

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3
4 PUBLIC HEARING
5
6 COMMITTEE ON LICENSES AND INSPECTIONS
7

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9 Room 400, City Hall
10 Philadelphia, Pennsylvania
11 Wednesday, October 20, 1999
12 10:00 a.m.
13

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15 Resolution No. 990580 - a resolution authorizing the
16 City Council's Committee on Licenses and Inspections
17 to hold a public hearing to investigate why the
18 Department of Licenses and Inspections is required
19 to wait up to three months before it is permitted to
20 effectively respond to complaints of insect and
21 vermin infestation and adjoining residential and/or
22 commercial property owners when Department personnel
23 are unable to gain voluntary entry into the
24 property.
25 Bill No. 990495 - an ordinance amending Subcode PM
of title 4 of the Philadelphia Code, entitled "The
Philadelphia Property maintenance Code," by
extending the emergency nuisance abatement program.
Bill No. 990605 - an ordinance amending Subcode PM
of Title 4 of the Philadelphia Code, entitled "The
Philadelphia Property Maintenance Code," by
extending the emergency nuisance abatement program
to include the First Ward, the Second Ward, the 39A
Ward and the 39B Ward.

PRESENT:

COUNCILMAN JAMES KENNEY, Chairman
COUNCILMAN FRANK DI CICCIO
COUNCILMAN MICHAEL NUTTER
COUNCILMAN FRANK RIZZO

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2 THE CHAIRMAN: Good morning, ladies and
3 gentlemen. This is the City Council Committee on
4 Licenses and Inspections. We have three issues to
5 deal with today. First is the resolution which a
6 predominate number of people are here to discuss and
7 then we have two ordinance which can not be heard
8 until we obtain a quorum. A quorum means that there
9 are seven members on the committee, and we need at
10 least four members of the committee present in order
11 to do any business. There will be not be any vote
12 on the resolution, so there's no need for a quorum
13 to start. We're going to get started because we
14 know you've taken time off from your work and your
15 home to come in here today. With me is Council
16 Member DiCicco. And we have some other Council
17 people who are coming. Once they come, we'll have
18 an opportunity to deal with he ordinances, but in
19 the mean time we want to get started on the
20 resolution, which I'm going to read for the record.

21 This is Resolution No. 990580 which is a
22 resolution authorizing the City Council's Committee
23 on Licenses and Inspections to hold a public hearing
24 to investigate why the Department of Licenses and
25 Inspections is required to wait up to three months

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2 before it is permitted to effectively respond to
3 complaints of insect and vermin infestation and
4 adjoining residential and/or commercial property
5 owners when Department personnel are unable to gain
6 voluntary entry into the property.

7 For the record, this hearing, this
8 resolution came about as a result of many, many
9 complaints which we received from people throughout
10 every neighborhood in Philadelphia about the
11 situation that exists when their neighbors are not
12 acting in an appropriate manner as it relates to the
13 health and safety issues in their own home. We have
14 come across instances where because of issues of
15 incompetence or age, because of issues of drug abuse
16 and other substance abuse, or simply because of the
17 issue of just not being a very responsible neighbor,
18 people have allowed their homes to deteriorate to
19 the point where bugs and other vermin, trash and
20 other problems that emanate from that house begin to
21 spread to the adjoining properties. Those adjoining
22 homeowners take under their own expense to have
23 their homes fumigated, to have their homes
24 exterminated to try to keep the place clean, but as
25 time goes on, the problem gets so unbearable that it

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2 begins to now to spread not only to the adjoining
3 properties, but the properties along the street, at
4 which time people start making life decisions on
5 whether or not they want to remain in the City and
6 start looking for places to move and to put their
7 houses up for sale.

8 The frustration that I have run into in
9 trying to deal with these, and I know Councilman
10 DiCicco as a district council member, in trying to
11 deal with these problems seem to be a whole deal of
12 confusion between what L & I is responsible for
13 doing, what civil rights and individual protections
14 people who are in that circumstance have, what the
15 court's involvement is, what the Law Department has
16 advised L & I they can or cannot do. And what we
17 wind up with is somewhat of bureaucratic confusion.

18 We have a problem that's evident. From
19 my perception, if a person's house is infested with
20 roaches or mice, if there's a broken sewer pipe in
21 the basement where sewage is pouring into the
22 basement, if there are other types of health and
23 safety issues that are affecting a single property
24 that now effect the properties around them, I
25 believe we have the responsibility as a City to go

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2 in there as soon as possible, not to arrest the
3 individual resident, not to give them any problems,
4 but to simply abate the problem because many of the
5 people who are involved in the situation may be
6 elderly or mentally ill or other issues that they're
7 not able to deal with these properties themselves.
8 We are simply looking for the most expeditious way
9 in which to enter the property, deal with the
10 problem and stop it from spreading to other houses.

11 Part of the reason why there are
12 residents here today is to give us some indication
13 for the record as to the horror stories that some of
14 these people have gone through and the length of
15 time it has taken to really get this problem
16 resolved.

17 In the meantime, I have other instances
18 where people have basically just simply moved. It
19 took so long to solve the problem, that even once it
20 was solved, the young couple or the family on the
21 street decided that they were going to go live
22 somewhere else.

23 This is not an attack on L & I. I think
24 Licenses and Inspections, I call it the agency of
25 last resort. Everything that gets legislated in

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2 this Body winds up at some point in time in the lap
3 of Licenses and Inspections, whether it is issues
4 like this or issues of illegal sales, nuisance
5 business, all kinds of issues that they deal with
6 every day. Their staff is stretched to the limit.
7 They do their best to respond. I think they are
8 frustrated as we are in the length of time it takes
9 to work this system through, the initial
10 notification to the owner, the attempt to gain
11 entry, writing up the property to go into court,
12 getting a court hearing, having a judge make a
13 decision on what they should do. And all during the
14 course of this, time keeps on ticking away. The
15 roaches and bugs keep on expanding, the trash keeps
16 piling up, and the neighbors get continually more
17 frustrated.

18 What we want to try to do today is to
19 develop a record that we can issue a report and
20 hopefully with the help of L & I, the help of the
21 Law Department, and maybe the help of the court
22 system and the state legislature if necessary,
23 streamline this process so that when this issue is
24 discovered, within three, four five days we can get
25 these people in there and get this stuff dealt with

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2 and then hopefully get the people some of the help
3 they need, whether it's mental help, whether it's
4 physical, emotional, or psychological or substance
5 abuse help to try to keep this problem from coming
6 back again.

7 There are issues that I've had where
8 we've had people -- where we actually got the
9 exterminator into the house voluntarily, and then
10 six months later we're back in the same situation
11 again because the person is simply incapable of
12 keeping that home anymore.

13 So what I'd like to do now is ask the
14 representatives from L & I, we have Commissioner
15 McLaughlin, Deputy Commissioner Solvible, and Deputy
16 Commissioner Verdi here, and they can come up as a
17 panel and kind of, based on the framework that I've
18 laid out so far, to kind of talk about the issues,
19 the process they go through now, some of the things
20 that they've recommended to change that process, and
21 some of the obstacles that they meet every day. So
22 I'd like you to please come to the table.

23 After that, we will be calling the list
24 of witnesses to have people come in and make sure
25 the record is clear how serious this problem is and

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2 how frustrating it is to deal with this kind of
3 problem every day.

4 Identify yourself for the record.

5 MR. MC LAUGHLIN: Commissioner Ed
6 McLaughlin, L & I

7 MR. SOLVIBLE: First Deputy Commissioner
8 Robert Solvible, Licenses and Inspections.

9 MR. VERDI: Deputy Commissioner Verdi,
10 Licenses and Inspections.

11 THE CHAIRMAN: Please proceed with your
12 initial testimony.

13 MR. MC LAUGHLIN: Good morning. Good
14 morning, Councilman Kenney, Councilman DiCicco. I
15 would like to start off by saying that since I've
16 been the Commissioner, I took over in May of this
17 year, yourself, Councilman DiCicco, Council
18 President Verna have given me a crash course in just
19 how serious this issue is. So thanks to you folks
20 who are reading this to the top of the organization
21 and letting my management team look at it and try to
22 do a better job at addressing this problem.

23 I think the first problem I'd like to
24 talk about is the actual articulation of the
25 complaint. It seems to me that when we look at the

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2 number of abatements that we have done in fiscal
3 year 1999, we have 14 abatements that we did. Now,
4 I think in looking at them versus looking at the
5 routine complaints that come into the system and go
6 to the housing unit, I think the disparity there in
7 how they're handled is the articulation of the
8 complaint. People are calling up and saying,
9 "There's bugs in my neighbor's house next door," and
10 the inspector in Housing goes out and issues a
11 violation and it either gets complied or doesn't and
12 ends up on a track to Municipal Court. Municipal
13 Court is a lengthy process, and that's where most of
14 the complaints come in.

