
7 309. At times this traffic is so dense
8 that it can take five minutes or longer
9 to begin to cross this highway.

10 Once there is a break, you will
11 get out in the middle of Cheltenham
12 Avenue/Route 309 and you'll find yourself
13 stuck there in the middle of this highway
14 standing on two faded yellow stripes,
15 with the hopes of safety.

16 These have proven to be false
17 hopes on many occasions. Over the years
18 people have been hit along Cheltenham
19 Avenue/Route 309 by vehicles while
20 standing on this margin of safety.

21 Recently, July 6, 2007 to be
22 exact, Ms. Mattie Nash, a
23 great-grandmother age 63, a resident of
24 Lynnewood Gardens, came over to the
25 Philadelphia side to go to a corner store

1 10/31/07 - STREETS - BILL 070868, ETC.
2 to get some treats for her two
3 great-granddaughters, who are ages 4 and
4 7 years old. Returning home, Ms. Nash
5 attempted to cross Cheltenham
6 Avenue/Route 309 at the intersection of
7 Walnut Lane with the two girls, only to
8 become stranded in the middle of this
9 highway at approximately 9:00 p.m. in the
10 evening and in the dark.

11 Ms. Mattie Nash was struck and
12 killed by up to three vehicles, two of
13 which kept going. One of her
14 great-granddaughters was also hit and
15 injured.

16 As of this date, the killers of
17 Ms. Nash have not been found.

18 Cheltenham Avenue at Walnut
19 Lane and Williams Way is also a SEPTA bus
20 stop on both sides of this highway. Two
21 weeks after the death of Ms. Nash, TV
22 Channel 29 visited this location and was
23 able to document an 86-year-old lady,
24 whose name is Sally Elam, who lives in
25 Lynnewood Gardens and takes a bus each

1 10/31/07 - STREETS - BILL 070868, ETC.
2 day from Williams Way to Ogontz Avenue
3 for a newspaper. This is a distance of
4 about six or seven city blocks. She does
5 this as opposed to going to the corner
6 store, which is one city block away on
7 the Philadelphia side because this option
8 requires crossing Cheltenham Avenue
9 twice, once coming and once going back
10 across.

11 Returning home, she got off on
12 the Philadelphia side and she waited for
13 15 minutes for a break in traffic. Once
14 the break came, she made it out to the
15 middle of Cheltenham Avenue and traffic
16 started coming and she had to run to
17 complete her crossing to get to the other
18 side. She's 86 years old, and that was
19 caught on camera.

20 More recently, another
21 Lynnewood Gardens resident, Ms. Marie
22 Barnett, was crossing this highway,
23 Cheltenham Avenue/Route 309, where it
24 intersects with Williams Way on the
25 morning of September 20th. Ms. Barnett

1 10/31/07 - STREETS - BILL 070868, ETC.
2 was able to get across three of the four
3 lanes of traffic before she made contact
4 with a southbound car in the fourth lane.

5 There were people at the bus
6 stop who were able to get out to her in
7 the street and stop the traffic before
8 she was hit again while lying on the
9 roadway.

10 In a conversation with
11 Ms. Barnett this past weekend, I learned
12 that she suffered head injuries and her
13 leg is broken in three places. She just
14 Thursday became where she could be
15 mobilized and move. She is currently in
16 rehabilitation at Willowcrest Einstein
17 Hospital. She expects to be there until
18 approximately Christmas before she could
19 even come home.

20 She's thankful to be alive,
21 because she thought she was going to be
22 killed as soon as she felt that impact.
23 She told me that. She remembers hitting
24 the car, leaning over, hitting the
25 windshield and sliding back into the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 street.

3 Her children were going to be
4 here today, but I got a call from
5 Ms. Barnett at 6:00 this morning and told
6 me that the children just couldn't do it.

7 I also have another statement
8 that I'd like to read that was e-mailed
9 to me yesterday from a lady who cannot be
10 here. Do I have permission?

11 COUNCILMAN DiCICCO: Yes.

12 MR. McCLOSKEY: It says,
13 "Hello, I'm responding to the flyer
14 notice that was in my mail slot. I live
15 at 7503 North 21st Street and would
16 definitely like to be heard regarding
17 this matter even if it's via e-mail.

18 "Due to my work schedule, I
19 will not be able to attend the meeting
20 Wednesday morning, but still would like
21 to share for the many years that I have
22 lived in this area I have noticed how
23 unsafe it is crossing Cheltenham Avenue
24 from one side to the other. It's
25 unfortunate that Cheltenham Avenue and

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Walnut Lane is so unsafe due to that
3 being a bus stop. More people cross at
4 that section from one side to the other
5 to catch the bus, flagging it down and so
6 forth. However, due to the speeders
7 coming down Cheltenham Avenue, you always
8 take a risk of getting hit even if you
9 stand in between the double yellow lines
10 in the middle of the street. You are
11 taking a chance with your life.

12 "My sister and good friend both
13 used to live in Lynnewood Gardens
14 Apartments off Cheltenham Avenue. It
15 made no sense to drive to their places
16 when they are directly across the street.
17 All three of us have experienced dashing
18 in front of cars to get to each other's
19 homes, and quite frankly, that sucked.
20 Too many times I can personally say I
21 thought I was about to get hit standing
22 in the middle of those yellow lines again
23 waiting for traffic to clear up to get to
24 the other side.

25 "So, yes, we need a traffic

1 10/31/07 - STREETS - BILL 070868, ETC.
2 light at Cheltenham Avenue and Walnut
3 Lane, especially for the elderly or
4 simply older people who are not capable
5 of running from one side to the other to
6 catch the bus. I'm young and I can do
7 that, but that's not fair for them, nor
8 is it sane.

9 "To my knowledge, this issue
10 has been brought up before in the past to
11 get a light at this intersection. Why
12 hasn't something been done by now? How
13 many more unnecessary lives have to be
14 splattered on our Philadelphia streets
15 before we get something as simple as a
16 light put up?

17 "This is my say on the matter,
18 and if possible, I would greatly
19 appreciate if my e-mail is read at the
20 meeting so that my voice can be heard."
21 And this says, "Thank you," from Felicia
22 Parker.

23 COUNCILMAN DiCICCO: Thank you.
24 Thank you.

25 Next witness, please.

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2 MR. McCLOSKEY: This is Renee
3 Nash. She's the daughter of Ms. Mattie
4 Nash.

5 MS. RENEE NASH: Hi. How are
6 you doing?

7 COUNCILMAN DiCICCO: Good
8 morning, Ms. Nash.

9 MS. RENEE NASH: Basically I'm
10 just here in hope that the light will be
11 put up. It would be really appreciated.
12 I can't bring my mom back, but at least
13 if the light was put up, no one will have
14 to go through what I'm going through
15 every day, every night. My grandchildren
16 go through it. Just the cries that I
17 heard that night, I can't get those cries
18 out.

19 I mean, she can't come back,
20 but at least I'll know no one else will
21 have to feel the pain that I'm feeling
22 and that my family is feeling. So it
23 really would be appreciated if ya'll
24 would put the light up. At least I can
25 remember that she gave her life and, you

1 10/31/07 - STREETS - BILL 070868, ETC.

2 know, that light will be a memory of her.

3 In my eyes, in my heart, that's what it

4 will be.

5 I no longer live there. I

6 moved. I'm still in that area, so I pass

7 that stop every day. Just to have to

8 pass it and see where my mother laid, she

9 died instantly. So I don't see why we

10 can't instantly put up a light. She

11 instantly lost her life, so we should

12 instantly have a light, and no one should

13 have to die like that. And no one has

14 been caught. They kept going like she's

15 nobody. So, I mean, it really hurts, and

16 I really wish and I hope that the light

17 will be put up.

18 COUNCILMAN DiCICCO: Well,

19 we're going to work towards that, and we

20 share in your sympathy and your loss, and

21 we'll do everything in our power to make

22 sure that it happens. Thank you for

23 coming down here today.

24 MS. RENEE NASH: Thank you.

25 COUNCILMAN DiCICCO: Yes,

1 10/31/07 - STREETS - BILL 070868, ETC.

2 ma'am.

3 MS. SMITH: My name is Valeda
4 Smith. I'm the block captain in the 7500
5 block of 21st Street. Excuse me, because
6 even still thinking about Ms. Nash
7 getting hit just stirs me.

8 COUNCILMAN DiCICCO: Take your
9 time.

10 MS. SMITH: In 1998, I was
11 attempting to come off of 21st Street to
12 make a left onto Cheltenham Avenue to go
13 up to the Cheltenham Mall, and coming out
14 on the Philadelphia side, I was hit
15 broadside, \$3,000 worth of damage. My
16 car was in the shop for three weeks.

17 In order for me to get to
18 Cheltenham Mall or to get further west on
19 Cheltenham Avenue, I have to make a
20 choice of either going four blocks out of
21 the way, which is back the opposite way,
22 or seven blocks around the other to get
23 to a traffic light to come out on
24 Cheltenham Avenue.

25 So, yes, we do need a traffic

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2 light. And that's my statement.

3 COUNCILMAN DiCICCO: Thank you.

4 The other ladies, are you
5 testifying, ladies?

6 COUNCILWOMAN TASCO: That's my
7 committee person here.

8 COUNCILMAN DiCICCO: Good
9 morning.

10 MS. HARDY: Good morning. My
11 name is Marlene Hardy and I too am a
12 block captain. I wear many hats, but I'm
13 here as a community advocate for us
14 trying to get a light at Walnut Lane and
15 Cheltenham Avenue.

16 This is not new to me. Over 30
17 years ago, there was a little old lady
18 crossing over to visit her friend right
19 at the first house on Walnut Lane and
20 Cheltenham Avenue, and that would be, I
21 think, the 2100 going on Cheltenham
22 Avenue, and she was struck and killed.

23 We walked. We went out on the
24 street trying to get a light over 30
25 years ago, maybe 35. I'm going to say

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2 33, 35 years ago. And we went out. We
3 didn't work as much or to the extent we
4 have come now, but we've come very far
5 and we're asking that a light be put
6 there.

7 I have had my own personal
8 experience. I live on Walnut Lane in the
9 7300 block. I could come right down
10 Cheltenham Avenue, make a right and go
11 right to my home. I never do, for the
12 simple reason that I have almost been hit
13 twice in my car just trying to make a
14 turn. When they come down Cheltenham
15 Avenue and you're going to make a right
16 on Walnut Lane, you better almost be on
17 two wheels to get around that corner,
18 because they will hit you.

19 We need a light. We've been
20 fighting too long. And I do understand
21 Cheltenham, Montgomery County has been
22 resistant of this. We need a light, and
23 we're not going to stop until we get a
24 light.

25 COUNCILMAN DiCICCO: Thank you.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Thank you.

3 Yes, ma'am.

4 MS. RUFFIN: Good morning. My
5 name is Terry Ruffin. I'm the block
6 captain from the 7500 block of Walnut
7 Lane and I'm also a social change agent.
8 I'm here today in front of you because we
9 need this traffic light. I am both a
10 driver and a pedestrian. I have cerebral
11 palsy. It is very difficult when I'm in
12 my pedestrian role trying to cross that
13 street. When I walk, I drag a leg, which
14 means that I could trip at any time. So,
15 therefore, if I was to trip as I'm trying
16 to run across that intersection, I would
17 be struck immediately and lose my life.
18 I'm very fearful of this.

19 As a driver, I've attempted to
20 make both left and right turns off of
21 Cheltenham Avenue. I've been almost hit
22 by the rear multiple times despite the
23 display of my handicapped tags.

24 I'm begging you today to
25 consider the seriousness and the need for

1 10/31/07 - STREETS - BILL 070868, ETC.
2 this light. Also, I'm here to say that
3 we as a community, particularly the
4 African-American community, need to have
5 our faith restored in the political
6 process, and for us, the institution of
7 this light would help us so much to
8 believe that it is a reason to believe in
9 the process and to come out and vote and
10 that our politicians actually do care
11 about us.

12 COUNCILMAN DiCICCO: Thank you.
13 And I think it's evident that
14 politicians, elected officials do care.
15 That's the process we're going through.
16 In some cases we wish we can just make
17 these things happen immediately, but we
18 can't and there is a process. Our role
19 is to try to get through that bureaucracy
20 much more quickly. And I understand this
21 has been going on for years, but you're
22 in capable hands with Councilwoman Tasco.
23 This Committee here is your concern.
24 You've heard some of the comments that
25 were made by this Committee to the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Streets Department and the Managing
3 Director. We're all on the same page,
4 and we're going to make sure that we will
5 not wait forever for this happen. We
6 will not sit back and just sit back idly
7 for another six months or so. We're
8 going to make this thing happen as
9 quickly as we possibly can. And as you
10 heard us say earlier, if we don't get the
11 approval from the state, we'll have to
12 figure out what action we need to take on
13 our part, and if the state wants to sue
14 us, let them sue us. They're suing us
15 over casinos. They might as well sue us
16 over traffic lights next.

17 (Applause.)

18 COUNCILMAN DiCICCO:

19 Councilwoman Tasco.

20 COUNCILWOMAN TASCO: I
21 certainly just want to thank all of you
22 for coming out, but having the support of
23 the Streets Department and the Managing
24 Director's department is most
25 encouraging, because usually we butt

1 10/31/07 - STREETS - BILL 070868, ETC.

2 heads. But the Streets Department is
3 supportive of this, as well as the
4 Managing Director's Office. So I want
5 that thank the Managing Director's Office
6 for sending a letter, which is one of
7 the --

8 COUNCILMAN DiCICCO: And
9 appearing today.

10 COUNCILWOMAN TASCIO: And
11 appearing today, which has not been the
12 case in a lot of instances. Okay?

13 So know that we are supportive.
14 And I do believe that we'll get the
15 approval for the lights. It's just going
16 to -- and you heard Mr. Denny say they're
17 proceeding now to move to design the
18 light and work to put out a bid to
19 install the light. So I think you have a
20 commitment here that it's going to take
21 place. It's going to take place. You
22 just need to bear with the bureaucracy to
23 get it done. They've got to get a bid,
24 got to get blah, blah, blah, all that
25 stuff, but you get your light, and I

1 10/31/07 - STREETS - BILL 070868, ETC.

2 believe the state will be compliant.

3 (Applause.)

4 COUNCILMAN DiCICCO: Yes,
5 ma'am. Will you be testifying?

6 MS. EVE: What I have to say
7 coincides with what Terry said. I've
8 been a driver up in the area. I've lived
9 there for 30 years. My son and I -- my
10 son is mentally handicapped, he's
11 challenged. So when he's trying to cross
12 that street, it drives me crazy watching
13 him step out and watching cars just zoom
14 so close to him, especially when he's in
15 the middle. He's an adult, but he's
16 still mentally challenged. So his life
17 sometimes -- he comes home all upset
18 sometimes and quite shaky. He has a bad
19 heart. So I have numerous things that I
20 worry about with him and that traffic on
21 the corner, as well as myself.