15 Now, when a complaint gets articulated
16 in a strong fashion, usually coming through the
17 Council Person's office, then we get to transfer
18 that to a contractual services type unit where we
19 can actually call and actually hire an abatement
20 specialist to come in and address those problems.

21 Now, what happens in that case, usually
22 the worst cases, we run into the problem of people
23 saying, "Well, you can't come in." We are required
24 by federal law, the Fourth Amendment, to give people
25 due process. That means that we can't just come in

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2 and knock down your door. We've taken those cases
3 where we can identify those serious cases, we've
4 taken them and we put them on a track with seriously
5 dangerous buildings and we've taken them into Equity
6 Court. Now, the problem with Equity Court is that
7 we do have all those dangerous buildings in there.
8 We do have all those other serious dangerous
9 situations in the community in line to get into that
10 system. So that that is about two weeks versus
11 about three months in Municipal Court.

12 Municipal Court, usually the case there
13 is people, if they show up, they get fined. We go
14 the Equity Court track and then we get ordered to
15 abate the situation. So we have a lot more leeway
16 in that respect.

17 Where we have addressed those problems
18 through abatement, through working closely with the
19 Health Department, I think we've been successful.
20 The attention that we had given this has caused
21 Deputy Commissioner Verdi to adopt a new procedure
22 for handling this. I'd like him to talk about that.
23 What I'd like to say is that I've met John
24 Domzalski, the chief of staff of the Health
25 Department. John is making available to us a team

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2 of people who are specialists in negotiating with
3 people who will not let them in, and he has offered
4 that service to us at L & I. So we can now trigger
5 those specialists to help us talk to those people
6 instead of having to go to court system to gain
7 entry. Just to say that gaining entry isn't any
8 magical thing that happens in court. We have to
9 coordinate the Sheriff, a locksmith, we have to pay
10 a locksmith to go there and we have to coordinate
11 the inspection and the exterminator. So that's a
12 bit of a project also just to get in. So it's a
13 benefit to us to be able to trigger this Health
14 Department team to talk people into letting us in.

15 THE CHAIRMAN: Let me ask you a question
16 relative to this due process issue, because I think
17 it's very important that we protect people's civil
18 rights and also try to weigh that against what's
19 exactly going on in the property. In the event that
20 the police were of the impression, for example, that
21 a person had stored in their basement explosive
22 material, large amounts of gasoline, weapons, guns,
23 whatever -- and people have been known in cities and
24 outside the city to kind of do that thing. What
25 would be the process for entry into the house to,

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2 first of all, find out whether or not that was in
3 fact true and then take whatever precautions
4 necessary to keep the street from blowing up?

5 MR. MC LAUGHLIN: I think it's the
6 articulation of the problem, again, that's the
7 answer to that question, that if there is real good
8 solid probable cause that exists in that house, then
9 you go through the door and you go in and you abate
10 it and you worry about answering your due process
11 requirements later. It's the protection of the
12 people that comes first.

13 THE CHAIRMAN: See, part of the concern
14 that I have is I guess an issue of practicality and
15 an issue of what actually the problem is. I
16 believe -- this my own opinion and I'm not a lawyer.
17 I'm glad at the table is Mr. Cureley Cole who is
18 with the Law Department who has dealt with these
19 issues probably more in particular. He is kind of
20 the nuisance guy over at the Law Department. He's
21 not nuisance. He deals with the nuisances.

22 I guess the issue is, is not the largest
23 infestation of insects, rodent, sewage, other types
24 of problems as serious a health risk or safety risk
25 as explosives, for example?

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2 If someone's sewer pipe is broken and
3 the sewage is flowing into the basement, is that not
4 a -- not equal, but a similar safety and health risk
5 as someone who may be storing gasoline in their
6 basement? And where do we make the division? Where
7 do we say this is not as serious as this is?

8 And Cureley, please feel free to jump in
9 from a legal perspective whenever you feel it
10 appropriate.

11 MR. VERDI: In the instance of sewer
12 pipes, we have a route to abate that situation from
13 outside the property. The problem with the
14 infestation, Councilman ,is the fact that we can't
15 get inside the property. There is a very big health
16 hazard with a broken sewer pipe.

17 THE CHAIRMAN: How do you abate that
18 problem?

19 MR. VERDI: We contact our plumbing
20 inspector who will contact the Water Department and
21 if we show them that that pipe is broken, we can
22 have the water turned off immediately. So that's
23 where it differs in severity.

24 MR. SOLVIBLE: And I think another
25 difference is, using the explosives, they're

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2 creating a catastrophe which apparently has a higher
3 degree. I always equate it to like if there's a
4 fire on the property, the fire department can
5 legally kick in the door and go in. We can't.
6 Cureley can probably expand on that better.

7 THE CHAIRMAN: Let me just add to the
8 question then and then you can maybe answer it. We
9 can't because of court precedent and court ruling
10 that says in a specific instance -- if your wall is
11 moving with roaches and it's not coming from your
12 house, is there some court case that says you can't
13 go in there for that reason?

14 MR. COLE: If we can identify a
15 situation where there is a substantial serious
16 significant threat to public safety, we can exercise
17 our police power and do what is necessary to take
18 care of that problem. What we have to be able to
19 do, though, however, is to be able to coordinate the
20 serious and substantial threat to public safety,
21 because if there is a substantial threat to public
22 safety, our police power immediately kicks in; we
23 can do that. And then somebody else can come and
24 say, "Oh, well maybe you shouldn't have done that."
25 But we can do that.

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2 THE CHAIRMAN: In the situation where --
3 given the explosive example, that individual would
4 be subject to arrest. In the situation where the
5 individual lives in the house who is storing this
6 contraband explosive material would be subject
7 potentially, I would think, to arrest because of
8 that person's risking a catastrophe and whatever
9 other possession of contraband material, whatever
10 the changes would be. I think the police power
11 issue and the concern of due process has to do with
12 the fact that person could be arrested and their
13 liberty taken away.

14 In a situation where we're not looking
15 to arrest the person in the house, we're simply
16 looking to get to the root of the problem to solve
17 the problem, we're not taking anybody out in
18 handcuffs, we're not arresting anyone in the house,
19 if we have a 95-year-old lady who saves pizza boxes
20 and has been doing it for 20 years, we're not
21 looking to arrest her for that. What we're looking
22 to do is to gain entry into house as soon as
23 possible for her safety and for the health and
24 safety for the people around her.

25 MR. COLE: We're not going to arrest the

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2 95-year-old lady who has pizza boxes. What we have
3 to do is -- we do have her to give her due process.
4 And the Department of Licenses and Inspections
5 through the Law Department can ask us to get a court
6 order to get into the house as quickly as possible.
7 And we have a system in place now, we have a system
8 in place now with the Department Licenses and
9 Inspections where -- and I think we did this
10 yesterday, Bob. Where they asked us to get into a
11 property. We can do that in a matter of days. And
12 we've actually begun to do that.

13 MR. SOLVIBLE: The falling building type
14 situation, Councilman, we can go to emergency court
15 without the owner on a Sunday night, Friday night,
16 Christmas Eve, Christmas Day, and ask for a court
17 order to remove the occupants and/or demolish the
18 building. And then that channeled that way, but
19 that has to be the extreme. And not saying that
20 this isn't a serious problem, because it is. You
21 can't make everybody become an emergency because
22 then the system that where you can get a court order
23 maybe in two weeks -- or a court date, not an order
24 -- breaks down and everything is an emergency. And
25 then it still goes back to its normal time. I think

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2 the normal processing time is at least several
3 weeks.

4 MR. MC LAUGHLIN: Can I make a point
5 here? I think I'd like to put Dominic on for his
6 policy because that changes a lot of what we're
7 talking about.

8 THE CHAIRMAN: Let me recognize
9 Councilman DiCicco. I think he has a question.

10 COUNCILMAN DI CICC0: We're going in
11 that direction. Picking up on what Mr. Cole said,
12 substantial, what is substantial? What brings us to
13 the level? Is it an individual judgment call out
14 there? Who makes that call? And I understand what
15 you're saying, Bob.

16 MR. SOLVIBLE: It starts with the
17 inspector.

18 COUNCILMAN DI CICC0: We can get calls
19 from people day in and day out and everyone seems to
20 think that it's a serious problem. Who makes the
21 determination what is serious? How do we reach that
22 point?

23 MR. SOLVIBLE: Councilman, I think it
24 starts with the complain and giving a call to our
25 intake person in services and operations, how they

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2 explain the seriousness of the problem. Simply to
3 say, "Well, there's some roaches coming in my
4 house," if you hear it 20 times a day, that's a
5 routine thing to that intake person. Whereas, to
6 say there's thousands of vermin or roaches coming
7 through my walls, my walls are moving. So it starts
8 there. And then the other part of the problem, as
9 Dominic will get to, is us getting access to write
10 the violation to solve that problem.

11 THE CHAIRMAN: What frightens me in that
12 regard is that Councilman DiCicco's question, our
13 offices deal with -- I may deal with three or four
14 or five properties a week. How many properties are
15 involved where people don't call here, don't call
16 me, don't call him, don't call Rizzo and are calling
17 a normal process of 1776 connecting to L & I? How
18 many of those people are suffering internally before
19 it gets to the point where one of us get involved or
20 you guys go out and take a look at it?

21 I guess the issue is on, not only of
22 health and safety, but of economic development. You
23 know, at some point in time I am sure we have lost
24 virtually hundreds of families that never called a
25 Council Person's office and becomes so frustrated

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2 with the system that they basically just moved out
3 or left their property. That's, I think, what my
4 overall concern is, how many people are we souring
5 on the city because of our concerns over due process
6 and maintaining this two-week waiting period for the
7 court to give us a date. I've been in court cases
8 with Cureley when the Judge says, after two months
9 or three months of going through this, the judge who
10 is not experienced in this problem him or herself
11 says, "We'll give you another 15 days to take care
12 of that problem," and you walk out of there, people
13 shaking their heads saying, "This is insanity."

14 MR. MC LAUGHLIN: It is those cases that
15 we're talking about and it is those cases that we've
16 created policy for. The cases that come through
17 your office and the office of Councilman Rizzo,
18 Councilman DiCicco, Councilwoman Verna, those cases
19 get handled because they get articulated by your
20 staff in the correct way that rises the level of
21 severity, let's us take contract and services type
22 action. But what Dominic has done is put a policy
23 in place that addresses just what you're talking
24 about, the person who calls to our intake and a
25 normal complaint gets generated. I'd like Dominic

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2 to explain the policy.

3 THE CHAIRMAN: Councilman Rizzo had a
4 question, but I think he'll wait until you at least
5 articulate that policy change and then we'll
6 recognize Councilman Rizzo.

7 MR. VERDI: Basically, it's a policy
8 that states, we gave the inspectors -- this was
9 based upon a procedure that was done by Deputy
10 Commissioner Solvibile about three years. We
11 basically just stepped up the numbers and used
12 partly more of our enforcement efforts towards
13 adjacent properties. It reads as follows: All
14 violators or all violations, for example, clean up
15 or exterminator work will be given a five-day notice
16 with A10 A20 message which are administrative orders
17 explaining that the city has the right to abate.

18 So when the owner gets this violation,
19 he understands that if it's not complied, we have
20 the right to go into court and abate. If not going
21 to court, we have the right to abate.

22 The inspectors will inspect adjacent
23 houses to help determine the source. The inspectors
24 are instructed if they get an address, they're to
25 inspect the adjoining properties. If they can not

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2 gain entrance to the property that was the complaint
3 to try to locate the source to make sure that that
4 house that was complained about would be the one
5 that has the source.

6 If unable to gain entrance to a
7 location, the inspector will write violations based
8 on inspection of adjacent properties. The inspector
9 more or less goes to one property and finds the to
10 the right of the left there's infestation problems.
11 It should indicate to him that that infestation was
12 based upon the house that was made a complaint on.
13 They're able to write the violations. So that gives
14 us a violation without gaining entry.

15 If not complied, an owner-occupied
16 immediate entry request will be made for abatement
17 and permanent injunction to keep the location clean.

18 And the fifth part of this would be if
19 tenant-occupied, both owner and tenant can be cited
20 abatement request if tenant or owner refused
21 abatement and/or entry. The same procedure will be
22 followed.

23 Basically, what it's stating is, getting
24 back to Mr. Cole's statement, that if we find that
25 we can't gain entry either through the tenant or the

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2 owner, we're contacting the Law Department and
3 request a immediate abatement.

4 In reference to the severity of the
5 problem, our inspectors are the key people that are
6 going to tell us that. They've been in enough
7 properties to know that if you see one or two bugs
8 on a front window of a house, it may not be a major
9 problem until they get inside the property. But
10 when they can view a major amount or some
11 infestation on adjoining properties, they know then
12 that middle property is a problem.

13 MR. SOLVIBLE: Also, Councilman, I think
14 that you have to understand that as a department, we
15 write approximately a hundred thousand orders,
16 violations a year. Only 20,000 go to court. The
17 majority of people when they get a violation do
18 comply. We're dealing with the people who just
19 don't give a darn or mental illness is involved.

20 MR. VERDI: Just as a side note to this.
21 There are two other tools that we now have that
22 we're using in Housing or are being ready to be used
23 in Housing. One is recently Council passed a CVN
24 ordinance which with a code violation notice we can
25 start using that dollar amount now to go after

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2 owners and tenants and start issuing tickets along
3 with any enforcement action. The second thing is to
4 cut down on support time. We just initiated an
5 administrative hearing process in Housing where we
6 can try to bring the owner in to us before we have
7 to actually wait the time to get him into court if
8 the situation is not that severe. So that's
9 relatively new to Housing. It's been used in
10 business compliance successfully and in commercial
11 industrial units successfully. So at this point
12 we're about two weeks away from starting that
13 procedure in Housing.

14 COUNCILMAN DI CICC0: Does the emergency
15 nuisance abatement program, does that give you
16 leverage? Does that help in any way?

17 MR. SOLVIBLE: I think that emergency
18 nuisance abatement program, if I'm not mistaken,
19 Ernest told me that that is the Vacant Property
20 Review Committee and the council district being able
21 to take a -- donate a home to the city.

22 COUNCILMAN DI CICC0: That is when the
23 property has being neglected. But in this case, I
24 guess we can interpret these properties to be
25 neglected properties either by the owner who is

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2 residing in it or an owner who just left the
3 property vacant. Does this give us any additional
4 leverage or authority to get in there?

5 MR. SOLVIBLE: I think the code that we
6 have now gives us all the power we need to write it.
7 Where our problem is, is just the concept of forcing
8 entry.

9 A lot of times, too -- and it brings up
10 a case that I talked with Councilman Kenney on,
11 where the neighbors don't complain right away
12 because they know the lady and they feel sorry for
13 her, and then it gets to the point where it's out of
14 control and they complain to us and we didn't get it
15 at an early point in time. That's critical, too.

16 MR. COLE: One of the things that I want
17 to say, having done these cases for so long, is that
18 I don't want to seem to be completely overprotective
19 of my client, the Department of Licenses and
20 Inspections, but I am protective of my client.

21 THE CHAIRMAN: We're also your client,
22 too.

23 MR. COLE: Part of the problem that we
24 have is it's a human problem, and that is that we
25 could go in, abate a property with roaches, and six

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2 weeks later, two months later, you've got the same
3 problem. What do you do about these people? And
4 the neighbors, as Bob said, the neighbors don't
5 really -- we can't go out and murder people, we
6 can't kill people. We can exterminate bugs, but we
7 can't exterminate the people. And that really is
8 part of our frustration, L & I's frustration, the
9 Law Department's frustration, your frustration.
10 We're dealing with these kind of problems. We have
11 these people who are what we call collectors and bug
12 people and we have pigeon ladies, and these people,
13 what do you we do about them?

14 In my transition report, one of the
15 things that I talk about is how do you solve an
16 unsolvable problem? And I think that's part of this
17 whole process that we're going through right now, is
18 how do we deal with that. Yeah, we can get them to
19 court, we can get court orders, we can abate. But
20 six months later, you're going to have the same
21 problem again. What do you do about that?

22 THE CHAIRMAN: I want to go back and
23 talk about that. Go ahead, Councilman Rizzo.

24 COUNCILMAN RIZZO: Thank you. I'd like
25 to go back to process. Maybe you've covered this,

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2 but I'd appreciate you just taking a minute.
3 Councilman Kenney referred to as a constituent
4 calling 686-1776, but they really don't know where
5 to go. I can I understand that they don't know who
6 deals with this specific area. Are you aware of how
7 the municipal switch board -- if I called up and
8 said, "I'm living next to a location that is
9 creating a problem at my home," what does the
10 municipal switchboard do with that call?

11 MR. SOLVIBLE: They transfer it to
12 686-2463 which is our Services and Operations line.
13 We meet with them and we have a dialog with 1776.

14 COUNCILMAN RIZZO: Is that the most
15 efficient way? Should it go to the Health
16 Department first? Should it come to L & I? Who
17 actually does the inspection, L & I or the Health
18 Department?

19 MR. SOLVIBLE: Licenses and Inspections.

20 COUNCILMAN RIZZO: So that is the
21 appropriate place?

22 MR. SOLVIBLE: Councilman, in a
23 residential property -- I'm not sure if we do a
24 commercial property. Dominic? We do commercial.

25 COUNCILMAN RIZZO: So in other words,

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2 anyone calling the municipal switchboard would get
3 transferred to that line and that's where the
4 process begins?