22 I ride three different buses
23 just not to have to cross that street. I
24 go back the other way and circle around
25 and come up on Cheltenham Avenue with the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 XH rather than cross the street, catch
3 the 22 bus. I come all the way around,
4 go up in the loop, get off the loop,
5 catch the 22 bus, and then I have to
6 catch another bus when I get off the 22.
7 So I'm losing a lot of time, freezing
8 sometimes in the winter, you know, just
9 to get from A to Z. So we would
10 appreciate you putting the light on that.

11 COUNCILMAN DiCICCO: Thank you.
12 And would you please identify yourself
13 for the record.

14 MS. EVE: My name is Gladys
15 Eve. I live at 7443 East Walnut Lane.

16 COUNCILMAN DiCICCO: Thank you.
17 Thank you for your testimony.

18 Is there anyone else who will
19 be testifying?

20 (No response.)

21 COUNCILMAN DiCICCO:
22 Councilwoman Miller.

23 COUNCILWOMAN MILLER: I just
24 want to make a comment. Some of us live
25 in the area, have been driving up -- I've

1 10/31/07 - STREETS - BILL 070868, ETC.
2 been driving up and down Cheltenham
3 Avenue, and I agree with the committee
4 person in the middle. To make a right
5 turn off of Cheltenham, it's like a
6 speedway. I personally like to go to
7 Lee's Hoagies down at 19th and, you know,
8 sometimes I'm perplexed at where am I
9 going to park. I can't stop on
10 Cheltenham Avenue because I'm afraid
11 somebody is going to rear end me and
12 cause a big accident.

13 So we are all sympathetic. You
14 got to remember, we also live in the
15 City. We know what these roads and
16 streets are like, and we'll do whatever
17 we can to help you out. And I really --
18 I was sitting here looking through all
19 the documents and whatnot that you've
20 sent, and this is really good. I think
21 this is excellent documentation.

22 COUNCILMAN DiCICCO: Thank you.
23 Thank you, Councilwoman.

24 Anyone else to testify on this
25 bill?

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2 (No response.)

3 COUNCILMAN DiCICCO: Thank you
4 all for coming today.

5 We're going to just jump ahead
6 and go to Page 3 of the bills to Bill No.
7 070682, and then we're going to come back
8 to Councilwoman Campbell's bills.
9 Councilwoman Miller asked that we get to
10 this bill because we have a witness who
11 must leave on a personal matter, and
12 there's an amendment.

13 Mr. Abernathy, please read the
14 title of that bill.

15 THE CLERK: Bill 070682, an
16 ordinance amending Section 9-208 of The
17 Philadelphia Code, entitled "Sidewalk
18 Cafes," by permitting sidewalk cafes to
19 be maintained on Germantown Avenue, both
20 sides, between Cresheim Valley Road and
21 Rex Avenue, under certain terms and
22 conditions.

23 MR. MAUTZ: Good morning,
24 Chairman and members of the Committee.
25 My name is William Mautz and I'm a

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Construction Engineer with the Streets
3 Department. I'm here to offer the
4 following testimony for Bill No. 070682.

5 This bill amends Section 9-208
6 of The Philadelphia Code, entitled
7 "Sidewalk Cafes," by permitting sidewalk
8 cafes to be maintained on Germantown
9 Avenue, both sides, between Cresheim
10 Valley Road and Rex Avenue. This bill
11 and the proposed amendment to the bill is
12 supported by the Streets Department and
13 is recommended to your Committee for
14 favorable action.

15 COUNCILMAN DiCICCO: Thank you.
16 Mr. Previdi.

17 MR. PREVIDI: Yes. I'm Bob
18 Previdi --

19 COUNCILMAN DiCICCO: Previdi.

20 MR. PREVIDI: -- Executive
21 Director of the Chestnut Hill Business
22 Association. Our office is at 8426
23 Germantown Avenue. Chestnut Hill is a
24 very cute ideal main street that has 160
25 businesses. We have a number of

1 10/31/07 - STREETS - BILL 070868, ETC.
2 restaurants, and we are working hard to
3 try to attract and retain our customers.
4 Thanks to Councilwoman Miller's help,
5 we --

6 COUNCILMAN DiCICCO: Excuse me,
7 Mr. Previdi.

8 I would ask the folks who are
9 leaving if you would try to do it in a
10 more quiet fashion. We do have other
11 testimony going on and it is difficult
12 for the stenographer to hear the
13 testimony. Thank you.

14 Mr. Previdi.

15 MR. PREVIDI: So we have a
16 number of -- thanks to Councilwoman
17 Miller, we created a business improvement
18 district and we've had a streetscape
19 project, a streetscape plan completed,
20 and we've had a marketing study done, and
21 both of those things point to having more
22 life on the sidewalks. And so this bill
23 will help us encourage more activity on
24 the sidewalks to help our businesses on
25 the Avenue. We help our businesses. We

1 10/31/07 - STREETS - BILL 070868, ETC.
2 help our community. We help our city.
3 That's all.

4 COUNCILMAN DiCICCO: Thank you.
5 Councilwoman Miller.

6 COUNCILWOMAN MILLER: There is
7 an amendment to this bill and that's what
8 we're introducing today. I believe you
9 may have -- hopefully you have a copy.

10 COUNCILMAN DiCICCO: We have a
11 copy. Copies have been distributed.

12 MR. PREVIDI: I have a copy.
13 It's fine.

14 COUNCILWOMAN MILLER: Right.
15 And I strongly support this and look
16 forward to seeing people sitting outside.

17 MR. PREVIDI: Thank you,
18 Councilwoman.

19 COUNCILWOMAN MILLER: It's a
20 little bit too cold right now.

21 MR. PREVIDI: It's a little
22 chilly now. Put on a jacket.

23 COUNCILMAN DiCICCO: Put a
24 heater out there, they'll be fine. Thank
25 you.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Anyone else here who wishes to
3 testify for or against this bill?

4 (No response.)

5 COUNCILMAN DiCICCO: Seeing
6 none, I will ask Mr. Abernathy to read
7 the title of the next bill.

8 THE CLERK: Resolution No.
9 070378, a resolution authorizing City
10 Council's Committee on Streets and
11 Services to investigate why the sidewalk
12 cutouts throughout Center City are not
13 adequately draining and to investigate
14 whether or not there are other locations
15 throughout the City where the sidewalk
16 cutouts are structurally defective; and
17 to determine how the problem of the
18 sidewalk cutouts can be corrected and to
19 have them corrected.

20 COUNCILMAN DiCICCO: Mr. Mautz.

21 MR. MAUTZ: Good morning,
22 Chairman and members of the Committee.
23 My name is William Mautz and I'm a
24 Construction Engineer with the Streets
25 Department. I'm here to offer the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 following testimony on Resolution No.
3 070378.

4 The Streets Department supports
5 the adoption of the resolution and will
6 assist City Council's Committee on
7 Streets and Services with the
8 investigation.

9 COUNCILMAN DiCICCO: Thank you,
10 Mr. Mautz.

11 Anyone here who is to testify?
12 Councilwoman Campbell, do you
13 wish to be recognized?

14 COUNCILWOMAN CAMPBELL: Yes, I
15 do.

16 There's an urgency on the
17 investigation for these cutouts, because
18 winter is approaching and when it doesn't
19 drain and it rains, there's ice there,
20 and when you try to go down in a
21 wheelchair, the wheelchair starts
22 slipping and you can go down and be
23 turned over in the wheelchair, and that's
24 why this is a very dangerous situation.
25 It needs to be addressed immediately.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: I agree
3 with you, and I've noticed even for the
4 folks who may not be wheelchair bound,
5 the average pedestrian walking, when
6 those puddles form between the curb -- or
7 in the street along the curblane, I mean,
8 it just becomes another hazard.

9 My understanding, if I'm not
10 mistaken, I know several years ago when
11 the City installed these, wasn't there
12 some arrangement with the contractors
13 where those deficiencies were located
14 that the contractor was required to come
15 back out and correct those locations?

16 Mr. Mautz, could you speak to
17 that.

18 MR. MAUTZ: Well, there are
19 quite a large number of ramps,
20 handicapped-accessible ramps, at the
21 radiuses throughout the City. The ramps
22 were installed in a number of different
23 fashions, either by the Department of
24 Streets by a contract or the Pennsylvania
25 Department of Transportation or private

1 10/31/07 - STREETS - BILL 070868, ETC.
2 developer, and depending on the age of
3 the installation, the specification that
4 they were installed under has actually
5 modified over the years.

6 If there is a specific list or
7 location of problem locations, if the
8 Councilwoman's office would want to
9 forward that to me for immediate
10 investigation, I certainly will work with
11 them.

12 COUNCILMAN DiCICCO: Because I
13 have a few I know of -- I'm sure there's
14 many in my district, but there's some
15 that are much more identifiable than
16 others. So we will do that.

17 Councilwoman Campbell, any
18 other comments?

19 COUNCILWOMAN CAMPBELL: I can't
20 hear you. What did you say?

21 COUNCILMAN DiCICCO: Any other
22 comments?

23 COUNCILWOMAN CAMPBELL: No,
24 thank you.

25 COUNCILMAN DiCICCO: Thank you.

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2 Is there anyone else here who
3 wishes to testify?

4 Mr. Iacullo, would you please
5 come forward.

6 MR. IACULLO: Yes. Good
7 morning, Councilman DiCicco.

8 COUNCILMAN DiCICCO: Please
9 identify yourself for the record.

10 MR. IACULLO: Sure. My name is
11 Rocco Iacullo. I'm a staff attorney with
12 the Disability Rights Network of
13 Pennsylvania. We're a federally
14 mandated, non-profit organization that
15 works on behalf of people with
16 disabilities and advocates for their
17 civil rights for people with disabilities
18 throughout the State of Pennsylvania. My
19 particular work at DRN focuses on ADA
20 issues, including Title 2, which applies
21 to state and local government entities.

22 One of the areas that in my few
23 years with DRN that has been identified
24 as a recurrent problem with many
25 municipalities across the state is the

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2 issue of curb ramps, both the
3 installation as well as the maintenance,
4 and I am here today to strongly urge
5 Council to pass Bill 070378 to further
6 investigate problems with curb cuts in
7 the City of Philadelphia, both drainage
8 problems as well as what I perceive to be
9 maintenance issues.

10 But also I have serious
11 concerns about many of the curb ramps not
12 complying -- not appearing to comply with
13 either the UFAS, Uniform Federal
14 Accessibility Standards, or the ADA
15 accessibility standards. One of the
16 major problems which I think contributes
17 to the drainage problem is that it
18 appears that many curb ramps do not
19 comply with the sloping requirements
20 under either of those standards.

21 In my work, I'm obviously
22 familiar that there are feasibility
23 issues that can arise that prevent curb
24 ramps being installed in full compliance,
25 but I believe that with many of the curb

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2 ramps in Philadelphia, that there could
3 be locations where just not enough time
4 was put into the design of the curb
5 ramps, leading to extreme slopes, which
6 contributes to the drainage problems.

7 I myself also use a motorized
8 wheelchair, so I am quite familiar with
9 the curb ramps in Center City. There's
10 many corners that are really bad with the
11 drainage. Broad and Chestnut is one
12 location where after a significant rain,
13 there's at least a three- to four-inch
14 puddle at the bottom of the ramp, and as
15 you've indicated, many able-bodied
16 pedestrians will actually walk around
17 that and down the curb, which is not an
18 option for a person in a wheelchair. So
19 that is a major problem.

20 It also in the wintertime
21 creates an even further problem that I
22 think Councilwoman Campbell recognized,
23 that that water will freeze and will also
24 make it very dangerous for a person in a
25 wheelchair to use the curb ramp.

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2 So, again, in my experience,
3 there appears to be significant problems.
4 I wasn't around for the litigation in the
5 '90s with regards to the requirement, the
6 lawsuit against the City requiring them
7 to install curb ramps, but, again, from
8 my day-to-day experience in using the
9 curb ramps, it appears that many of them
10 are not in compliance with ADA standards
11 and, namely, there appears to be a
12 sloping problem, and it's also based upon
13 my work on other cases with other
14 municipalities, which I was also here to
15 just share a little bit of my experience.

16 We had a case with the City of
17 Lancaster that has settled, and actually
18 the City of Lancaster agreed to hire an
19 engineering firm called H.R. Gray to
20 assist the city with basically surveying
21 every single intersection throughout the
22 city to determine whether the curb ramps
23 that have been installed are in full
24 compliance with either the UFAS or ADA
25 standards, and I believe that is the only

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2 foolproof way to really determine the
3 state of the curb ramps. And I
4 understand with Philadelphia that the
5 cost issue there is going to be much
6 greater. We're dealing with a much
7 larger city, but I think that's the only
8 foolproof way to determine whether the
9 curb ramps are in compliance with the
10 standards and to determine what types of
11 issues need to be repaired with them.

12 And also with the drainage
13 issue, there's a lot of guidance out
14 there about how to solve that problem,
15 and the drainage could be possibly an
16 easy solution and there's a lot of
17 guidance out there. And I would be
18 happy, if Council would like me, to
19 forward some of those guidance documents
20 that are out there. I mean, I would be
21 more than happy to do that.

22 But, again, I strongly urge
23 Council to pass Bill 070378 and look into
24 this very, very serious problem. Again,
25 it's a civil rights issue for people with

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2 disabilities in blocking their access in
3 the City, but it also is a danger issue
4 for able-bodied pedestrians as well.

5 COUNCILMAN DiCICCO: Thank you.
6 And if you would forward that information
7 to me, I would appreciate that.

8 MR. IACULLO: Sure.

9 COUNCILMAN DiCICCO: Any
10 questions for this witness?

11 (No response.)

12 COUNCILMAN DiCICCO: Is there
13 anyone else here who wishes to testify?

14 Sir, would you please come
15 forward.

16 Good morning, sir. Would you
17 please identify yourself for the record
18 and proceed with your testimony.

19 MR. EARLE: Good morning,
20 Councilman DiCicco. My name is Thomas
21 Earle and I am a civil rights attorney
22 that has represented children and adults
23 with physical and mental disabilities for
24 the past 15 years. Originally I started
25 off in Philadelphia working as an ADA

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2 litigation coordinator at the
3 Disabilities Law Project, which was the
4 predecessor law firm at which my
5 colleague, Rocco Iacullo, just worked at.
6 They changed their name to the Disability
7 Rights Network of Pennsylvania recently.

8 I was around during the early
9 '90s when the case Kinney Jerusalem
10 versus the City of Philadelphia was
11 litigated in the Federal District Court
12 up through the Third Circuit all the way
13 up to the Supreme Court requiring the
14 installation of curb cuts back then
15 whenever the City did street repair work.
16 Clearly, that's not at issue here today,
17 but it does give a backdrop of the
18 history of the problem in Philadelphia,
19 especially in light of the City being
20 such an old historic city and the
21 difficulty of achieving safe curb ramps
22 and curb cuts in a uniform matter.

23 I am currently the Chief
24 Executive Officer of Liberty Resources,
25 which is the center for independent

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2 living, which is located in your district
3 at 714 Market Street. We relocated there
4 about 12 months ago. Prior to that, we
5 were at the northern end of your district
6 at 1341 North Delaware Avenue near Penn
7 Treaty Park there. During that period,
8 the issue of curb cuts, the lack of curb
9 cuts and dangerous curb cuts, was a
10 severe impediment to our organization and
11 the thousands of people with disabilities
12 that we serve each year, notably along
13 the Girard Avenue corridor from the
14 accessible bus and El station at Front
15 and Girard. Moving east there are often
16 no curb cuts or some curb cuts and often
17 curb cuts that were not properly
18 maintained.

19 We strongly support passage of
20 this ordinance. It's a huge positive
21 step in the right direction. The City
22 does need to incorporate a standard of
23 uniformity when installing and repairing
24 its curb ramps. The cost may be viewed
25 as significant up front as this program

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2 and enforcement of this ordinance is
3 implemented, but the long run -- the
4 long-term cost of improved safety and
5 uniformity clearly outweigh the
6 detrimental cost up front.

7 We have had colleagues who use
8 manual and motorized wheelchairs forced
9 to compete with moving traffic on the
10 street because they're unable to safely
11 travel on the sidewalks. This has
12 sometimes resulted in serious injury and
13 even death.

14 It's a serious public health
15 matter. It's a matter that not only
16 impacts people with disabilities, but it
17 also impacts a far broader range of
18 people who benefit from the proper
19 installation of curb ramps, including
20 mothers who use baby strollers, the
21 elderly who use walkers, delivery men who
22 deliver products and goods to different
23 businesses throughout the City. All of
24 these populations will collectively
25 benefit tremendously from an ordinance

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2 that seeks uniformity in the
3 installation -- the design and
4 installation of curb ramps.

5 So from that perspective,
6 Liberty Resources applauds your effort
7 and City Council's effort to address this
8 problem with this ordinance.

9 The second issue is
10 maintenance, and that often involves the
11 removal of ice and snow. When that does
12 not happen in a prompt manner, the City's
13 relatively high degree of accessibility
14 that is enjoyed by thousands of people
15 with disabilities, including those who
16 have to work just like us, 9:00 to 5:00
17 or longer hours, whatever they do each
18 day, is greatly impeded when they're on
19 an accessible bus, they get off at a
20 corner and then they're literally
21 landlocked and unable to go anywhere
22 because the City has unintentionally
23 perhaps plowed a pile of ice and snow,
24 blocking the corner where the curb ramps
25 typically are installed. This is a huge

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2 problem and a problem that should also be
3 considered within the context of this
4 ordinance.

5 The last piece of information I
6 want to emphasize is the need for
7 enforcement by the Philadelphia Parking
8 Authority to enforce parking regulations
9 and prevent motorists, truckers and other
10 motor vehicles who often park at the
11 corner. Whether it's for five minutes or
12 an hour, it doesn't matter. It has the
13 impact of denying access to the person in
14 the wheelchair who is trying to get by.
15 When a vehicle is parked in front of a
16 curb ramp, that curb ramp becomes
17 unusable, and the result is that the
18 person has to turn around and go
19 somewhere else and sometimes venture into
20 the street, thereby causing another
21 public hazard.

22 So we fully support the
23 ordinance and will lend, along with the
24 Disability Rights Network of
25 Pennsylvania, any technical expertise

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2 that we have. One architect in the City
3 of Philadelphia who is very familiar with
4 compliance under the Americans with
5 Disabilities Act is Gray Smith, who has
6 served on a number of City zoning boards
7 and design boards and the Architectural
8 Review Board. He's very well qualified,
9 has vast knowledge and experience in ADA
10 in design and implementation, and he's
11 somebody who should also perhaps be
12 considered on a technical advisory panel
13 addressing this issue as this ordinance
14 is considered further and ultimately
15 implemented.

16 COUNCILMAN DiCICCO: Thank you.
17 Thank you, sir, for your testimony,
18 Mr. Earle.

19 Is there anyone else who wishes
20 to testify for or against this bill?

21 (No response.)

22 COUNCILMAN DiCICCO: Seeing
23 none, I will ask Mr. Abernathy to read
24 the title of the next bill.

25 THE CLERK: Bill No. 070559, an

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2 ordinance amending Title 12 of The
3 Philadelphia Code, entitled "Traffic
4 Code," by providing for the removal or
5 immobilization of vehicles illegal parked
6 in reserved spaces for the physically
7 handicapped and severely disabled
8 veterans and of vehicles blocking any
9 part of a curb cut or handicapped ramp.

10 MR. DICKSON: Good morning,
11 Mr. Chairman. My name is Richard
12 Dickson. I am the Senior Director of
13 Strategic Planning at the Philadelphia
14 Parking Authority.

15 This bill would make two
16 violations of The Philadelphia Code
17 towable under the Traffic Code section.
18 Those violations are blocking a curb cut
19 for people with disabilities and parking
20 in a space reserved for people with
21 disabilities. Both of these things when
22 those ramps are blocked or when those
23 zones are being used by people who are
24 not disabled, it inhibits the ability of
25 people who are disabled to engage fully

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2 in the commercial and life of the City,
3 and we support passage of the bill.

4 COUNCILMAN DiCICCO: Thank you,
5 Mr. Dickson.

6 Is there anyone else here who
7 wishes to testify?

8 (No response.)

9 COUNCILMAN DiCICCO: Seeing
10 none, Mr. Abernathy, please read the
11 title of the next bill.

12 THE CLERK: Bill No. 070695, an
13 ordinance amending Chapter 12-2700 of The
14 Philadelphia Code, entitled "Permit
15 Parking Districts," by increasing the
16 permit parking and renewal fees, within
17 certain permit parking districts, for any
18 vehicle in excess of one per household,
19 and making certain technical changes, all
20 under certain terms and conditions.

21 MR. DICKSON: Mr. Chairman, the
22 Parking Authority has been reviewing
23 permit parking fees for quite some time.
24 There have been competing proposals from
25 various community groups and business

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2 associations regarding permit parking.
3 The Center City Residents Association
4 recently completed a study recommending
5 that those prices be adjusted.

6 We believe that we would like
7 to approach this in a more comprehensive
8 way rather than just dealing with one
9 particular permit parking district.
10 While I understand Councilwoman
11 Campbell's desire to limit the number of
12 vehicles that are getting permits and
13 making demands on the public spaces, we
14 would like to ask her permission and the
15 Committee's permission to come back to
16 the Council with a comprehensive proposal
17 to deal with permit parking fees citywide
18 rather than just in one permit parking
19 district.

20 COUNCILMAN DiCICCO:
21 Councilwoman Campbell, do you have any
22 comments?

23 COUNCILWOMAN CAMPBELL: How
24 long would it take?

25 MR. DICKSON: I think that we

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2 can complete a proposal within 30 days
3 and come back to the Council after
4 Thanksgiving with that.

5 COUNCILWOMAN CAMPBELL: I'm
6 trying to think. I think after
7 Thanksgiving would not be good because of
8 our Calendar. If it could be before
9 Thanksgiving.

10 COUNCILMAN DiCICCO: Well, I
11 think we only have one or -- is it two
12 session days between now and Thanksgiving
13 or one?

14 THE CLERK: One.

15 COUNCILMAN DiCICCO: There's
16 only one Council session day between now
17 and Thanksgiving.

18 THE CLERK: Not counting
19 tomorrow.

20 COUNCILMAN DiCICCO: Not
21 counting tomorrow. I'm not counting
22 tomorrow.

23 I mean, this Committee will be
24 obviously able to hear any amendments or
25 recommendations. We would have enough

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2 time, right?

3 THE CLERK: No. We may not be
4 able to ensure the Mayor's signature.

5 COUNCILMAN DiCICCO: Oh, that's
6 right. We may not be able to ensure the
7 Mayor's signature.

8 MR. DICKSON: Our fear on this
9 proposal is that it's going to put both
10 the Council and the Authority in a
11 position where we have competing
12 regulations in various neighborhoods of
13 the City, and we really would like to be
14 able to deal with this consistently.

15 We also think that it could
16 present the possibility of raising legal
17 action from people in this district who
18 are now paying a higher fee than other
19 people in the City, which could
20 eventually inhibit our ability to
21 implement it at all.

22 COUNCILMAN DiCICCO: Has there
23 been any discussion about any issues
24 concerning uniformity?

25 MR. DICKSON: That is the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 issue.

3 COUNCILMAN DiCICCO: It sounds
4 like that's what you're saying.

5 MR. DICKSON: That is the basis
6 of our reticence to support this bill.

7 COUNCILMAN DiCICCO: Maybe I
8 could recommend that we could vote this
9 bill out today and hold it on the
10 Calendar, and hopefully, Mr. Dickson, you
11 can get back to the sponsor of the bill
12 in a much more quicker fashion before
13 Thanksgiving. I'm still not sure about
14 the timing of it with the Mayor's
15 signature, but we can vote it out and any
16 changes maybe we can make prior to
17 Thanksgiving. If we have to have a
18 special Committee hearing, we can do
19 that. I'm trying to be accommodating
20 here.

21 MR. DICKSON: That's completely
22 up to the members of the Committee. The
23 Authority would object to the bill in its
24 current form because we believe that we
25 would have difficulty legally sustaining

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2 this.

3 COUNCILWOMAN CAMPBELL: Legally
4 sustaining it in what manner?

5 MR. DICKSON: Because it's not
6 being applied consistently across the
7 City. The fees would not be consistent
8 across the City.

9 COUNCILWOMAN CAMPBELL: Why
10 would they sue the Authority and not the
11 City?

12 MR. DICKSON: Because the
13 Authority is charged by the City with
14 administering the provisions of this
15 bill.

16 COUNCILWOMAN CAMPBELL: I
17 thought the fees would be paid to L&I.

18 MR. DICKSON: No. The fees are
19 paid to the Authority.

20 COUNCILWOMAN CAMPBELL: These
21 permits come through the Parking
22 Authority. That's what you're saying?

23 MR. DICKSON: Yes, ma'am.

24 COUNCILWOMAN CAMPBELL: We
25 can't wait 30 days. This is a tremendous

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2 problem in my district, tremendous.
3 Every time we've had a town meeting,
4 there was great outcry from the community
5 about this situation.

6 I understand what you're
7 saying, but if we can turn around bills
8 within 24 to 48 hours in Council, I'm
9 sure that you can give us the information
10 that you feel we need to do to amend this
11 quicker than 30 days.

12 COUNCILMAN DiCICCO: Well,
13 again, I think that the only options we
14 have here is to, A, vote it out
15 favorably, as I suggested, wait to see
16 what, if any, amendments would come back
17 from the Parking Authority, because if we
18 don't -- if the bill gets tossed, we're
19 never going to have time to get a new
20 bill in and any adjustments to that. So
21 my recommendation is we vote it out in
22 its current form. The Parking Authority
23 comes back with any amendments and/or --

24 MR. DICKSON: When would you
25 need the amendments in order for them to

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2 be considered? Would they be considered
3 before the Committee or before the full
4 Council?

5 COUNCILMAN DiCICCO: Before the
6 full Council.

7 MR. DICKSON: And when would
8 you want those amendments?

9 COUNCILMAN DiCICCO: Well,
10 again, aside from tomorrow, there's only
11 one session day between now and
12 Thanksgiving, which would be the 15th, I
13 believe.

14 COUNCILWOMAN CAMPBELL: Yes.

15 COUNCILMAN DiCICCO: November
16 15th, which gives you a little more than
17 two weeks.

18 MR. DICKSON: I will do my best
19 to do that.

20 COUNCILMAN DiCICCO: All right.
21 Thank you.

22 COUNCILWOMAN CAMPBELL: You
23 can't ask for anything more than that.

24 COUNCILMAN DiCICCO: Thank you,
25 Councilwoman.

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2 COUNCILWOMAN CAMPBELL: Thank
3 you.

4 COUNCILMAN DiCICCO: Any other
5 witnesses? Anyone else wishes to testify
6 on this bill?

7 (No response.)

8 COUNCILMAN DiCICCO: Seeing
9 none, I'll ask Mr. Abernathy to read the
10 title of the next bill.

11 THE CLERK: Bill No. 070872, an
12 ordinance authorizing the Commonwealth of
13 Pennsylvania, its agents, successors and
14 assigns, to construct, own and maintain
15 encroachments in the right-of-way of the
16 east side of North Broad Street between
17 Arch and Race Streets and the south side
18 of Race Street between North Broad and
19 12th Streets, under certain terms and
20 conditions.

21 MR. MAUTZ: Good morning,
22 Chairman and members of the Committee.
23 My name is William Mautz and I'm a
24 Construction Engineer with the Streets
25 Department. I'm here to offer the

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2 following testimony for Bill No. 070872.

3 This bill authorizes the
4 Commonwealth of Pennsylvania to
5 construct, own and maintain architectural
6 building projections on the east side of
7 Broad Street between Arch Street and the
8 south side of Race Street between North
9 Broad and 12th. The building projections
10 will be constructed in conjunction with
11 the Pennsylvania Convention Center
12 expansion.

13 The Streets Department has
14 reviewed the construction plans for this
15 project. This bill is supported by the
16 Department of Streets and is recommended
17 to your Committee for favorable action.

18 COUNCILMAN DiCICCO: Thank you,
19 Mr. Mautz.

20 Anyone here who wishes to
21 testify for or against this bill?

22 (No response.)

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

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2 THE CLERK: Bill No. 070694, an
3 ordinance amending Section 9-208 of The
4 Philadelphia Code, entitled "Sidewalk
5 Cafes," by limiting the hours of
6 operation of sidewalk cafes located
7 within certain areas of the City, and by
8 making certain technical changes, all
9 under certain terms and conditions.