5 MR. SOLVIBLE: Yes.

6 COUNCILMAN RIZZO: Now, let's talk about
7 the problem itself. L & I doesn't deal with the
8 problem other than make physical inspection and make
9 a recommendation to the Health Department. Or do
10 you actually have people go out there and spray bug
11 spray?

12 MR. SOLVIBLE: We send an inspector.
13 The inspector writes a violation against the owner
14 to comply to remove the infestation. The inspector
15 will re-inspect, and if it's not complied with or
16 the work not done by the owner, we'll refer it to,
17 under our procedure, to the Enforcement Unit which
18 then will get it to Mr. Cole's hand for a court
19 order.

20 Again, as I said, that's about 20
21 percent of the cases. 80 percent, the owners and/or
22 tenants comply with the violation.

23 THE CHAIRMAN: What's the length of time
24 on average that that process, the 20 percent takes
25 to the ultimate abatement?

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2 MR. SOLVIBLE: It depends, but to
3 ultimate abatement, probably two to three months for
4 the system to work.

5 THE CHAIRMAN: The crux of what we're
6 here for, I think, is that 20 percent of how many?
7 What's that come to?

8 MR. SOLVIBLE: Last year we did 14. So
9 let's say we received about a hundred complaints
10 regarding infestation and we had to abate ourselves
11 14 locations.

12 THE CHAIRMAN: That seems like a low
13 number. I think I've got a hundred of them in my
14 office.

15 MR. SOLVIBLE: That's last fiscal year.

16 MR. VERDI: Just to clarify two things.
17 One, Councilman DiCicco mentioned, I think he
18 touched on vacant properties. Some of the
19 infestation complaints do come from vacate
20 properties and that is the major source of
21 infestation on mice and roaches. They are not in
22 the system as infestation problems. They're always
23 put in a vacant building. When we do abate that
24 vacant building, then, yes, we do call the Health
25 Department. Vector Control works with us very

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2 closely in abating that situation. So that's the
3 answer to both questions.

4 One is we may only get a hundred calls
5 for infestation directly, but a majority of the
6 calls come in as vacant buildings with infestation
7 and then we have to abate that.

8 THE CHAIRMAN: So the hundred coded
9 infestation calls are generally occupied properties?

10 MR. VERDI: Yes.

11 MR. SOLVIBLE: We do not code vacant
12 buildings. We do not need a court order to get in a
13 vacant building. And we have a relationship with
14 Vector Control to abate for rat and fleas and things
15 when our workers find them.

16 MR. MC LAUGHLIN: Keeping in mind that
17 there may be thousands of calls go through the
18 regular system, they get violations that get
19 complied that if they don't comply, it still may go
20 into the Common Pleas court system. What Bob is
21 talking about is his experience, his responsibility.
22 He keeps track of services. He actually schedules
23 the abatement of those.

24 THE CHAIRMAN: And that was only 14.

25 COUNCILMAN RIZZO: I want to finish up.

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2 So I understand the role of L & I versus Vector
3 Control, Health Department. You are never involved
4 in any actually extermination of insects, rats, or
5 mice, you don't deal with any of that? You just do
6 the administrative part of that process?

7 MR. SOLVIBLE: We deal with -- let's
8 take if a waste pipe in the house is open in a
9 vacant building and rats coming out there, we would
10 deal with that. Rat control abated, we would have
11 to make the actual repair on the soil pipe that had
12 the hole in it.

13 COUNCILMAN RIZZO: Now, in reference to
14 dealing with the problem. If you have a situation
15 where you can't get access to a property. Now, I
16 recollect reading that certain insects, certain
17 roaches, certain rats, certain mice can be
18 exterminated without actually gaining access to the
19 property. There are some insects that will take a
20 bait, take it back to the nest, and the other
21 insects will eat that bait and they die. Do we
22 understand what Vector Control does? Would they
23 make an effort -- my point, obviously, the ideal
24 situation would be to gain access to the property.
25 But I hope if we're up against it and we're not able

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2 to gain access that there's a plan B where we bait
3 in other ways to at least try to lessen the problem
4 if not eliminate it. Are there technics out there
5 in extermination that we can hopefully deal with a
6 problem that confronts us where we can't gain
7 access?

8 MR. VERDI: Again, we'll call the Health
9 Department and refer to their expertise in that
10 matter. We won't take any action on our own. We
11 don't have the capabilities to exterminate. If
12 there's a rat infestation problem or any type of
13 rodent, we contact the Health Department and give
14 them an address that we can't gain entrance. They
15 may bait the adjoining properties, the sewers, the
16 streets in that area and vacant lots, which mostly
17 this is where this is coming from. But to do
18 anything to that property, normally my experience
19 with the Health Department, this is something you
20 have to deal with them directly is that they will
21 not touch a property unless we gain entrance for
22 them.

23 MR. SOLVIBLE: Also Councilman, on Agate
24 Street -- I forget the hundred. Prior to us getting
25 in on a Friday, a week before that, we abated the

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2 adjacent houses, so we do do that. But usually when
3 you have a roach source, that's because there's food
4 in the house that they're eating on, unless you can
5 remove that food source, the abatement -- you're
6 still going to have roaches. You've got to clean
7 the property out. It took about -- the
8 commissioner and myself were at that property on a
9 Friday about three weeks ago. It took about four
10 trash loads, trucks to be filled to remove all the
11 debris from that house. And when the Health
12 Department bombed it, we still had roaches coming
13 out.

14 THE CHAIRMAN: This is the nitty-gritty
15 of city government. We deal with a lot of issues in
16 this Council. We will probably be dealing with
17 stadiums and bond issues and other things, but this
18 is the real nitty-gritty of city life that -- and I
19 appreciate all your candor and all your cooperation
20 and interest because I think you know if you've
21 lived in a neighborhood or you grew up in a
22 neighborhood what this can mean to people's mental
23 and physical existence to have to deal with this
24 kind of problem.

25 Councilman?

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2 Cureley, you look as if you had else
3 something you wanted to say.

4 COUNCILMAN RIZZO: It's interesting
5 especially in some of our neighborhoods when the
6 kids realize that a cat looks different than what
7 they saw running across the street when it winds up
8 being a rat.

9 MR. COLE: Well, one of the things I
10 wanted to say is that in the Law Department, now
11 that the code enforcement unit is fully is staffed,
12 and I talked to Commissioner McLaughlin about this,
13 is to have a task force with the Department of
14 Licenses and Inspections, with the Health Department
15 deal with these kind of issues. Because, as I said
16 before, it's not really just an L & I problem. It's
17 not a Law Department problem. It's not just a
18 Council problem. It is a problem where we have to
19 deal with these kind of social issues. And what do
20 you do about the person who -- I have a case that's
21 been going on for eight years now. This woman feeds
22 pigeons. Now, how do you get rid of that problem?
23 Well, we can't kill her. I mean, and we don't
24 necessarily want to kill the pigeons. But we have
25 to figure out how to deal with the fact that she is

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2 making her neighbors crazy by feeding these pigeons
3 all the time.

4 THE CHAIRMAN: Not to get into
5 specifics, names, addresses, that kind of thing, but
6 in this particular instance, eight years, is this
7 individual alone?

8 MR. COLE: Yes.

9 THE CHAIRMAN: What approximate age?

10 MR. COLE: She's about 70.

11 THE CHAIRMAN: So 62 when she started?

12 MR. COLE: 62 when she started.

13 THE CHAIRMAN: At some point in time,
14 does not the City have a process or a responsibility
15 to move against the person in a legal way that
16 apparently -- I mean, if she's not listening to
17 requests, she's not listening to citations, she's
18 not listening to the court. At some point in time,
19 doesn't that person need to be removed from that
20 property and placed in a facility that will give her
21 the help that she needs? And I'm not saying that
22 that facility needs to be a prison. Obviously, that
23 person is a danger in a health way to neighbors and
24 to herself. What is our responsibility as a City to
25 begin to move those people out of that property?

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2 MR. COLE: That's one of the reason we
3 want to have a task force because we have to talk
4 about that. We need to think about that. She does
5 have certain rights. There really is a fine line
6 between is she really a substantial threat to public
7 safety.

8 THE CHAIRMAN: She may be a substantial
9 threat to public health, which is of course is
10 individual safety.

11 Not to interrupt you. We wind up in
12 this kind of gray area. What rises to the level,
13 not only just nuisance, but what rises to the level
14 of public health threat and therefore translates in
15 my mind to an issue of public safety threat?

16 MR. COLE: That's why I think that a
17 hearing such as this isn't something that you need
18 to blow off. You need to think about these kinds of
19 things. And I'm glad we're having this hearing
20 because these are real issues. They're real gray,
21 especially from a legal point of view.

22 THE CHAIRMAN: But I guess the question
23 is, have we ever been -- you probably won't be able
24 to answer this unless you do some research. Have we
25 ever been sued in federal court or in state court

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2 for the violation of an individual's civil rights
3 relative to moving into a mentally ill person's
4 property, into a person who is using drugs, to abate
5 a problem? I can't imagine a federal judge looking
6 at all that -- again, just supposition. Looking at
7 all the eight years worth of disgust and pain and
8 misery of the neighbors and this individual's
9 seemingly instability in her threat to her own
10 safety, some federal judge is going to say this city
11 acted improperly by not allowing that woman or that
12 man to continue on that way and disrupting the
13 neighbors' peace and safety and health and their
14 own, that somehow the city is this bogeyman because
15 we went in and solved that problem for this person.

16 I'll just give you just one anecdote.
17 We had a guy in South Philly not too long ago, he
18 was a pizza box collector. He saved pizza boxes for
19 years and years and years. It was bugs and all
20 kinds of things. Finally, they went into the house,
21 there were a number of programs he was able to get
22 his kitchen cabinets replaced, he was able to get
23 his floor replaced. He actually had his house
24 upgraded. And I remember Dominic saying that the
25 guy was sitting in the chair saying, "They say I'm

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2 crazy. You guys are all here fixing up my house for
3 free; I think you're all crazy."

4 So at any point in time we were able to
5 not make him any saner but at least able to get the
6 problem resolved for the people who are saying to us
7 "I'm out of here. I'm not going to live with vermin
8 crawling in my kids' bedroom. I'm out of here."

9 MR. VERDI: A lot of our situations,
10 especially nuisance abatement, you're aware of a lot
11 of nuisance issues, are relatively an issue where we
12 work along with the Law Department. But as a side
13 note, our inspectors will come back to me at times
14 and say, "I think this guy is a little mentally
15 unstable."

16 We then have the resource to call the
17 Health Department. Where we activate infestation
18 cases where we know the person is living there, we
19 know the person's house is infested, but if we can
20 get in the Health Department at times to say that
21 this person is not stable, fine, so we do use mental
22 health in that nature. There are some cases where
23 I've been in myself and seen the conditions of a
24 house. Mental health goes in and says, he's not a
25 threat to public safety. If he was a threat to

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2 public safety, we would have had that to use to
3 abate the property.

4 THE CHAIRMAN: Is there a reverse
5 situation where people who are doing outreach for
6 mental health in the Health Department contact you
7 guys, contact L & I and say, "Look, we've been
8 dealing with this case here and the house is
9 beginning to deteriorate." Is there a sharing of
10 information?

11 MR. VERDI: Yes.

12 MR. MC LAUGHLIN: From every operating
13 department.

14 THE CHAIRMAN: Police, Fire Department?

15 MR. MC LAUGHLIN: Yes.

16 MR. SOLVIBLE: Also not just
17 infestation, with heat, living conditions. It's a
18 pretty good relationship we have.

19 Could I add one thing, Council Members?
20 Ed and I have changed the enforcement process where
21 before people could send work directly to Cureley,
22 and what we have done -- Eileen Evans who is our
23 chief of enforcement, make everything funnel through
24 her and her Cureley now have a close working
25 relationship, so it doesn't fall through the crack.

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2 THE CHAIRMAN: I don't want to get Law
3 Department in trouble and I don't want to get L & I
4 in trouble. Do you sense in any stage that the
5 courts are not as responsive to the immediacy of the
6 issue that we would like? Is it judge by judge? Is
7 it just the process that the court goes through? Do
8 you sense anything that we need to bring in the
9 administrative judges in Municipal Court or Common
10 Pleas Court to kind of work with them to try to
11 streamline this process and kind of bring it to the
12 height of importance that you think it deserves.

13 MR. COLE: My I understanding is at some
14 point they may be moving -- Equity Court very, very
15 important. I don't know exactly what's happening
16 with the court system, and that's one of the things
17 I'd like for Council to look into. I think that
18 they may be changing the Equity Court system that we
19 have now, removing it to Municipal Court. If they
20 do remove it to Municipal Court, I'm not sure it's
21 going to get the same kind of attention.

22 THE CHAIRMAN: You think Municipal Court
23 is too busy dealing with more work than they --

24 MR. COLE: Yes. I don't think it's
25 Municipal Court. Municipal Court really isn't as

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2 important as Equity Common Pleas Court. So I

3 implore you to speak to the court system at this

4 point and make certain that even if they change the

5 Equity Court system as it exist now, to make certain

6 that our cases from the Department of Licenses and

7 Inspections and the Health Department get as much

8 attention and that people understand and that we

9 make this important now and in the future and even

10 more so than it has been. So I'm concerned about

11 that, and that's one of the things that I'm glad I'm

12 here today so that I can address that issue.

13 Because what I don't want to happen, I don't want it

14 to happen so that our equity cases now are funneled

15 into Municipal Court, and it's like, "Oh, yeah,

16 well, that's L & I equity cases or the Health

17 Department's cases," and they're not getting the

18 attention they deserve. So it's really, really

19 important that somebody speak to the court system to

20 assure us that when we, the Law Department, as I

21 said now, we're fully staffed and we're ready to go.

22 We're real jazzed up about this, that we can give

23 L & I cases the attention that they deserve and that

24 we can continue to do what we've been trying to do

25 for so long. We finally got the people that we

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2 need, from at least from a Law Department point of
3 view, to do what you want, what L & I wants, and
4 what the Health Department wants, and we don't want
5 it to fall apart because the court system is not
6 doing what it's suppose to do.

7 MR. MC LAUGHLIN: I just want to make a
8 point about establishing a nuisance and how that
9 happens. This is back to the point of "I got bugs
10 in my house" or "My walls are moving. There's bugs
11 in my baby's cereal." It's that kind of difference.
12 And the reason that that's important is because
13 establishing a nuisance under law requires reports
14 from citizens to government. And by government, I
15 say calling the police, documenting the police --
16 the police document that automatically. L & I now
17 documents. We have a brand-new system where we're
18 documenting the number of calls we get on any one
19 condition so that adds to the documentation, calls
20 to Council person's office. Excuse me, gentlemen,
21 I'm sorry to recommend that.

22 THE CHAIRMAN: We'd rather hear from
23 them or than to hear from them in Jersey.

24 MR. MC LAUGHLIN: So it's you logging
25 the number of calls. And then at some time, and I'm

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2 talking about the Health Department, as many
3 different logical places to make a complaint to
4 build a nuisance case. I'm sure Cureley would like
5 to take that case into court. It has a lot of more
6 substance, there's a lot more documentation of the
7 effect of this thing on the community, plus it gives
8 L & I, it gives our nuisance abatement task force
9 more juice, more ability to address the problem.

10 THE CHAIRMAN: I'm wondering as a result
11 of this hearing, our discussions, that perhaps some
12 brochure or pamphlet might not be developed to give
13 people a step-by-step ability to -- the first
14 reaction is one of panic and anger and not really --
15 you don't really think too clearly about what's
16 going on, about what you should be documenting,
17 writing, logging, those kinds of things. Perhaps
18 there's some plain-speaking pamphlet or document
19 that can be developed with Health, L & I, and Law
20 that would allow Cureley to walk into a room in a
21 short period of time with a decent case that will
22 get something accomplished.

23 MR. VERDI: We'll add to that to our
24 list. Right now it's a plan in the department to
25 update and create new pamphlets for public

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2 distribution, and we'll add that one.

3 COUNCILMAN RIZZO: May I piggyback?

4 The City's TV channel is looking for
5 some good things to put on that screen, so that
6 might be a subject you might want to include on
7 that.

8 THE CHAIRMAN: Councilman DiCicco.

9 COUNCILMAN DI CICC0: I'd to get back to
10 the pigeon issue where this one individual for eight
11 years. What are the penalties for that type of
12 activity?

13 MR. COLE: Well, the first thing we try
14 to do in the Law Department is we resolve the
15 problem, we try to resolve them as humane a way as
16 possible. Now, the judge in this case should impose
17 some fines. We also --

18 COUNCILMAN DI CICC0: Was the lady
19 brought into court?

20 MR. COLE: Yes, she was. She was
21 brought into court. I mean, it was a pathetic case
22 because one of the things that we told her is that
23 if you keep feeding the pigeons, we're going to have
24 to kill the pigeons, at which point she almost had a
25 heart attack. The judge imposed a fine. The judge

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2 issued an injunction which ordered her not to feed
3 the pigeons anymore. We sent investigators out from
4 the Law Department to make certain that she wasn't
5 feeding the pigeons on a continuing basis. See,
6 what happened, here's the problem, the real deal is
7 this, she would slip out like 4:30 in the morning
8 and feed the pigeons. I mean, how do you deal with
9 a situation like that? And she was doing it on the
10 sidewalk.