10 COUNCILMAN DiCICCO: Good
11 morning, Mr. Haigler.

12 MR. HAIGLER: Good day,
13 Councilman DiCicco and members of the
14 Committee. I am Otis Haigler, Jr.,
15 Director of Legislative Affairs for the
16 Department of Licenses and Inspections.
17 Today I'm here to provide testimony on
18 Bill 070694, which, if enacted, will
19 prohibit sidewalk cafes from operating
20 between the hours of 12:00 midnight and
21 8:00 a.m. in the area bounded by Shurs
22 Lane, Green Lane, Cresson Street and the
23 Schuylkill River.

24 The Department of Licenses and
25 Inspections offers no objection to the

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2 enactment of this bill. However, Council
3 is advised that since we are not a
4 24-hour operation, we will have to rely
5 on assistance from the Police Department
6 to enforce the provisions related to the
7 operating hours for sidewalk cafes in the
8 designated area.

9 Our current policy allows for
10 the police to issue three \$75 tickets to
11 the owner/operator of a business that is
12 in violation in order to document the
13 offense. After the third ticket has been
14 issued and the matter is referred to us
15 by the police, we then issue to the
16 owner/operator an Intent to Cease Letter
17 notifying him or her that continued
18 violations of the operating hour
19 provision will result in the Department
20 closing down the business activity and
21 posting a Cease Operation Notice on the
22 establishment.

23 We have found that working in
24 cooperation with the Police Department
25 has been beneficial in the past to

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2 enforce provisions related to the
3 business operating hours, and we plan to
4 continue working closely with them to
5 ensure compliance with this bill should
6 it be enacted into law.

7 Thank you for the opportunity
8 to provide the Department's testimony.
9 I'll be happy to answer any questions at
10 this time.

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

13 Is there anyone who wishes to
14 testify for or against this bill?

15 (No response.)

16 COUNCILMAN DiCICCO: Stay
17 there. We're going to do your next two
18 bills. That way, you can get back to
19 work.

20 MR. HAIGLER: Okay. Thank you.

21 COUNCILMAN DiCICCO:
22 Mr. Abernathy, the next bill, please.

23 THE CLERK: Bill No. 070866, an
24 ordinance amending Section 9-205 of The
25 Philadelphia Code, entitled "Sidewalk

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2 Sales," by prohibiting vending within an
3 area bounded by 60th Street, Elmwood
4 Avenue, 67th Street and Kingsessing
5 Avenue, on both sides.

6 MR. HAIGLER: Good day,
7 Councilman DiCicco and members of the
8 Committee. I am Otis Haigler, Jr.,
9 Director of Legislative Affairs for the
10 Department of Licenses and Inspections.
11 Today I'm here to provide testimony on
12 Bill 070866, which, if enacted, will
13 prohibit sidewalk vending in the area
14 bounded by 60th Street, Elmwood Avenue,
15 67th Street and Kingsessing Avenue.

16 The Department of Licenses and
17 Inspections offers no objection to the
18 enactment of this bill and is prepared to
19 enforce its provisions should the bill
20 pass in Council and it is signed into law
21 by the Mayor.

22 Thank you for the opportunity
23 to provide the Department's testimony.

24 COUNCILMAN DiCICCO: Thank you,
25 Mr. Haigler.

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2 Anyone else who wishes to
3 testify on this bill?

4 (No response.)

5 COUNCILMAN DiCICCO: Seeing
6 none, Mr. Abernathy, the title of the
7 next bill.

8 THE CLERK: Bill No. 070877, an
9 ordinance amending Section 9-213 of The
10 Philadelphia Code, entitled "Farmers'
11 Markets," by adding as a permissible
12 location Aviator Park, all under certain
13 terms and conditions.

14 MR. HAIGLER: Good day,
15 Councilman DiCicco and members of the
16 Committee. I am Otis Haigler, Jr., the
17 Director of Legislative Affairs for the
18 Department of Licenses and Inspections.

19 Generally the Department has no
20 issues with farmers' markets being
21 located within the City, and the general
22 course we have in the past supported
23 enactment of bills related to the
24 location of farmers' markets, but we also
25 understand that there has to be some

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2 issues that need to be worked out with
3 the Fairmount Park Commission on this
4 particular bill, and we're at this
5 present time offering no opinion on the
6 bill to those issues all worked out with
7 the Fairmount Park Commission. Once
8 they're worked out, then we would -- if
9 everything is in agreement, everybody is
10 satisfied, then we will support the bill.

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

13 The Chair recognizes Councilman
14 Clarke.

15 COUNCILMAN CLARKE: Thank you,
16 Mr. Chairman.

17 Mr. Chairman, this particular
18 bill, we will be offering an amendment on
19 the bill. It's technical in nature. I
20 understand that we do have a
21 representative from the local community
22 organization that's here. There are a
23 couple of issues with respect to
24 Fairmount Park that need to be discussed
25 over the next couple of days, and we

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2 believe by the time the bill is actually
3 called up for a final passage, that those
4 issues, whatever they may be, will be
5 resolved.

6 COUNCILMAN DiCICCO: Thank you.

7 Anyone else here who will be
8 testifying?

9 Please approach the table,
10 identify yourself for the record and
11 proceed with your testimony.

12 MR. STEWART: Good morning,
13 Chairman DiCicco and Councilman Clarke.
14 My name is Rob Stewart. I'm the
15 President of the Logan Square
16 Neighborhood Association, which
17 boundaries are north of Market Street to
18 Spring Garden, west from Broad Street to
19 the River. So Aviator Park falls into
20 that jurisdiction.

21 This idea for a farmers' market
22 has emerged from community members who
23 were talking to farmers at Fitler Square,
24 existing farmers who have been operating
25 in the City for about six years, and

1 10/31/07 - STREETS - BILL 070868, ETC.

2 basically say, Wouldn't it be nice. And
3 the farmer said, Yes, we're looking for
4 another location.

5 The Association worked with
6 these residents and said, Go look around,
7 find sites. After about four months,
8 they came back with Aviator Park as a
9 site. The Association advised these
10 residents to reach out to the near
11 neighbors, so Franklin Institute, which
12 is basically the right -- Aviator Park,
13 for those who aren't aware, is right in
14 front of the Franklin Institute. They
15 were contacted and are in support. Moore
16 College was contacted and they are in
17 support. The senior citizen assisted
18 living facility at the corner has also
19 been approached.

20 We're thrilled with the concept
21 of bringing a farmer once a week to come
22 to that newly renovated park, and we'd
23 ask that this motion move forward. We
24 made a commitment to Fairmount Park and
25 the Executive Director when we talked to

1 10/31/07 - STREETS - BILL 070868, ETC.
2 them. It was an inadvertent -- there was
3 not a communication earlier, but there's
4 communication now, and we're going to be
5 sitting down with him and his senior
6 staff long before this -- at this point,
7 the season is over. We'd like the bill
8 to move forward, but anticipate that the
9 market won't be open until the spring.

10 COUNCILMAN DiCICCO: Thank you.

11 Sir, you were going to be
12 testifying?

13 MR. LANG: My name is Brian
14 Lang. I'm the Project Manager for the
15 Food Trust Farmers' Market Program. I
16 just wanted to offer a little bit of
17 testimony.

18 The Food Trust was founded in
19 1992 to ensure everyone's access to
20 affordable and nutritious food. One of
21 the ways we've done that over the years
22 is by operating farmers' markets in
23 neighborhoods all over Philadelphia. In
24 surveys, customers at our markets report
25 they increase their fruit and vegetable

1 10/31/07 - STREETS - BILL 070868, ETC.

2 intake by two servings a day. It's very
3 noticeable given the obesity epidemic
4 that's taking a toll on many of our inner
5 city neighborhoods.

6 This year we opened the
7 Headhouse Farmers' Market at 2nd and
8 Lombard Street. It's the largest, most
9 successful market to date in
10 Philadelphia. It leads us to believe
11 that demand for farmers' markets is at an
12 all-time high here.

13 Additionally, in a recent study
14 conducted by the Trust that involved
15 interviews with 110 farmers, they
16 expressed to us that strengthening
17 Pennsylvania's networks of farmers'
18 markets was important to the future of
19 agriculture in our state.

20 The process of getting this
21 location started happened very much
22 according to the way Mr. Stewart just
23 described it. What's been different for
24 us is that here the community approached
25 us saying we have the spot, we have the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 farmer, let's go. Typically it kind of
3 happens in reverse order and we go to the
4 community and find the farmers. So it
5 was a bit of an irregular process for us.
6 In the past, we do very extremely
7 thorough sort of site feasibility stuff
8 to identify potential stakeholders. It
9 happened a little differently this time.
10 We think, however, that Aviator Square
11 would be a great addition to
12 Philadelphia's growing network of
13 farmers' markets as well as the Logan
14 Square community.

15 Thank you for your time, and
16 I'm happy to answer any questions you may
17 have.

18 COUNCILMAN DiCICCO: Thank you.
19 Councilman Clarke.

20 COUNCILMAN CLARKE: I'm fine.

21 COUNCILMAN DiCICCO: Anyone
22 else here who wishes to testify?

23 (No response.)

24 COUNCILMAN DiCICCO: Good luck.

25 These are welcome additions to every

1 10/31/07 - STREETS - BILL 070868, ETC.
2 neighborhood --

3 MR. LANG: Thank you.

4 COUNCILMAN DiCICCO: -- even
5 though they're not in my district.

6 Mr. Abernathy, please read the
7 title of the next bill.

8 THE CLERK: Bill No. 070696, an
9 ordinance authorizing the installation of
10 a traffic light at Sorrento Road and
11 Conshohocken Avenue, the installation of
12 stop signs on 47th Street at the
13 intersection of Conshohocken Avenue, and
14 the removal of a traffic light from 47th
15 Street and Conshohocken Avenue.

16 COUNCILMAN DiCICCO: Anyone
17 here testifying on this?

18 Mr. Denny.

19 MR. DENNY: I'm sorry. I
20 didn't hear what the amendment was.

21 THE CLERK: 696.

22 COUNCILMAN DiCICCO: 696.

23 MR. DENNY: No; what you
24 actually amended.

25 COUNCILMAN DiCICCO: What am I

1 10/31/07 - STREETS - BILL 070868, ETC.

2 recommending? Is that what you said?

3 (Pause.)

4 MR. DENNY: Mr. Chairman,
5 members of the Committee, thank you for
6 the opportunity to appear before you
7 today. My name is Charles Denny and I am
8 the Acting Chief Traffic Engineer for the
9 Department of Streets. I'm here to offer
10 testimony on Bill 070696.

11 The Streets Department has
12 objections to this bill. The location
13 for the traffic signal was changed. The
14 Streets Department met with
15 representatives of the disabled community
16 and the Managing Director to discuss the
17 appropriate location for the traffic
18 signal. After conducting traffic counts
19 and reviewing them, it was determined
20 that the appropriate location for the
21 traffic signal was 45th Street and
22 Conshohocken Avenue. This signal began
23 operation last Friday, October 26, 2007.

24 Thank you for the opportunity
25 to appear before you today. I'll be

1 10/31/07 - STREETS - BILL 070868, ETC.

2 happy to answer any questions.

3 COUNCILMAN DiCICCO: Thank you.

4 Any questions?

5 Councilwoman Campbell.

6 COUNCILWOMAN CAMPBELL: Yes.

7 It was my understanding this has been
8 going back and forth for over a year,
9 because it affects where Inglis House is,
10 the disabled people in that community
11 around there. I was told by an official
12 that the reason they did not want to put
13 it at 47th Street, because if they did it
14 at 45th Street, they would get federal
15 funds to do it and they would not at
16 47th. Is that correct?

17 MR. DENNY: No. We have the
18 possibility in the future of getting
19 federal funds at 47th Street, but not at
20 45th Street. But 45th Street is the
21 actual location where people are
22 crossing. At 45th Street and also on the
23 other side is the driveway to the Inglis
24 House.

25 COUNCILWOMAN CAMPBELL: I know

1 10/31/07 - STREETS - BILL 070868, ETC.

2 I was distinctively told that at the
3 other location, not where the bill is
4 for, that they could get federal funds,
5 but they could not for what was in the
6 bill. You're telling me that's
7 incorrect?

8 MR. DENNY: I'm sorry. I
9 didn't understand your question.

10 COUNCILWOMAN CAMPBELL: I said
11 you're telling me that's incorrect? I
12 was distinctively told that. Because
13 there were many meetings. I believe the
14 gentleman's name is Bruce McElrath. I
15 even arranged for him to meet with the
16 Managing Director a couple times. And I
17 was told that the City's reluctance to do
18 this was because they could get more
19 funding at the 45th Street location
20 rather than the 47th. Is this correct?
21 That's what I'm asking.

22 MR. DENNY: The initial request
23 was for Sorrento and 46th Street, which
24 had the lowest number of people crossing.

25 COUNCILWOMAN CAMPBELL: But

1 10/31/07 - STREETS - BILL 070868, ETC.

2 that's not what I asked.

3 MR. DENNY: I understand. The
4 location where we could possibly meet
5 federal funding requirements would be
6 47th Street, not 45th Street, but 45th
7 Street is the location where people are
8 actually crossing.

9 COUNCILWOMAN CAMPBELL: So
10 you're telling me that at this location
11 they would not get less funds?

12 I was asking a question.

13 MR. DENNY: We were using City
14 funds in either case to install the
15 traffic signal, not federal funding.
16 It's just a question in the future if
17 this was a project along Conshohocken
18 Avenue whether or not we would be
19 eligible for federal funds at any
20 location there.

21 COUNCILWOMAN CAMPBELL: That's
22 the latest information?

23 MR. DENNY: But we don't have a
24 project for any of those locations.

25 COUNCILWOMAN CAMPBELL: I

1 10/31/07 - STREETS - BILL 070868, ETC.
2 didn't say you had a project. I was told
3 this by the Managing Director, and she
4 usually does know what she's talking
5 about. She told me at the other
6 location, the City could get federal
7 funds and that was the reasons for the
8 reluctance on the City, although I had
9 disabled people in this disabled
10 community that were terrified because
11 they didn't have the lights that they
12 needed on Sorrento Road. As I said, this
13 has been going on back and forth. This
14 greeted me when I came into the office.

15 MR. DENNY: 47th and
16 Conshohocken would have been eligible for
17 federal funds possibly if there was a
18 project. But there was no project, so
19 there was no federal funding available.

20 In reviewing the traffic counts
21 at each of the locations, the location
22 that was determined in the meeting with
23 the disabled, which was Mr. McElrath, and
24 the Managing Director and after doing
25 additional traffic counts, it was 45th

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Street was determined where the largest
3 number of people were crossing the
4 roadway.