11 COUNCILMAN DI CICC0: Well, I have a
12 similar problem with my neighborhood. There's a
13 fellow about my age --

14 MR. COLE: How old that?

15 COUNCILMAN DI CICC0: 53. In South
16 Philly, we use the word as being crazy rather
17 loosely. My interpretation is he is rather nuts in
18 a different way. But he is really disrupting an
19 entire neighborhood. It is not -- some people may
20 say that we have so many other serious problems,
21 what's the big deal about feeding pigeons? Well,
22 there's a waste management problem there. There's a
23 health problem. We have one or two vacant buildings
24 in my neighborhood, the pigeons have now taken up
25 residence in those vacant building because they know

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2 they're going to be fed once or twice a day at the
3 other end of the block. And people literally can't
4 even sit out anymore because of the droppings and
5 other problems. So to me, it's a serious problem,
6 it's a very serious health problem. And I was just
7 curious as to what the penalty or penalties were.
8 You actually can bring these folks into court then?

9 MR. COLE: Yes. We bring them into
10 court and then we do the best we can under the
11 circumstances. Because, what do you do? I mean,
12 how do you resolve the problem?

13 COUNCILMAN DI CICC0: This fellow is
14 really defiant. It's, "I don't care, I'm going to
15 feed them, that's okay." It's not a question
16 whether his mental capacity is such that he just
17 can't determine right or wrong. He's just being
18 very belligerent about the whole thing, so he may be
19 your next case.

20 THE CHAIRMAN: Thank you very much.
21 What I'd like to do if possible now is -- if you can
22 stay or the Commissioner has to go and other people
23 can stay or someone from the Law Department kind of
24 hang in here for a minute and I want to hear some of
25 the people in the community.

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2 I know there's a couple here with kids.
3 I'd like to give you an opportunity to come up. If
4 you're going to testify, come up first. I have a
5 10-year-old and a 5-year-old and they can little
6 antsy.

7 Is this Wilt Street? Why don't the Wilt
8 Street people come up, and then we'll hold the tape
9 until the end of your testimony so that they can see
10 it when they come back.

11 Actually, Commissioner Solvible is here.
12 He's going stay, so what I asked that the
13 Sergeant-at-Arms to do is to take the tape from the
14 witness. I want to identify yourself, give your
15 initial testimony, and then we'll show the tape to
16 L & I.

17 Could you please identify yourself?

18 MS. RETTERSHOFER: My name Linda
19 Rettershofer.

20 THE CHAIRMAN: Can you spell you last
21 name for the stenographer?

22 MS. RETTERSHOFER: It's
23 R-E-T-T-E-R-S-H-O-F-E-R.

24 MR. RETTERSHOFER: My name is Edward
25 Rettershofer.

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2 THE CHAIRMAN: Please identify yourself.

3 MS. SURIANI: Ava Suriani, that's
4 S-U-R-I-A-N-I.

5 MS. MC KILLIP: Elizabeth McKillip,
6 M-C-K-I-L-L-I-P.

7 THE CHAIRMAN: Thank you. Please begin
8 your testimony.

9 MS. RETTERSHOFER: As far as L & I was
10 talking about due process, I'd like to know -- they
11 were saying about three months. They have on record
12 with Mr. Laquintano I've been calling since 1994.
13 We have yet to get any kind of resolve here. I have
14 letters here. I've sent letters to Councilman
15 DiCicco, Fumo. I've been in the phone with the
16 Mayor's Office, and even the Health Department came
17 out. The Health Department told us that --

18 THE CHAIRMAN: Could you do me a favor?
19 Could you explain what the situation is?

20 MS. RETTERSHOFER: Roaches.

21 THE CHAIRMAN: Kind of explain what the
22 address of the house where you're located.

23 MS. RETTERSHOFER: I'm right to the left
24 of this neighbor. Ava, she is next right next to
25 door to me. Betty is -- okay, we're on Wilt

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2 Street. Betty is on Memphis Street and now it's
3 affecting her. Behind us is Berks Street. We have
4 a public alley. The people back there are also
5 affected, but they couldn't come because they're
6 working and couldn't take the day off.

7 THE CHAIRMAN: I understand.

8 MS. RETTERSHOFER: Different neighbors
9 on Berks Street, which I said is right behind us,
10 they have problems with rats. These people, we've
11 also asked them if we could pay to exterminate. The
12 lady told me -- now it's a 84-year-old lady. You
13 were talking about elderly. She has her daughter
14 who moved in with her, what, about six months ago?
15 About six months ago her daughter who's like in her
16 50s, she rented a home another place in our
17 neighborhood. The neighbors put her out because of
18 roaches because she rented and they were able to do
19 this. She moved in with her mother next door to us
20 and now, I mean the roaches are unbelievable. On
21 this tape you will see. I called all the news
22 media. I have pictures in our neighborhood paper
23 that we were hoping that embarrassment would do
24 something because all the city agencies have not
25 done anything for us.

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2 THE CHAIRMAN: What is the address of
3 the property.

4 MS. RETTERSHOFER: 1487 East Wilt, and
5 that's W-I-L-T.

6 THE CHAIRMAN: 1487 East Wilt. Let me
7 ask you a question about your initial calls. Who
8 did you call?

9 MS. RETTERSHOFER: First L & I.

10 THE CHAIRMAN: You called the
11 switchboard and was transferred to L & I and you
12 were talking to an individual for over a period of
13 time?

14 MS. RETTERSHOFER: We've been talking to
15 Mr. Laquintano.

16 THE CHAIRMAN: Have you seen them come
17 out to the property?

18 MS. RETTERSHOFER: I was working, but
19 Ava is home, and Ava said yes, they have come out.

20 THE CHAIRMAN: Could you give me some
21 idea as to what happened when they came.

22 MS. SURIANI: What happened was a
23 gentleman by the name of Perez, I believe, came out.
24 They knocked on the door for the property that's
25 infested with the roaches. They were not allowed to

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2 go in. They would not even open the door. In fact,
3 what the did was when he started walking away, they
4 brought the dogs into the house from the back yard.
5 The dogs started barking to make the person leave.
6 They were about to leave, they knocked on my
7 neighbor's door and there was nobody home; it was
8 during the week. I'm home all the time. I'm
9 housewife.

10 THE CHAIRMAN: And you live to the rear?

11 MS. SURIANI: I live right next door to
12 Linda. They come through their fence, through their
13 house, and is coming into my house now.

14 In any case, the person came in. We
15 showed them the tape which Linda has which was
16 Channel 3 News. They came out did a story. In
17 fact, when the gentleman was about to go down back
18 to show on camera what was going on, a roach started
19 climbing up his leg. That's how this problem is
20 now.

21 We show them the tape. The only thing
22 all he told us he could do is pass it on to his
23 supervisor and that he's just a clerk and he's very
24 sorry, he would like to be able to do something, but
25 he's not a supervisor.

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2 We started contacting his supervisor and
3 Linda has called a number of times. We have spoken
4 to different people. We've got letters and
5 everything. Still nothing has been done about it.

6 THE CHAIRMAN: Betty, do you want to
7 give some testimony about this problem? And then
8 what we'll do is go back to L & I view the tape.

9 MS. MC KILLIP: I think they have
10 roaches like five or six years. I thought it was
11 the people beside me. It's a rental property and
12 new keep people coming every year. I always talk to
13 the landlord. I wasn't too sure, but my
14 exterminator kept saying to me it's not those
15 people. I think it's coming from the back, from
16 Wilt Street. He told me that those people -- one of
17 the other neighbors on I guess the right of that
18 person paid for extermination before in the past
19 because he went into both homes. The woman does not
20 do that anymore, whether she's got a new
21 exterminator or whatever. But those people do not
22 let anyone in. I've had them for years. I blamed
23 them on other people until I saw this show on TV and
24 everything my exterminator told me was true.

25 THE CHAIRMAN: Let me ask a question. I

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2 know probably none of you have been in the property,
3 but do you have any idea as to whether or not they
4 are considered kind of pack rat people you would say
5 or that they bring in newspapers.

6 I know exactly what you're going through
7 because I moved, believe it or not, in a house I
8 lived in prior to the house I'm in now. I moved
9 Thanksgiving dinner brother-in-law's. The two old
10 ladies next door had decided to save Acme bags. And
11 apparently Acme bags are a major nesting site. And
12 they stored the Acme bags behind the stove so that
13 the cooking and other things and the Acme bags
14 created this wonderful environment for little brown
15 roaches. One Thanksgiving a number of years ago the
16 more the turkey cooked, the more they started to
17 show up. I had to take the turkey out of the oven
18 and run it around my brother-in-law's house around
19 the corner and move the entire festivities there.

20 Ultimately what happened was, we were
21 able to get the exterminator, get them to agree to
22 have the exterminator go in there and deal with that
23 people. They were not severely mentally ill, they
24 may have been, you know, a little off. They're both
25 deceased now so I probably could say that, they both

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2 were a little off, but they were cooperative. But
3 the situation was intolerable. I was able to abate
4 the problem. I didn't deal with it the period of
5 time that you're dealing with it.

6 Betty, do you have anything else to add?

7 MS. SURIANI: I'd like to say something
8 else. Besides the fact that we have contacted every
9 department and we have to come back and forth for
10 all the letters, one of the persons that came out
11 was someone from the Department of Aging. We have
12 explained to her the whole situation, showed her the
13 tape. When she was about to walk away -- my husband
14 and Eddie brought hundreds of dollars worth of
15 pesticides, the spray from Home Depot as well as
16 boric acid. We have done everything. Our house is
17 filled on the outside with boric acid just to keep
18 these roaches from coming in. They actually soaked
19 the entire outside of the house that's covered with
20 the roaches. Their blinds which were supposed to be
21 white were completely black filled with roaches
22 trying to run. These roaches were coming out, they
23 were getting on our roof, on our house, we were
24 watching them running up the walls and everything.
25 They were so embarrassed that these roaches are

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2 coming out of their house, they closed their windows
3 and their doors with this 80-somewhat-year-old lady
4 inside with all this pesticide in there.

5 The lady from the Department of Aging
6 came out as soon as we told her what was going on.
7 She called the doctor. She was almost in tears.
8 She said, "I can't believe this is happening to this
9 old lady." She called the doctor and they came out
10 to take a look at the old lady. They were going to
11 make a decision of actually taking her out for the
12 night and put her somewhere, even if not for a long
13 period of time, but in just for the night so she's
14 not sitting inside with all these pesticides which
15 could have probably eventually killed her because
16 they were so strong. When they were about to this,
17 her granddaughter or daughter, whoever, drove up,
18 got really nasty with them, told them they had no
19 right to do this. And she told her mother to get
20 back in the house. When the lady walked out, the
21 first time she walked out, a roach just fell off of
22 her, literally fell off of her. The girl just
23 looked at it and stepped on it and told her to get
24 back in the house.

25 THE CHAIRMAN: See, I think one of the

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2 other things that in addition to what L & I is
3 hearing and the Law Department is hearing today,
4 there's also a unit which I relied on in the past
5 for some help in this regard called the Philadelphia
6 Police Department's CARE Unit, which is Crimes
7 Against Retired and Elderly. I don't know if this
8 is the case, but in many instances where there's a
9 younger person living with very old or feeble
10 person, there may be some either abuse or the
11 ability to take advantage of that person for pension
12 checks, Social Security checks.

13 MS. SURIANI: That's exactly what's
14 happened. She has told our neighbors that she's
15 afraid to speak up because of the granddaughter or
16 daughter living there. Now, somebody here when they
17 were testifying said something about if you see one
18 or two roaches on the window you don't consider that
19 horrible. Try coming out there when the entire
20 blinds are black from roaches, literally hundreds of
21 roaches running out through the windows, running
22 from the walls getting into all these houses. We're
23 talking about row homes. They're all attached.

24 THE CHAIRMAN: Let me an ask you a
25 question. Are you aware of anybody either on Wilt

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2 or on the street behind you that have moved as a
3 result, people who are no longer living there? Has
4 anyone moved out of the properties that you're aware
5 of.

6 MS. MC KILLIP: No, but we are seriously
7 considering. My husband works in Radnor, has worked
8 there for 25 years. I've lived in that home, me, my
9 mother, my grandmother for 85 years. We are going
10 to move. When the spring comes, we are out of
11 there. For two and three years we've put up with
12 this and we were always blaming someone else until
13 we found out. But when I called -- when I first
14 found out about it, I called before about it and
15 they said it's probably from the alley. No one ever
16 said, "Well, you know, maybe it's some other
17 neighbor. We'll come out and see." No one ever
18 suggested that. They always made it sound like, you
19 know, you're some frustrated housewife where two
20 bugs are bothering you. But I bet I spend a couple
21 hundred dollars a year besides the exterminator just
22 trying to keep them down. An example is I had
23 company two days ago, was eating dinner, and a roach
24 fell from the ceiling even though I have
25 exterminated. So that's the truth.

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2 THE CHAIRMAN: I understand. I've been
3 through it so I know what you're talking about.

4 MS. MC KILLIP: That is reality. We
5 don't have to stay there. My husband doesn't work
6 here. We don't have to pay city wage tax. My three
7 kids just came back from college. They're all
8 working. That's four or five taxpayers that will be
9 out of there by next year.

10 THE CHAIRMAN: I want to ask L & I -- I
11 want someone from L & I to come up and talk about
12 what we're going to do about this today.

13 MS. SURIANI: Could I just ask another
14 question, please? You had said from L & I that what
15 happens is that they are sent a ticket or fine or
16 something. If they don't pay this and they don't
17 show up to court, what do you do? What happens?
18 This has been going on for nine years. They won't
19 open the door, they won't let anybody in, they will
20 not come to court. So where does it stop?

21 If I went to their window and their
22 window is open and I throw a bomb in there to
23 prevent the roaches from coming into my house, I get
24 arrested or I get fined or whatever it is that they
25 do to me for trespassing. Yet their roaches are

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2 coming into my property, crawling on small babies in
3 the middle of the night. Every single night when I
4 come downstairs, my dining room and my living room
5 has roaches in it crawling. And it's not from me.
6 I'm home, I clean 24 hours a day. I'm constantly
7 cleaning, doing laundry, doing everything else.
8 There's boric acid all around. Now they've stopped
9 coming one way or they've slowed down rather,
10 they're going down towards Berks Street because my
11 husband has put so much boric acid. He has stopped
12 tried to kill them. He's just re-routing them now.
13 So where does it stop?

14 THE CHAIRMAN: Hopefully, it's going to
15 stop today or tomorrow.

16 Gentlemen, we're going to look at the
17 tape now and then ask somebody to come up from L & I
18 and Law to try to deal with this.

19 (Videotape is shown.)

20 THE CHAIRMAN: The chair recognizes
21 Councilman Rizzo.

22 COUNCILMAN RIZZO: I'd like to address
23 the mother of the two children. It's obvious that
24 you're using a lot of pesticides to try to control
25 this condition. I'm hoping that you're being very

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2 careful on what you're using and I hope that maybe
3 next time you have the kids in to the doctor that
4 you --

5 MS. SURIANI: We have gotten to the
6 point where my four-year-old, every time we spray,
7 her eyes swell up and she starts crying. So I have
8 to take them out. Hopefully, it's not a rainy day
9 where I can take them to the playground for a couple
10 hours where most of the smell would come out of the
11 house. I mean, it's ridiculous. We actually inhale
12 more pesticides than they do, and their house is
13 infested with these roaches.

14 COUNCILMAN RIZZO: Well, I want you to
15 be cognizant of that and possibly make the doctors
16 aware that the kids have been subjected to more of
17 this than the norm. I don't want to alarm you, but
18 it's something that I think -- obviously, you're
19 aware of that situation, but I would like to --

20 MS. SURIANI: Well, at this point in
21 time they also have a 6-year-old or 7-year-old
22 little boy that lives in that house. I don't see
23 how that's not even considered child abuse. I mean,
24 you have a small child living in a house that is so
25 infested with roaches that it's taking over the

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2 entire neighborhood, and nobody seems to say
3 anything about that; nobody even cares. To me, if I
4 did that to my child, my children would be in foster
5 care.

6 COUNCILMAN RIZZO: Councilman Kenney and
7 DiCicco certainly care and I do.

8 THE CHAIRMAN: Let me make a suggestion
9 to you before L & I comes up here to respond to what
10 we were talking about. You guys have the ability to
11 contact DHS regarding the revelation of this 6- or
12 7-year-old in this property? The woman testified
13 that recently a young child by the age 6 or 7 is now
14 living in this property on Wilt. So could we
15 coordinate with Health and DHS and whoever else has
16 to be mobilized to get that done?

17 What I'd like you to do is kind of
18 finish up. We've had very graphic and clear
19 testimony today. I'd like to finish up this panel
20 and then I'll let L & I come up to talk about what
21 they're gong to do next.

22 MS. RETTERSHOFER: Just one last thing
23 I'd like to say. These people are homeowners and
24 they have rights. But what about our rights? We
25 seem to have no rights at all.

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2 THE CHAIRMAN: That's why we're here
3 today. I know you've been dealing with it over nine
4 years, but I've been dealing with these issues on a
5 week by week basis since the past eight years, and
6 at some point in time we have to have some clear
7 policy and procedure on how we keep this from
8 happening to anyone else over a long period of time.

9 COUNCILMAN DI CICC0: I'd like to offer
10 a suggestion and maybe we can give you some
11 assistance. There's an alley -- I assume you have
12 an alleyway back there. Is that alleyway clean?
13 Does it need to be cleaned or anything?

14 MS. SURIANI: We keep it clean. We keep
15 our end completely clean.

16 MS. RETTERSHOFER: Behind the house all
17 the alleys are clean except for right behind this
18 house. When we ask them -- when we're going to have
19 a barbecue in the yard or whatever, we ask them to
20 clean up the dog feces. They have two dogs in their
21 yard. At one time there was 40 piles of dog feces
22 in the yard. They squirt it, when they get around
23 to it, into the public alley.