5 COUNCILWOMAN CAMPBELL: Let me
6 explain something to you. I'm disabled,
7 and when a person hasn't walked in a
8 disabled person's shoes, you don't really
9 know what they need, but they do because
10 they live it every day. The things that
11 you would take for granted, you can't
12 take for granted when you're disabled.
13 And there's a fear among the disabled
14 people in the community about Sorrento
15 Road. This is why they have fought so
16 hard for it.

17 I'm through, Mr. Chairman.

18 COUNCILMAN DiCICCO: Thank you.

19 Any other questions for this
20 witness?

21 (No response.)

22 COUNCILMAN DiCICCO: Anyone
23 else here who wishes to testify?

24 (No response.)

25 COUNCILMAN DiCICCO:

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Mr. Abernathy, the title of the next
3 bill.

4 THE CLERK: Bill No. 070543, an
5 ordinance authorizing the installation of
6 all-way stop signs at the intersection of
7 Avalon Street and Outlook Street.

8 MR. DENNY: Avalon and Outlook?

9 COUNCILMAN DiCICCO: Yes.

10 MR. DENNY: Mr. Chairman,
11 members of the Committee, good morning
12 again. I appreciate the opportunity to
13 appear before you. My name is Charles
14 Denny and I am the Acting Chief Traffic
15 Engineer for the Department of Streets.
16 I'm here to offer testimony on Bill No.
17 070543.

18 The Pennsylvania Vehicle Code
19 required PennDOT to develop regulations
20 governing the traffic control devices in
21 accordance with the Federal Highway
22 Administration's Manual on Uniform
23 Traffic Control Devices. These
24 regulations apply to all public highways
25 in Pennsylvania, and the City Solicitor

1 10/31/07 - STREETS - BILL 070868, ETC.

2 has ruled that the Streets Department is
3 legally obligated to comply with the
4 Vehicle Code and related PennDOT
5 regulations.

6 Federal and state criteria
7 require that an all-way stop be warranted
8 by an engineering study of traffic
9 conditions, police accident reports,
10 traffic volumes, speed and site distance.
11 The study conducted as a result of this
12 ordinance concluded that present day
13 conditions at this location do not
14 satisfy federal and state warrants for an
15 all-way stop.

16 Warrant I relates to locations
17 where traffic signals is warranted, but
18 for some reason cannot be immediately
19 installed. An all-way stop control can
20 be established temporarily pending the
21 traffic signal installation. Conditions
22 do not satisfy the state's warrants for a
23 traffic signal here. Therefore, Warrant
24 I is not satisfied.

25 Warrant II relates to accident

1 10/31/07 - STREETS - BILL 070868, ETC.
2 experience. Police accident reports for
3 five or more accidents within a 12-month
4 period correctable by an all-way stop
5 installation satisfy Warrant II.
6 According to the police accident records,
7 from 2002 through 2006, there were no
8 correctable accidents at this location.
9 Therefore, Warrant II is not satisfied.

10 Warrant III relates to
11 pedestrian vehicles and pedestrian
12 volumes. It requires that the total
13 vehicle volume on the major street,
14 Avalon Street, averages at least 300
15 vehicles per hour for any eight hours of
16 the average day; and, two, the combined
17 vehicle pedestrian volume for the minor
18 street, Outlook, averages 200 vehicles
19 and pedestrians per hour for the same
20 eight hours.

21 Actual counts of vehicle
22 volumes on average on Avalon Street
23 average 39 vehicles per hour. This is 13
24 percent of the required minimum 300 per
25 hour for the major street. Actual counts

1 10/31/07 - STREETS - BILL 070868, ETC.
2 of vehicles and volumes on Outlook
3 averaged 12 units per hour. This is six
4 percent of the minimum 200 combined
5 vehicle and pedestrian volumes per hour
6 for the minor street. Therefore, Warrant
7 III is not satisfied.

8 At Avalon and Outlook Street,
9 we are not dealing with a borderline
10 situation, but one in which prevailing
11 traffic conditions fall short of the
12 minimum required by the Federal Highway
13 Manual and the Pennsylvania Vehicle Code
14 for the installation of an all-way stop.

15 COUNCILMAN DiCICCO: Thank you,
16 Mr. Denny.

17 Mr. Finestone, are you
18 testifying?

19 MR. FINESTONE: Good morning,
20 sir. Aaron Finestone for Councilman
21 O'Neill.

22 Councilman O'Neill introduced
23 this bill at the request of the
24 community. It is the opinion of the
25 Councilman that the bill should be passed

1 10/31/07 - STREETS - BILL 070868, ETC.
2 and a stop sign installed as a matter of
3 public safety.

4 COUNCILMAN DiCICCO: Thank you.
5 So noted.

6 Any other witnesses on behalf
7 of this bill?

8 (No response.)

9 COUNCILMAN DiCICCO: Seeing
10 none, Mr. Abernathy, please read the
11 title of the next bill.

12 THE CLERK: Bill No. 070544, an
13 ordinance authorizing the installation of
14 all-way stop signs at the intersection of
15 Avalon Street and Lavender Street.

16 MR. DENNY: I thank you again
17 for being here. I think for interest on
18 time, I'll just go over the areas where
19 there's slightly differences.

20 Warrant II relating to accident
21 experience, according to the police
22 accident records from 2002 through 2006,
23 there were no correctable accidents at
24 this location. Therefore, Warrant II is
25 not satisfied.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 In Warrant III relating to
3 volumes, the actual count on Avalon
4 Street was 39 vehicles per hour. This is
5 13 percent of the minimum 300 required.
6 Actual counts for vehicle and pedestrian
7 volume on Lavender was six units per
8 hour. This is three percent of the 200
9 combined vehicle and pedestrian volumes
10 required per hour for the minor street.
11 Therefore, Warrant III was not satisfied.

12 COUNCILMAN DiCICCO:

13 Mr. Finestone.

14 MR. FINESTONE: Aaron Finestone
15 for Councilman O'Neill.

16 Councilman O'Neill introduced
17 this bill at the request of the
18 community. It is the Councilman's
19 opinion that the stop signs are required
20 as a matter of public safety.

21 COUNCILMAN DiCICCO: Thank you.

22 Any other witnesses on behalf
23 of this bill?

24 (No response.)

25 COUNCILMAN DiCICCO: Seeing

1 10/31/07 - STREETS - BILL 070868, ETC.
2 none, Mr. Abernathy, please read the
3 title of the next bill.

4 THE CLERK: Bill No. 070701, an
5 ordinance establishing a no truck parking
6 and tow-away regulation on Hendrix Street
7 between Bustleton Avenue and West
8 Centennial Square, both sides.

9 MR. DENNY: Mr. Chairman,
10 members of the Committee, thank you for
11 the opportunity to appear before you
12 again. My name is Charles Denny and I'm
13 Acting Chief Traffic Engineer for the
14 Department of Streets. I'm here to offer
15 testimony on Bill 070701.

16 The Streets Department has no
17 objections to this bill. We posted the
18 signs on 9/20/07.

19 COUNCILMAN DiCICCO: Thank you.

20 Anyone here who wishes to
21 testify for or against this bill?

22 (No response.)

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

1 10/31/07 - STREETS - BILL 070868, ETC.

2 THE CLERK: Bill No. 070702, an
3 ordinance establishing a no parking
4 anytime regulation on the east side of
5 Frankford Avenue between Knights Road and
6 Grant Avenue.

7 MR. DENNY: Mr. Chairman,
8 members of the Committee, thank you
9 again. My name is Charles Denny and I'm
10 the Acting Chief Traffic Engineer. I'm
11 offering testimony on Bill 070702.

12 The Streets Department has no
13 objections to this bill. Signs were
14 posted by a contractor earlier this
15 month.

16 COUNCILMAN DiCICCO: Thank you,
17 Mr. Denny.

18 Anyone here who wishes to
19 testify for or against this bill?

20 (No response.)

21 COUNCILMAN DiCICCO: Seeing
22 none, Mr. Abernathy, please read the
23 title of the next bill.

24 THE CLERK: Bill No. 070823, an
25 ordinance establishing a no parking

1 10/31/07 - STREETS - BILL 070868, ETC.
2 anytime regulation on the west side of
3 Butler Street, between Aramingo Avenue
4 and Sepviva Street.

5 MR. DENNY: Thank you again,
6 Mr. Chairman and members of the
7 Committee. My name again is Charles
8 Denny. I'm the Acting Chief Traffic
9 Engineer. I'm here to offer testimony on
10 Bill 070823.

11 The Streets Department has no
12 objections to this bill. Signs will be
13 posted in coordination with the developer
14 as he develops this site here.

15 COUNCILMAN DiCICCO: Thank you,
16 Mr. Denny. Mr. Denny, go back to Bill
17 070701. Was there an objection to that?
18 I don't believe there was, but I want to
19 make sure for the record.

20 MR. DENNY: No. We posted the
21 signs.

22 COUNCILMAN DiCICCO: Thank you.
23 Thank you.

24 Anyone who wishes to testify
25 for or against this bill?

1 10/31/07 - STREETS - BILL 070868, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: Seeing
4 none, I would ask Mr. Abernathy to read
5 the title of the next bill.

6 Thank you, Mr. Denny.

7 MR. DENNY: Thank you.

8 THE CLERK: Bill No. 070513, an
9 ordinance authorizing and directing the
10 revision of lines and grades on a portion
11 of City Plan No. 163 by placing two
12 variable width rights-of-way for gas main
13 purposes and public utility purposes on
14 the City Plan, under certain terms and
15 conditions.

16 COUNCILMAN DiCICCO: Good
17 morning, gentlemen.

18 MR. MORELLI: Good morning,
19 Mr. Chairman and members of the
20 Committee. My name is Frank Morelli,
21 Survey Bureau Manager of the Department
22 of Streets, and the Department of Streets
23 would like to offer the following
24 testimony on Bill No. 070513.

25 This is not an administrative

1 10/31/07 - STREETS - BILL 070868, ETC.
2 ordinance, but an ordinance requested by
3 Mr. Paul Lonie, Projects Director,
4 Westrum Development Company, 370 Commerce
5 Drive, Fort Washington, PA 19034.

6 The purpose of this ordinance
7 is to place two variable width
8 rights-of-way for gas main purposes and
9 public utility purposes on the City Plan.

10 This ordinance is supported by
11 the Department of Streets and is
12 recommended to your Committee for
13 favorable action.

14 MR. ERICKSON: Good morning,
15 Chairman DiCicco and members of the
16 Streets and Services Committee. I am
17 William Erickson, a City Planner for the
18 Development Planning Division of the
19 Philadelphia City Planning Commission. I
20 am here to testify on Bill No. 070513,
21 which was introduced by Councilwoman
22 Campbell on May 31, 2007.

23 This ordinance authorizes and
24 directs the revision of lines and grades
25 on a portion of City Plan No. 163 by

1 10/31/07 - STREETS - BILL 070868, ETC.
2 placing two variable width right-of-ways
3 for gas main purposes and public
4 utilities on the City Plan. This action
5 will allow the City Gas Works utility to
6 run the supply lines to serve new houses
7 being constructed by Westrum Development.

8 The Philadelphia City Planning
9 Commission has reviewed the preliminary
10 plan on March 16, 2006 to allow the
11 construction of 54 attached dwellings, 68
12 two-family dwellings and six one-story
13 flats, with a total of 128 dwelling
14 units. This action is consistent with
15 the previous action and, therefore, the
16 Planning Commission recommends that Bill
17 No. 070513 be approved.

18 COUNCILMAN DiCICCO: Thank you.

19 Anyone here who wishes to
20 testify for or against the bill?

21 (No response.)

22 COUNCILMAN DiCICCO: Seeing
23 none, I will ask Mr. Abernathy to read
24 the title of the next bill.

25 THE CLERK: Bill No. 070817, an

1 10/31/07 - STREETS - BILL 070868, ETC.
2 ordinance authorizing the paving of
3 Edgemont Street from Juniata Street to
4 Berkshire Street, under certain terms and
5 conditions.

6 MR. MORELLI: Good morning, Mr.
7 Chairman and members of the Committee.
8 My name is Frank Morelli, Survey Bureau
9 Manager of the Department of Streets, and
10 the Department of Streets would like to
11 offer the following testimony on Bill No.
12 070817.

13 This is not an administrative
14 ordinance, but an ordinance requested by
15 Mr. Keith Charlton, President, BK
16 Enterprises, Incorporated, Post Office
17 Box 5915, Philadelphia, PA 19137.

18 The purpose of this ordinance
19 is to pave Edgemont Street for the
20 development of affordable residential
21 housing units.

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

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: Thank you.

3 Anyone else here who wishes to
4 testify for or against the bill?

5 (No response.)

6 COUNCILMAN DiCICCO: Seeing
7 none, Mr. Abernathy, the title of the
8 next bill.

9 THE CLERK: Bill No. 070818, an
10 ordinance authorizing and directing the
11 revision of lines and grades on a portion
12 of City Plan No. 371 by striking from the
13 City Plan and abandoning a portion of a
14 certain 64-feet wide right-of-way for
15 maintenance of existing sewers and water
16 mains and for drainage purposes in the
17 area bounded by Rowland Avenue, Ryan
18 Avenue and Sandyford Avenue, under
19 certain terms and conditions.

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

1 10/31/07 - STREETS - BILL 070868, ETC.
2 070818.

3 This is an administrative
4 ordinance requested by Mr. -- excuse me.
5 This is not an administrative ordinance,
6 but an ordinance requested by Mr. Pat
7 Henwood, School Board of Philadelphia,
8 440 North Broad Street, Philadelphia, PA
9 19130.

10 The purpose of this ordinance
11 is to strike this right-of-way from the
12 City Plan for the designing of a new
13 school building for Lincoln High School.

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

18 COUNCILMAN DiCICCO: Thank you.

19 Good morning.

20 MR. ERICKSON: Good morning,
21 Chairman DiCicco and members of the
22 Streets and Services Committee. I am
23 William Erickson, City Planner of the
24 Development Planning Division of the
25 Philadelphia City Planning Commission. I

1 10/31/07 - STREETS - BILL 070868, ETC.
2 am here to testify on Bill No. 070818,
3 which was introduced by Councilwoman
4 Krajewski on October 4, 2007.

5 This ordinance authorizes the
6 abandonment of a portion of the 64-foot
7 wide drainage right-of-way in the area
8 bounded by Rowland, Ryan and Sandyford
9 Avenue. This action will allow the
10 School District of Philadelphia to
11 construct a new Lincoln High School at
12 this location and replace the old
13 building with new ball fields.

14 The Philadelphia City Planning
15 Commission staff has reviewed this action
16 and will recommend approval of the
17 streets at its next Planning Commission
18 meeting on November 20, 2007. Therefore,
19 we recommend that Bill No. 070818 be
20 approved.

21 COUNCILMAN DiCICCO: Thank you.
22 Any witnesses on this bill?
23 (No response.)

24 COUNCILMAN DiCICCO: Seeing
25 none, Mr. Abernathy, the title of the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 next bill.

3 THE CLERK: Bill No. 070822, an
4 ordinance authorizing and directing the
5 revision of lines and grades on a portion
6 of City Plan No. 188 by striking from the
7 City Plan and vacating the legally open
8 portions of Witte Street from
9 Westmoreland Street to Ontario Street,
10 under certain terms and conditions.

11 MR. MORELLI: Good morning,
12 Mr. Chairman and members of the
13 Committee. My name is Frank Morelli,
14 Survey Bureau Manager of the Department
15 of Streets, and the Department of Streets
16 would like to offer the following
17 testimony on Bill No. 070822.

18 This is not an administrative
19 ordinance, but an ordinance requested by
20 Mr. Dominic Marano, President, Marano
21 Truck Leasing Corporation, 8801
22 Torresdale Avenue, Philadelphia, PA
23 19136.

24 The purpose of this ordinance
25 is to strike and vacate Witte Street to

1 10/31/07 - STREETS - BILL 070868, ETC.

2 allow for the consolidation of parcels on
3 either side. The party in interest owns
4 on both sides of Witte Street, currently
5 leased to a truck rental company, and
6 wishes to expand his business.

7 MR. ERICKSON: Good morning,
8 Chairman DiCicco and members of the
9 Streets and Services Committee. I am
10 William Erickson, City Planner,
11 Development Planning Division of the
12 Philadelphia City Planning Commission. I
13 am here to testify on Bill No. 070822,
14 which was introduced by Councilman
15 DiCicco on October 4, 2007.

16 This ordinance authorizes the
17 striking from the City Plan and vacating
18 Witte Street from Westmoreland Street to
19 Ontario Street. This action will
20 consolidate two parcels into one parcel
21 and allow the owner of Marano Trucking to
22 consolidate the parcels by removing the
23 legal encumbrance. The property is then
24 to be subdivided to allow Penske Trucking
25 to acquire the rear portion of the

1 10/31/07 - STREETS - BILL 070868, ETC.

2 property to expand their existing

3 business to allow for future expansion.

4 The Philadelphia City Planning
5 Commission staff has reviewed this action
6 and will recommend approval of this
7 streets bill at the next Planning
8 Commission meeting on November 20, 2007.
9 Therefore, we recommend that Bill No.
10 070822 be approved.

11 COUNCILMAN DiCICCO: Thank you.

12 Any questions for these
13 witnesses?

14 (No response.)

15 COUNCILMAN DiCICCO: Anyone
16 else here who wishes to testify on this
17 bill?

18 (No response.)

19 COUNCILMAN DiCICCO: Seeing
20 none, Mr. Abernathy, the title of the
21 next bill.

22 THE CLERK: Bill No. 070867, an
23 ordinance authorizing Brandywine Cira
24 South, owner and developer of the Cira
25 Centre South, bounded by Walnut Street,

1 10/31/07 - STREETS - BILL 070868, ETC.
2 30th Street, Chestnut Street and
3 Schuylkill Avenue, to construct, own and
4 maintain various encroachments to be
5 installed in conjunction with a mixed-use
6 development, under certain terms and
7 conditions.

8 MR. MAUTZ: Good morning,
9 Chairman and members of the Committee.
10 My name is William Mautz and I'm a
11 Construction Engineer with the Streets
12 Department. I am here to offer the
13 following testimony for Bill No. 070867.

14 This bill authorizes Brandywine
15 Circa (sic) South, owner and developer of
16 Circa Centre South project, to construct,
17 own and maintain various encroachments to
18 be installed in conjunction with the
19 mixed-use development project.

20 The Streets Department has
21 reviewed the preliminary plans,
22 construction plans, as well as a cafe
23 plan for this project. As the
24 encroachments do not adversely affect the
25 public right-of-way, the Streets

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Department recommends passage of the
3 bill.

4 COUNCILMAN DiCICCO: Thank you,
5 Mr. Mautz.

6 Anyone else who wishes to
7 testify for or against this bill?

8 (No response.)

9 COUNCILMAN DiCICCO: Seeing
10 none, I'll ask Mr. Abernathy to read the
11 title of the next bill.

12 THE CLERK: Bill No. 070685, an
13 ordinance granting permission to Muhammed
14 Shaukat, owner and operator of the
15 newsstand located on the southwest corner
16 of 10th Street and Filbert Street, to
17 construct, use and maintain conduits for
18 fiberoptic facilities in, under and
19 across the southwest corner of 10th
20 Street and Filbert Street, for the
21 purpose of supplying electrical service
22 and telephone service to said newsstand.

23 MR. MAUTZ: Good morning,
24 Chairman and members of the Committee.
25 My name is William Mautz and I'm a

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Construction Engineer with the Streets
3 Department. I'm here to offer the
4 following testimony for Bill No. 070685.

5 This bill grants permission to
6 Muhammed Shaukat, owner of the newsstand
7 at the southwest corner of 10th and
8 Filbert Streets, to construct, use and
9 maintain an electrical conduit with
10 electrical service line and a
11 telecommunications conduit with a
12 telephone service line in and under the
13 public rights-of-way for the purpose of
14 supplying electrical and telephone
15 service to the newsstand.

16 The Streets Department has
17 reviewed the construction plans for this
18 project and has no objection to the
19 passage of the bill.

20 COUNCILMAN DiCICCO: Anyone
21 else who wishes to testify for or against
22 the bill?

23 (No response.)

24 COUNCILMAN DiCICCO: Seeing
25 none, Mr. Abernathy, the title of the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 next bill.

3 THE CLERK: Bill No. 070686, an
4 ordinance authorizing Bodine Street
5 Associates, their successors and assigns,
6 to own, operate and maintain multi-level
7 bay windows as part of the residential
8 development project at 1111 North Bodine
9 Street, under certain terms and
10 conditions.

11 MR. MAUTZ: Good afternoon,
12 Chairman and members of the Committee.
13 My name is William Mautz and I'm a
14 Construction Engineer with the Streets
15 Department. I am here to offer the
16 following testimony for Bill No. 070686.

17 This bill authorizes Bodine
18 Street Associates to construct, own and
19 maintain multi-level bay windows as part
20 of the residential development project at
21 1111 North Bodine Street. The variable
22 length bay windows will encroach a
23 maximum of three feet over the public
24 sidewalks of North Bodine Street as well
25 as North American Street.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 The Streets Department reviewed
3 the construction plans as well as the
4 proposed bill amendment. As the
5 encroachments do not adversely affect the
6 public right-of-way, the Streets
7 Department recommends passage of the
8 bill.

9 COUNCILMAN DiCICCO: Thank you.

10 Anyone here who wishes to
11 testify for or against the bill?

12 (No response.)

13 COUNCILMAN DiCICCO: Seeing
14 none, Mr. Abernathy, the title of the
15 next bill.

16 THE CLERK: Bill No. 070689, an
17 ordinance authorizing CNO, LLC, their
18 successors and assigns, to own, operate
19 and maintain multi-level bay windows and
20 decks as part of the residential
21 development project at 850 North 3rd
22 Street, under certain terms and
23 conditions.

24 MR. MAUTZ: Good afternoon,
25 Chairman and members of the Committee.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 My name is William Mautz and I'm a
3 Construction Engineer with the Streets
4 Department. I'm here to offer the
5 following testimony for Bill No. 070689.

6 This bill authorizes CNO, LLC
7 to construct, own and maintain
8 multi-level bay windows and decks as part
9 of the residential development project at
10 850 North 3rd Street.

11 The Streets Department reviewed
12 the construction plan and proposed bill
13 amendment. As the encroachments do not
14 adversely affect the public right-of-way,
15 the Streets Department recommends passage
16 of this bill.

17 COUNCILMAN DiCICCO: Thank you.

18 Anyone here who wishes to
19 testify for or against the bill?

20 (No response.)

21 COUNCILMAN DiCICCO: Seeing
22 none, Mr. Abernathy, the title of the
23 next bill.

24 THE CLERK: Bill No. 070703, an
25 ordinance granting permission to Steve

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Ricchini, owner and operator of the
3 newsstand located on the northwest corner
4 of 15th Street and Market Street, to
5 construct, use and maintain conduits for
6 fiberoptic facilities in, under and
7 across the northwest corner of 15th
8 Street and Market Street for the purpose
9 of supplying electrical service and
10 telephone service to said newsstand.

11 MR. MAUTZ: Good afternoon,
12 Chairman and members of the Committee.
13 My name is William Mautz and I'm a
14 Construction Engineer with the Streets
15 Department. I am here to offer the
16 following testimony for Bill No. 070703.

17 This bill grants permission to
18 Steve Ricchini, owner of the newsstand at
19 the northwest corner of 15th and Market
20 Street, to construct, use and maintain an
21 electrical conduit with electrical
22 service line and a telecommunications
23 conduit with a telephone service line in
24 and under the public rights-of-way for
25 the purpose of supplying electrical and

1 10/31/07 - STREETS - BILL 070868, ETC.

2 telephone service to the newsstand.

3 The Streets Department has
4 reviewed the construction plans for this
5 project and has no objection to the
6 passage of the bill.

7 COUNCILMAN DiCICCO: Thank you.

8 Anyone who wishes to testify
9 for or against the bill?

10 (No response.)

11 COUNCILMAN DiCICCO: Before we
12 read the title of the next bill, I would
13 ask those members of the Streets and
14 Services Committee to please come down to
15 the Council Chamber. We have about four
16 bills, which are not controversial, so
17 that we can get into the public meeting.

18 Thank you.

19 Mr. Abernathy.

20 THE CLERK: Bill No. 070789, an
21 ordinance authorizing Joseph and Donna
22 Slabinski to maintain an existing
23 encroachment located at 2614 Orthodox
24 Street, under certain terms and
25 conditions.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 MR. MAUTZ: Good afternoon,
3 Chairman and members of the Committee.
4 My name is William Mautz and I'm a
5 Construction Engineer with the Streets
6 Department. I'm here to offer the
7 following testimony for Bill No. 070789.

8 This bill authorizes Joseph and
9 Donna Slabinski to maintain an existing
10 encroachment at 2614 Orthodox Street.
11 The existing encroachment is an
12 ornamental freestanding clock,
13 approximately 14 foot tall, located
14 approximately two feet from the curb of
15 the west sidewalk of Orthodox Street.
16 The clock is energized via an underground
17 electrical service conduit emanating from
18 the property.

19 The Streets Department has
20 reviewed the as-built drawings. As the
21 encroachment does not adversely affect
22 pedestrian travel and the public
23 right-of-way, the Streets Department
24 recommends passage of this bill.

25 COUNCILMAN DiCICCO: Thank you.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Any questions for this witness?

3 (No response.)

4 COUNCILMAN DiCICCO: Anyone
5 else here who wishes to testify for or
6 against the bill?

7 (No response.)

8 COUNCILMAN DiCICCO: Seeing
9 none, Mr. Abernathy.

10 THE CLERK: Bill No. 070792, an
11 ordinance authorizing Richard and Justine
12 Hansen, their successors and assigns, to
13 own, operate and maintain a one-story
14 garage extension and entranceway steps on
15 the south sidewalk of Poplar Street
16 adjacent to their property located at 880
17 North 20th Street, under certain terms
18 and conditions.

19 MR. MAUTZ: Good afternoon,
20 Chairman and members of the Committee.
21 My name is William Mautz and I'm a
22 Construction Engineer with the Streets
23 Department. I'm here to offer the
24 following testimony for Bill No. 070792.

25 This bill authorizes Richard

1 10/31/07 - STREETS - BILL 070868, ETC.
2 and Justine Hansen to own, operate and
3 maintain a one-story garage extension and
4 entranceway steps on the south sidewalk
5 of Poplar Street adjacent to the property
6 located at 880 North 20th Street.

7 The Streets Department has
8 reviewed the proposed construction plans.
9 As the encroachments do not adversely
10 affect the public right-of-way, the
11 Streets Department recommends passage of
12 this bill.

13 COUNCILMAN DiCICCO: Thank you,
14 Mr. Mautz.

15 Anyone else who wishes to
16 testify for or against this bill?

17 (No response.)

18 COUNCILMAN DiCICCO: Seeing
19 none, Mr. Abernathy, the title of the
20 next bill.

21 THE CLERK: Bill No. 070824, an
22 ordinance granting permission to Rekha
23 Patel, owner and operator of the
24 newsstand located on the southeast corner
25 of Juniper Street and Market Street, to

1 10/31/07 - STREETS - BILL 070868, ETC.
2 construct, use and maintain conduits for
3 fiberoptic facilities in, under and
4 across the southeast corner of Juniper
5 Street and Market Street, for the purpose
6 of supplying electrical service and
7 telephone service to said newsstand.

8 MR. MAUTZ: Good afternoon,
9 Chairman and members of the Committee.
10 My name is William Mautz and I'm a
11 Construction Engineer with the Streets
12 Department. I'm here to offer the
13 following testimony for Bill No. 070824.

14 This bill grants permission to
15 Rekha Patel, owner of the newsstand at
16 the southeast corner of Juniper and
17 Market Streets, to construct, use and
18 maintain an electrical conduit with
19 electrical service line and a
20 telecommunications conduit with a
21 telephone service line in and under the
22 public rights-of-way for the purpose of
23 supplying electrical and telephone
24 service to the newsstand.

25 The Streets Department has

1 10/31/07 - STREETS - BILL 070868, ETC.

2 reviewed the construction plans for this
3 project and has no objection to the
4 passage of the bill.

5 COUNCILMAN DiCICCO: Thank you.

6 Anyone here who wishes to
7 testify for or against the bill?

8 (No response.)

9 COUNCILMAN DiCICCO: Seeing
10 none, Mr. Abernathy, the title of the
11 next bill.

12 THE CLERK: Bill No. 070826, an
13 ordinance granting permission to Surenvra
14 Shah, owner and operator of the newsstand
15 located on the southeast corner of 19th
16 Street and Market Street, to construct,
17 use and maintain conduits for fiberoptic
18 facilities in, under and across the
19 southeast corner of 19th Street and
20 Market Street, for the purpose of
21 supplying electrical service and
22 telephone service to said newsstand.

23 MR. MAUTZ: Good afternoon,
24 Chairman and members of the Committee.
25 My name is William Mautz and I'm a

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Construction Engineer with the Streets
3 Department. I'm here to offer the
4 following testimony for Bill No. 070826.

5 This bill grants permission to
6 Surenvra Shah, owner of the newsstand at
7 the southeast corner of 19th and Market
8 Street, to construct, use and maintain an
9 electrical conduit with electrical
10 service line and a telecommunications
11 conduit with a telephone service line in
12 and under the public right-of-way for the
13 purpose of supplying electrical and
14 telephone service to the newsstand.

15 The Streets Department has
16 reviewed the construction plans for this
17 project and has no objection to the
18 passage of the bill.

19 COUNCILMAN DiCICCO: Thank you,
20 Mr. Mautz.

21 Anyone here who wishes to
22 testify on this bill?

23 (No response.)

24 COUNCILMAN DiCICCO: Seeing
25 none, Mr. Abernathy.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 THE CLERK: Bill No. 070871, an
3 ordinance authorizing Rimas Properties to
4 construct, own and maintain a raised
5 entrance plaza encroachment at 1352 South
6 Street, under certain terms and
7 conditions.

8 MR. MAUTZ: Good afternoon,
9 Chairman and members of the Committee.
10 My name is William Mautz and I'm a
11 Construction Engineer with the Streets
12 Department. I'm here to offer the
13 following testimony for Bill No. 070871.

14 This bill authorizes Rimas
15 Properties to construct, own and maintain
16 a raised entrance plaza encroachment at
17 1352 South. The raised entrance plaza
18 located on the south sidewalk of South
19 Street will consist of two accessibility
20 ramps and two entrance steps to provide
21 ingress and egress to six retail spaces,
22 as well as ADA accessibility. The plaza
23 will be approximately 200 feet in length,
24 encroach a maximum of five feet onto the
25 public sidewalk, leaving approximately

1 10/31/07 - STREETS - BILL 070868, ETC.
2 6'6" of clear footway.

3 The Streets Department has
4 reviewed the revised construction
5 drawings to modify the existing raised
6 entrance plaza encroachment. As the
7 modifications will result in an
8 encroachment that will not adversely
9 affect the public right-of-way and
10 provide adequate pedestrian passage, the
11 Streets Department recommends passage of
12 this bill.

13 COUNCILMAN DiCICCO: Thank you,
14 Mr. Mautz.

15 Anyone else who wishes to
16 testify on this bill?

17 (No response.)

18 COUNCILMAN DiCICCO: Seeing
19 none, Mr. Abernathy.

20 THE CLERK: Bill No. 070879, an
21 ordinance granting permission to Bradresh
22 Shah, owner and operator of the newsstand
23 located on the northwest corner of 16th
24 Street and Market Street, to construct,
25 use and maintain conduits for fiberoptic

1 10/31/07 - STREETS - BILL 070868, ETC.
2 facilities in, under and across the
3 northwest corner of 16th Street and
4 Market Street, for the purpose of
5 supplying electrical service and
6 telephone service to said newsstand.

7 MR. MAUTZ: Good afternoon,
8 Chairman and members of the Committee.
9 My name is William Mautz and I'm a
10 Construction Engineer with the Streets
11 Department. I'm here to offer the
12 following testimony for Bill No. 070879.

13 This bill grants permission to
14 Bradresh Shah, owner of the newsstand at
15 the northwest corner of 16th and Market
16 Street, to construct, use and maintain an
17 electrical conduit with electrical
18 service line and a telecommunications
19 conduit with telephone service line in
20 and under the public rights-of-way for
21 the purpose of supplying electrical and
22 telephone service to the newsstand.

23 The Streets Department has
24 reviewed the construction plans for this
25 project and has no objection to the

1 10/31/07 - STREETS - BILL 070868, ETC.
2 passage of the bill.

3 COUNCILMAN DiCICCO: Thank you,
4 Mr. Mautz.

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

7 (No response.)

8 COUNCILMAN DiCICCO: Seeing
9 none, this concludes the public hearing
10 on the Committee of Streets and Services.
11 We are waiting for one more member of the
12 Streets and Services Committee so that we
13 can get into the public meeting. So
14 we'll take a brief recess. Thank you.

15 MR. BEAUVAIS: I'm sorry. If
16 we can go back to Bill No. 070867. My
17 name is Darwin Beauvais. I represent the
18 developer. I don't know if a request was
19 made to have the rules suspended on that
20 bill.

21 COUNCILMAN DiCICCO: It's
22 normally our policy to suspend all the
23 rules unless it's asked otherwise, but
24 thank you.

25 MR. BEAUVAIS: Thank you very

1 10/31/07 - STREETS - BILL 070868, ETC.
2 much.

3 (Short recess.)

4 COUNCILMAN DiCICCO: Good
5 afternoon. We are now going to proceed
6 with the public meeting on the Committee
7 of Streets and Services, and the Chair
8 recognizes Councilman Ramos.

9 COUNCILMAN RAMOS: Thank you,
10 Mr. Chairman. I move that Bill No.
11 070868 be reported out of Committee with
12 a favorable recommendation and further
13 move that the rules of Council be
14 suspended to permit first reading of this
15 bill at our next Council meeting.

16 (Duly seconded.)

17 COUNCILMAN DiCICCO: It has
18 been properly moved and seconded that
19 Bill No. 070868 be reported out of this
20 Committee with a favorable recommendation
21 and a further recommendation that the
22 rules of Council be suspended.

23 All those in favor signify by
24 saying aye.

25 (Aye.)

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: Those
3 opposed?

4 (No response.)

5 COUNCILMAN DiCICCO: The ayes
6 have it. The bill is passed.

7 Just one minute, Councilman
8 Ramos.

9 For those of you in the
10 audience, we are now in our public
11 meeting, which means we are now going to
12 be voting on whether to pass legislation
13 that was in the public hearing earlier
14 where we took testimony on those bills.
15 This Committee heard the testimony. We
16 will now make decisions on whether to
17 pass or not pass those bills.

18 What happens after this, our
19 recommendation, assuming they're
20 recommended to be approved, will then go
21 to the full City Council for a vote over
22 the course of the next two weeks. Twelve
23 votes are needed to pass a bill by the
24 full Council, and we will be doing that,
25 as I said, in the next week or two.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Councilman Ramos.

3 COUNCILMAN RAMOS: Thank you,

4 Mr. Chairman. I move that Bill No.

5 070559 be reported out of Committee with

6 a favorable recommendation and further

7 move that the rules of Council be

8 suspended to permit first reading of this

9 bill at our next Council meeting.

10 (Duly seconded.)

11 COUNCILMAN DiCICCO: It has

12 been properly moved and seconded that

13 Bill 070559 be reported out of this

14 Committee with a favorable recommendation

15 and that the rules of Council be

16 suspended.

17 All those in favor signify by

18 saying aye.

19 (Aye.)

20 COUNCILMAN DiCICCO: Those

21 opposed?

22 (No response.)

23 COUNCILMAN DiCICCO: The bill

24 is approved.

25 Councilman Ramos.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN RAMOS:

3 Mr. Chairman, I move that the amendment
4 as previously described regarding Bill
5 No. 070695 be adopted.

6 (Duly seconded.)

7 COUNCILMAN DiCICCO: It has
8 been properly moved and seconded that the
9 amendment to Bill No. 070695 be approved.

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 COUNCILMAN DiCICCO: Those
14 opposed?

15 (No response.)

16 COUNCILMAN DiCICCO: The
17 amendment is approved.

18 Councilman Ramos.

19 COUNCILMAN RAMOS: I move that
20 Bill No. 070695 as amended be reported
21 out of Committee with a favorable
22 recommendation.

23 (Duly seconded.)

24 COUNCILMAN DiCICCO: It has
25 been properly moved and seconded that

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Bill No. 070695 as amended be reported
3 out of this Committee with a favorable
4 recommendation.

5 All those in favor signify by
6 saying aye.

7 (Aye.)

8 COUNCILMAN DiCICCO: Those
9 opposed?

10 (No response.)

11 COUNCILMAN DiCICCO: The bill
12 is approved.

13 Councilman Ramos.

14 COUNCILMAN RAMOS: I move that
15 Bill No. 070872 be reported out of
16 Committee with a favorable recommendation
17 and further move that the rules of
18 Council be suspended to permit first
19 reading of this bill at our next Council
20 meeting.

21 (Duly seconded.)

22 COUNCILMAN DiCICCO: It's been
23 properly moved and seconded that Bill No.
24 070872 be reported out of this Committee
25 with a favorable recommendation and that

1 10/31/07 - STREETS - BILL 070868, ETC.

2 the rules of Council be suspended.

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 COUNCILMAN DiCICCO: Those
7 opposed?

8 (No response.)

9 COUNCILMAN DiCICCO: The bill
10 is approved.

11 Councilman Ramos.

12 COUNCILMAN RAMOS: I move that
13 Bill No. 070694 be reported out of
14 Committee with a favorable recommendation
15 and further move that the rules of
16 Council be suspended to permit first
17 reading of this bill at our next Council
18 meeting.

19 (Duly seconded.)

20 COUNCILMAN DiCICCO: It has
21 been properly moved and seconded that
22 Bill No. 070694 be reported out of this
23 Committee with a favorable recommendation
24 and that the rules of Council be
25 suspended.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 All those in favor signify by
3 saying aye.

4 (Aye.)

5 COUNCILMAN DiCICCO: Those
6 opposed?

7 (No response.)

8 COUNCILMAN DiCICCO: The bill
9 is approved.

10 Councilman Ramos.

11 COUNCILMAN RAMOS: I move that
12 Bill No. 070866 be reported out of
13 Committee with a favorable recommendation
14 and further move that the rules of
15 Council be suspended to permit first
16 reading of this bill at our next Council
17 meeting.

18 (Duly seconded.)

19 COUNCILMAN DiCICCO: It has
20 been properly moved and seconded that
21 Bill No. 070866 be reported out of this
22 Committee with a favorable recommendation
23 and that the rules of Council be
24 suspended.

25 All those in favor signify by

1 10/31/07 - STREETS - BILL 070868, ETC.

2 saying aye.

3 (Aye.)

4 COUNCILMAN DiCICCO: Those

5 opposed?

6 (No response.)

7 COUNCILMAN DiCICCO: The bill

8 is approved.

9 Councilman Ramos.

10 COUNCILMAN RAMOS: I move that

11 the amendment as previously described

12 regarding Bill No. 070877 be adopted.

13 (Duly seconded.)

14 COUNCILMAN DiCICCO: It has

15 been properly moved that the amendment to

16 Bill No. 070877 be approved.

17 All those in favor signify by

18 saying aye.

19 (Aye.)

20 COUNCILMAN DiCICCO: Those

21 opposed?

22 (No response.)

23 COUNCILMAN DiCICCO: Councilman

24 Ramos.

25 COUNCILMAN RAMOS: I move that

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Bill No. 070877 as amended be reported
3 out of Committee with a favorable
4 recommendation and further move that the
5 rules of Council be suspended to permit
6 first reading of this bill at our next
7 Council meeting.

8 (Duly seconded.)

9 COUNCILMAN DiCICCO: It has
10 been properly moved and seconded that
11 Bill No. 070877 as amended be reported
12 out of this Committee with a favorable
13 recommendation and that the rules of
14 Council be suspended.

15 All those in favor signify by
16 saying aye.

17 (Aye.)

18 COUNCILMAN DiCICCO: Those
19 opposed?

20 (No response.)

21 COUNCILMAN DiCICCO: The bill
22 is approved.

23 Councilman Ramos.

24 COUNCILMAN RAMOS: I move that
25 Bill No. 070513 be reported out of

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Committee with a favorable recommendation
3 and further move that the rules of
4 Council be suspended to permit first
5 reading of this bill at our next Council
6 meeting.

7 (Duly seconded.)

8 COUNCILMAN DiCICCO: It has
9 been properly moved and seconded that
10 Bill No. 070513 be reported out of this
11 Committee with a favorable recommendation
12 and that the rules of Council be
13 suspended.

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 COUNCILMAN DiCICCO: Those
18 opposed?

19 (No response.)

20 COUNCILMAN DiCICCO: The bill
21 is approved.

22 Councilman Ramos.

23 COUNCILMAN RAMOS: I move that
24 Bill No. 070817 be reported out of
25 Committee with a favorable recommendation

1 10/31/07 - STREETS - BILL 070868, ETC.

2 and further move that the rules of
3 Council be suspended to permit first
4 reading of this bill at our next Council
5 meeting.

6 (Duly seconded.)

7 COUNCILMAN DiCICCO: It has
8 been properly moved and seconded that
9 Bill No. 070817 be reported out of this
10 Committee with a favorable recommendation
11 and that the rules of Council be
12 suspended.

13 All those in favor signify by
14 saying aye.

15 (Aye.)

16 COUNCILMAN DiCICCO: Those
17 opposed?

18 (No response.)

19 COUNCILMAN DiCICCO: The bill
20 is approved.

21 Councilman Ramos.

22 COUNCILMAN RAMOS: I move that
23 Bill No. 070818 be reported out of
24 Committee with a favorable recommendation
25 and further move that the rules of

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Council be suspended to permit first
3 reading of this bill at our next Council
4 meeting.

5 (Duly seconded.)

6 COUNCILMAN DiCICCO: It has
7 been properly moved and seconded that
8 Bill No. 070818 be reported out of this
9 Committee with a favorable recommendation
10 and that the rules of Council be
11 suspended.

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 COUNCILMAN DiCICCO: Those
16 opposed?

17 (No response.)

18 COUNCILMAN DiCICCO: The bill
19 is approved.

20 Councilman Ramos.

21 COUNCILMAN RAMOS: I move that
22 Bill No. 070822 be reported out of
23 Committee with a favorable recommendation
24 and further move that the rules of
25 Council be suspended to permit first

1 10/31/07 - STREETS - BILL 070868, ETC.
2 reading of this bill at our next Council
3 meeting.

4 (Duly seconded.)

5 COUNCILMAN DiCICCO: It has
6 been properly moved and seconded that
7 Bill No. 070822 be reported out of this
8 Committee with a favorable recommendation
9 and that the rules of Council be
10 suspended.

11 All those in favor signify by
12 saying aye.

13 (Aye.)

14 COUNCILMAN DiCICCO: Those
15 opposed?

16 (No response.)

17 COUNCILMAN DiCICCO: The bill
18 is approved.

19 Councilman Ramos.

20 COUNCILMAN RAMOS: I move that
21 Bill No. 070543 be reported out of
22 Committee with a favorable recommendation
23 and further move that the rules of
24 Council be suspended to permit first
25 reading of this bill at our next Council

1 10/31/07 - STREETS - BILL 070868, ETC.
2 meeting.

3 (Duly seconded.)

4 COUNCILMAN DiCICCO: It has
5 been properly moved and seconded that
6 Bill No. 070543 be reported out of this
7 Committee with a favorable recommendation
8 and that the rules of Council be
9 suspended.

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 COUNCILMAN DiCICCO: Those
14 opposed?

15 (No response.)

16 COUNCILMAN DiCICCO: The bill
17 is approved.

18 Councilman Ramos.

19 COUNCILMAN RAMOS: I move that
20 Bill No. 070544 be reported out of
21 Committee with a favorable recommendation
22 and further move that the rules of
23 Council be suspended to permit first
24 reading of this bill at our next Council
25 meeting.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 (Duly seconded.)

3 COUNCILMAN DiCICCO: It has
4 been properly moved and seconded that
5 Bill No. 070544 be reported out of this
6 Committee with a favorable recommendation
7 and that the rules of Council be
8 suspended.

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 COUNCILMAN DiCICCO: Those
13 opposed?

14 (No response.)

15 COUNCILMAN DiCICCO: The bill
16 is approved.

17 Councilman Ramos.

18 COUNCILMAN RAMOS: I move that
19 Bill No. 070696 be reported out of
20 Committee with a favorable recommendation
21 and further move that the rules of
22 Council be suspended to permit first
23 reading of this bill at our next Council
24 meeting.

25 (Duly seconded.)

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: It has
3 been properly moved and seconded that
4 Bill No. 070696 be reported out of this
5 Committee with a favorable recommendation
6 and that the rules of Council be
7 suspended.

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 COUNCILMAN DiCICCO: Those
12 opposed?

13 (No response.)

14 COUNCILMAN DiCICCO: The bill
15 is approved.

16 Councilman Ramos.

17 COUNCILMAN RAMOS: I move that
18 Bill No. 070701 be reported out of
19 Committee with a favorable recommendation
20 and further move that the rules of
21 Council be suspended to permit first
22 reading of this bill at our next Council
23 meeting.

24 (Duly seconded.)

25 COUNCILMAN DiCICCO: It has

1 10/31/07 - STREETS - BILL 070868, ETC.
2 been properly moved and seconded that
3 Bill No. 070701 be reported out of this
4 Committee with a favorable recommendation
5 and that the rules of Council be
6 suspended.

7 All those in favor signify by
8 saying aye.

9 (Aye.)

10 COUNCILMAN DiCICCO: Those
11 opposed?

12 (No response.)

13 COUNCILMAN DiCICCO: The bill
14 is approved.

15 Councilman Ramos.

16 COUNCILMAN RAMOS: I move that
17 Bill No. 070702 be reported out of
18 Committee with a favorable recommendation
19 and further move that the rules of
20 Council be suspended to permit first
21 reading of this bill at our next Council
22 meeting.

23 (Duly seconded.)

24 COUNCILMAN DiCICCO: It has
25 been properly moved and seconded that

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Bill No. 070702 be reported out of this
3 Committee with a favorable recommendation
4 and that the rules of Council be
5 suspended.

6 All those in favor signify by
7 saying aye.

8 (Aye.)

9 COUNCILMAN DiCICCO: Those
10 opposed?

11 (No response.)

12 COUNCILMAN DiCICCO: The bill
13 is approved.

14 Councilman Ramos.

15 COUNCILMAN RAMOS: I move that
16 Bill No. 070823 be reported out of
17 Committee with a favorable recommendation
18 and further move that the rules of
19 Council be suspended to permit first
20 reading of this bill at our next Council
21 meeting.

22 (Duly seconded.)

23 COUNCILMAN DiCICCO: It has
24 been properly moved and seconded that
25 Bill No. 070823 be reported out of this

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Committee with a favorable recommendation
3 and that the rules of Council be
4 suspended.

5 All those in favor signify by
6 saying aye.

7 (Aye.)

8 COUNCILMAN DiCICCO: Those
9 opposed?

10 (No response.)

11 COUNCILMAN DiCICCO: The bill
12 is approved.

13 Councilman Ramos.

14 COUNCILMAN RAMOS: I move that
15 Bill No. 070867 be reported out of
16 Committee with a favorable recommendation
17 and further move that the rules of
18 Council be suspended to permit first
19 reading of this bill at our next Council
20 meeting.

21 (Duly seconded.)

22 COUNCILMAN DiCICCO: It has
23 been properly moved and seconded that
24 Bill No. 070867 be reported out of this
25 Committee with a favorable recommendation

1 10/31/07 - STREETS - BILL 070868, ETC.

2 and that the rules of Council be

3 suspended.

4 All those in favor signify by

5 saying aye.

6 (Aye.)

7 COUNCILMAN DiCICCO: Those

8 opposed?

9 (No response.)

10 COUNCILMAN DiCICCO: The bill

11 is approved.

12 Councilman Ramos.

13 COUNCILMAN RAMOS: I move that

14 the amendment as previously described

15 regarding Bill No. 070682 be adopted.

16 (Duly seconded.)

17 COUNCILMAN DiCICCO: It has

18 been properly moved and seconded that the

19 amendment to Bill No. 070682 be approved.

20 All those in favor signify by

21 saying aye.

22 (Aye.)

23 COUNCILMAN DiCICCO: Those

24 opposed?

25 (No response.)

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: The
3 amendment is approved.

4 Councilman Ramos.

5 COUNCILMAN RAMOS: I move that
6 Bill No. 070682 as amended be reported
7 out of Committee with a favorable
8 recommendation and further move that the
9 rules of Council be suspended to permit
10 first reading of this bill at our next
11 Council meeting.

12 (Duly seconded.)

13 COUNCILMAN DiCICCO: It has
14 been properly moved and seconded that
15 Bill No. 070682 as amended be reported
16 out of this Committee with a favorable
17 recommendation and that the rules of
18 Council be suspended.

19 All those in favor signify by
20 saying aye.

21 (Aye.)

22 COUNCILMAN DiCICCO: Those
23 opposed?

24 (No response.)

25 COUNCILMAN DiCICCO: The bill

1 10/31/07 - STREETS - BILL 070868, ETC.

2 is approved.

3 Councilman Ramos.

4 COUNCILMAN RAMOS: I move that

5 Bill No. 070685 be reported out of

6 Committee with a favorable recommendation

7 and further move that the rules of

8 Council be suspended to permit first

9 reading of this bill at our next Council
10 meeting.

11 (Duly seconded.)

12 COUNCILMAN DiCICCO: It has

13 been properly moved and seconded that

14 Bill No. 070685 be reported out of this

15 Committee with a favorable recommendation

16 and that the rules of Council be

17 suspended.

18 All those in favor signify by

19 saying aye.

20 (Aye.)

21 COUNCILMAN DiCICCO: Those

22 opposed?

23 (No response.)

24 COUNCILMAN DiCICCO: The bill

25 is approved.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Councilman Ramos.

3 COUNCILMAN RAMOS: I move that
4 the amendment as previously described
5 regarding Bill No. 070686 be adopted.

6 (Duly seconded.)

7 COUNCILMAN DiCICCO: It's been
8 properly moved and seconded that the
9 amendment to Bill No. 070686 be approved.

10 All in favor signify by saying
11 aye.

12 (Aye.)

13 COUNCILMAN DiCICCO: Those
14 opposed?

15 (No response.)

16 COUNCILMAN DiCICCO: The
17 amendment is approved.

18 Councilman Ramos.

19 COUNCILMAN RAMOS: I move that
20 Bill No. 070686 as amended be reported
21 out of Committee with a favorable
22 recommendation and further move that the
23 rules of Council be suspended to permit
24 first reading of this bill at our next
25 Council meeting.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 (Duly seconded.)

3 COUNCILMAN DiCICCO: It has
4 been properly moved and seconded that
5 Bill No. 070686 as amended be reported
6 out of this Committee with a favorable
7 recommendation and that the rules of
8 Council be suspended.

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 COUNCILMAN DiCICCO: Those
13 opposed?

14 (No response.)

15 COUNCILMAN DiCICCO: The bill
16 is approved.

17 Councilman Ramos.

18 COUNCILMAN RAMOS: I move that
19 the amendment as previously described
20 regarding Bill No. 070689 be adopted.

21 (Duly seconded.)

22 COUNCILMAN DiCICCO: It has
23 been properly moved and seconded that the
24 amendment to Bill No. 070689 be approved.

25 All those in favor signify by

1 10/31/07 - STREETS - BILL 070868, ETC.

2 saying aye.

3 (Aye.)

4 COUNCILMAN DiCICCO: Those

5 opposed?

6 (No response.)

7 COUNCILMAN DiCICCO: The

8 amendment is approved.

9 Councilman Ramos.

10 COUNCILMAN RAMOS: I move that

11 Bill No. 070689 as amended be reported

12 out of Committee with a favorable

13 recommendation and further move that the

14 rules of Council be suspended to permit

15 first reading of this bill at our next

16 Council meeting.

17 (Duly seconded.)

18 COUNCILMAN DiCICCO: It has

19 been properly moved and seconded that

20 Bill No. 070689 as amended be reported

21 out of this Committee with a favorable

22 recommendation and that the rules of

23 Council be suspended.

24 All those in favor signify by

25 saying aye.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 (Aye.)

3 COUNCILMAN DiCICCO: Those
4 opposed?

5 (No response.)

6 COUNCILMAN DiCICCO: The bill
7 is approved.

8 Councilman Ramos.

9 COUNCILMAN RAMOS: I move that
10 Bill No. 070703 be reported out of
11 Committee with a favorable recommendation
12 and further move that the rules of
13 Council be suspended to permit first
14 reading of this bill at our next Council
15 meeting.

16 (Duly seconded.)

17 COUNCILMAN DiCICCO: It has
18 been properly moved and seconded that
19 Bill No. 070703 be reported out of this
20 Committee with a favorable
21 recommendation.

22 All those in favor signify by
23 saying aye.

24 (Aye.)

25 COUNCILMAN DiCICCO: Those

1 10/31/07 - STREETS - BILL 070868, ETC.

2 opposed?

3 (No response.)

4 COUNCILMAN DiCICCO: The bill
5 is approved.

6 Councilman Ramos.

7 COUNCILMAN RAMOS: I move that
8 Bill No. 070789 be reported out of
9 Committee with a favorable recommendation
10 and further move that the rules of
11 Council be suspended to permit first
12 reading of this bill at our next Council
13 meeting.

14 (Duly seconded.)

15 COUNCILMAN DiCICCO: It has
16 been properly moved and seconded that
17 Bill No. 070789 be reported out of this
18 Committee with a favorable recommendation
19 and that the rules of Council be
20 suspended.

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 COUNCILMAN DiCICCO: Those
25 opposed?

1 10/31/07 - STREETS - BILL 070868, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: The bill
4 is approved.

5 Councilman Ramos.

6 COUNCILMAN RAMOS: I move that
7 Bill No. 070792 be reported out of
8 Committee with a favorable recommendation
9 and further move that the rules of
10 Council be suspended to permit first
11 reading of this bill at our next Council
12 meeting.

13 (Duly seconded.)

14 COUNCILMAN DiCICCO: It has
15 been properly moved and seconded that
16 Bill No. 070792 be reported out of this
17 Committee with a favorable recommendation
18 and that the rules of Council be
19 suspended.

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 COUNCILMAN DiCICCO: Those
24 opposed?

25 (No response.)

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN DiCICCO: The bill
3 is approved.

4 Councilman Ramos.

5 COUNCILMAN RAMOS: I move that
6 Bill No. 070824 be reported out of
7 Committee with a favorable recommendation
8 and further move that the rules of
9 Council be suspended to permit first
10 reading of this bill at our next Council
11 meeting.

12 (Duly seconded.)

13 COUNCILMAN DiCICCO: It has
14 been properly moved and seconded that
15 Bill No. 070824 be reported out of this
16 Committee with a favorable recommendation
17 and that the rules of Council be
18 suspended.

19 All those in favor signify by
20 saying aye.

21 (Aye.)

22 COUNCILMAN DiCICCO: Those
23 opposed?

24 (No response.)

25 COUNCILMAN DiCICCO: The bill

1 10/31/07 - STREETS - BILL 070868, ETC.

2 is approved.

3 Councilman Ramos.

4 COUNCILMAN RAMOS: I move that

5 Bill No. 070826 be reported out of

6 Committee with a favorable recommendation

7 and further move that the rules of

8 Council be suspended to permit first

9 reading of this bill at our next Council
10 meeting.

11 (Duly seconded.)

12 COUNCILMAN DiCICCO: It has

13 been properly moved and seconded that

14 Bill No. 070826 be reported out of this

15 Committee with a favorable recommendation

16 and that the rules of Council be

17 suspended.

18 All those in favor signify by

19 saying aye.

20 (Aye.)

21 COUNCILMAN DiCICCO: Those

22 opposed?

23 (No response.)

24 COUNCILMAN DiCICCO: The bill

25 is approved.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 Councilman Ramos.

3 COUNCILMAN RAMOS: I move that
4 Bill No. 070871 be reported out of
5 Committee with a favorable recommendation
6 and further move that the rules of
7 Council be suspended to permit first
8 reading of this bill at our next Council
9 meeting.

10 (Duly seconded.)

11 COUNCILMAN DiCICCO: It has
12 been properly moved and seconded that
13 Bill No. 070871 be reported out of this
14 Committee with a favorable recommendation
15 and that the rules of Council be
16 suspended.

17 All those in favor signify by
18 saying aye.

19 (Aye.)

20 COUNCILMAN DiCICCO: Those
21 opposed?

22 (No response.)

23 COUNCILMAN DiCICCO: The bill
24 is approved.

25 Councilman Ramos.

1 10/31/07 - STREETS - BILL 070868, ETC.

2 COUNCILMAN RAMOS: I move that
3 Bill No. 070879 be reported out of
4 Committee with a favorable recommendation
5 and further move that the rules of
6 Council be suspended to permit first
7 reading of this bill at our next Council
8 meeting.

9 (Duly seconded.)

10 COUNCILMAN DiCICCO: It has
11 been properly moved and seconded that
12 Bill No. 070879 be reported out of this
13 Committee with a favorable recommendation
14 and that the rules of Council be
15 suspended.

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 COUNCILMAN DiCICCO: Those
20 opposed?

21 (No response.)

22 COUNCILMAN DiCICCO: The bill
23 is approved.

24 Thank you. This concludes the
25 public meeting for the Committee of

1 10/31/07 - STREETS - BILL 070868, ETC.
2 Streets and Services. I thank all the
3 members for attending.

4 Thank you.

5 (Committee on Streets and
6 Services adjourned at 12:30 p.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

6

stenographic notes taken by me upon the

7

foregoing matter on October 31, 2007, and that

8

this is a true and correct transcript of same.

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MICHELE L. MURPHY

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RPR-Notary Public

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(The foregoing certification of this

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