24 COUNCILMAN DI CICC0: With the dog
25 issue, are the dogs left out most of the time?

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2 MS. RETTERSHOFER: Yes. I've called
3 SPCA.

4 COUNCILMAN DI CICC0: Did SPCA inform
5 you as to what the policy is? SPCA should have gone
6 out.

7 MS. MC KILLIP: They couldn't gain
8 access. They brought the dogs through the house to
9 the front. The gentleman Gary Lovic with the SPCA,
10 what he told me was that the dogs are in good
11 health. We see them, they're biting themselves,
12 they have fleas and everything else.

13 COUNCILMAN DI CICC0: I've had some
14 success with a dog on the block where my mother
15 lived that was constantly left out and barked
16 constantly, 24 hours a day; it was maddening. The
17 SPCA went out, cited the folks and told them if
18 these complaints continued that they would remove
19 the dog, and they have that authority. We can check
20 into that before you leave, follow-up with SPCA.

21 But I'd just like to offer our
22 assistance through nonprofit that Jim Kenney and I
23 run to get those alleys cleaned out that gives you
24 some relief there. Is there a lock?

25 MS. RETTERSHOFER: No. Also, the same

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2 house has cats. This is something new they just
3 started. We think because of mice and rats all of a
4 sudden they have cats. The cats are in everyone's
5 yard. She has flower beds. The cats are digging up
6 her flowers, they're going to the bathroom.

7 COUNCILMAN DI CICC0: We can get the
8 SPCA.

9 MS. SURIANI: I would like to say two
10 things real quick, and then I'm finished. One,
11 regarding the roaches and everything, no matter how
12 many people we seem to have contacted, it seems to
13 be passed on to another department. For example
14 when L & I said, "Well, we contacted the Health
15 Department." We contact the Health Department, and
16 they contact another department. Nothing seems to
17 be going on. It's just being passed from one
18 department to another, from one person to another.

19 In regards to someone had mentioned
20 something about the pigeons and the old lady feeding
21 the pigeons for the past seven years. I understand
22 that's a health problem. I understand it's a health
23 hazard. When we call and say this is health hazard
24 due to roaches, we're told it's not a health hazard,
25 it's a nuisance. I think it's a little bit more

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2 than a nuisance. These pigeons are outside doing
3 their dirty things or whatever on property and
4 that's very annoying; I understand that. But when
5 you're laying down in the middle of the night and
6 there's a roach crawling on your small child, I
7 think that's a little bit past a nuisance. I think
8 they need to see it's not exactly the same
9 situation.

10 THE CHAIRMAN: I agree. When I heard
11 you earlier, what I was trying to do is enter a
12 discussion as to the extreme example of explosives
13 being stored in the basement, why is this not a
14 health and safety hazard also. So hopefully, we're
15 going to move in that direction.

16 What I'd like to do is thank you for
17 your testimony. I apologize for the City's
18 inability to deal with this problem. I can almost
19 assure you that your visit here will get this done
20 and that will, hopefully, give you some solace.

21 I'd like to have L & I come up and
22 respond.

23 I want to say something. This is not
24 directed at you. It's directed at government as a
25 whole, including us, I guess, because we probably

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2 have not been paying as much attention as we have
3 been recently. At that table was sitting basically
4 three generations of Philadelphians. A person who
5 has their children raised, through college, has no
6 great need to stay here; a middle-aged couple who
7 probably still has kids either in high school or
8 whatever; and young couple who's trying to raise
9 their kids in the city. And we're in jeopardy of
10 losing all three of those families over -- again, I
11 don't mean this in an arrogant way, the perceived
12 civil rights of an individual who has absolutely,
13 whether for mental illness or otherwise, has no
14 concern or responsibility whatsoever for any type of
15 neighborly responsibility. That's I guess -- I had
16 no idea the extent of their problem, but they have
17 been the perfect first panel to talk about the
18 nightmare of living in the City sometimes.

19 MR. MC LAUGHLIN: I agree with you. We
20 have a history -- we've just been able to check back
21 to 1994 so what they are saying is correct. There's
22 two things that -- and I'm not saying that people
23 haven't complained longer than that, I'm just saying
24 in our current ability to use our computer system.
25 There's probably a paper trail further back than

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2 that. We couldn't do that from Council Chambers.

3 What I'd like to say is two things.

4 Number 1, we're going to take this particular case
5 and draw it out, find out what happened, document
6 what happened, show where the weaknesses in the
7 system were, and we'll report that to you.

8 The second thing, in the latter part of
9 September we did ask for an Equity Court order to
10 enter and abate this particular problem. That, as
11 of this morning, goes to the top of the pile.
12 Within 72 hours of getting that court order, we will
13 be there with as many forces as we need to, to get
14 in and abate that property.

15 What I'd like to mention, just if I
16 could just make a point, is the Health Department
17 did publish an advisory that roaches swelling from
18 outside got a real leg up on us this year because of
19 the drought and because of the high temperatures.
20 So I'm not saying that we're not going to address
21 that. What I am saying is what we're going to do is
22 broaden our approach to make sure we have the Health
23 Department there to see if they have to abate any
24 outside sources for this as well as the inside
25 source.

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2 THE CHAIRMAN: One of the things I was
3 going to raise in addition to the problems that
4 emanate from properties, I've been in contact on a
5 frequent basis with a gentleman in the Health
6 Department named Louis Asia (ph) who apparently has
7 become an expert. I don't know if he's an
8 entomologist, but he's become an expert on city bugs
9 and sewer problems and other things. They have a
10 program where they actually go out and put on top of
11 a manhole cover, not the sewer grates, but a manhole
12 cover, a tube that shoots down a cloud into the
13 sewer system. They're usually the larger bugs that
14 you see, the water bugs that people refer to as
15 opposed to the dirty roaches that people refer to.
16 So the water bug issue can be abated or can at least
17 be kept down by the spraying of that substance into
18 the actual sewers themselves. And what we have,
19 like last summer -- last winter, the winter before
20 last, we had a relatively mild winter. A number of
21 exterminators I talked to were saying that the water
22 bugs had grown to such great lengths because of the
23 lack of a very cold freezing period of time during
24 the winter where there's normally three or four
25 weeks and the freeze kills them and it takes them a

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2 while to grow and come back. So if Wilt Street and
3 Memphis Street problem is exacerbated by water bugs
4 in addition to this nuisance property, perhaps we
5 can get the Health Department out there to spray,
6 concentratedly spray sewers to try to keep it all
7 down as best as possible.

8 I know you're sincere to try to get this
9 done within the next day or so. Can you tell me why
10 it's taken us -- maybe Cureley can help -- from late
11 September to almost late October to get a court
12 order when we know that the problem exist? Is there
13 a court delay? What's the attendance of the court
14 system that takes so long for us to get an order?

15 MR. MC LAUGHLIN: That's what we said
16 before, it's getting in line behind those other
17 serious life safety issues also.

18 THE CHAIRMAN: Your commitment --

19 MR. MC LAUGHLIN: As soon as I get the
20 court order. Cureley has moved that to the top of
21 the pile. They're going to work on it today. I
22 can't predict when a judge will give an order. But
23 as soon as we get the order, within 72 hours we'll
24 have scheduled our people and other departments.

25 THE CHAIRMAN: Mr. Verdi, you have

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2 something to add to that?

3 MR. VERDI: Yes. While the Commissioner
4 was here, I made a phone call. We have, just for
5 your knowledge, Councilman, DHS, the police
6 department, and one of my supervisor enroute to that
7 location to look into the child care issue. If in
8 fact they do let us in, we may not need a court
9 order. If they let us into the property and we can
10 abate today, we'll abate it today.

11 THE CHAIRMAN: Councilman Rizzo.

12 COUNCILMAN RIZZO: I'm pleased that
13 we've identified this child care issue today as a
14 result of this hearing.

15 Commissioner McLaughlin, after nine
16 years of people spraying chemicals and pesticides,
17 do you think the Health Department should possibly
18 consider looking into what's the ramification of all
19 those years of spraying? We concern ourselves with
20 lead paint, and I'm sure those young children at
21 that property, that there should be some
22 consideration of what has been now left behind as a
23 result of all these years because this could
24 indirectly affect the health of these children. So
25 I would hope maybe you would think of asking the

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2 Health Department or I could ask the Health
3 Department to take a look at that aspect of this.

4 MR. MC LAUGHLIN: That is a good
5 suggestion, and I will take care of that.

6 COUNCILMAN RIZZO: Thank you,
7 Commissioner. I knew you would.

8 THE CHAIRMAN: Thank you very much,
9 Gentlemen.

10 I'd like to call the next panel. Mr.
11 Copeland, please. Whenever I call a name, if there
12 are two or three other neighbors for the same
13 problem, please come forward at the same time. I'm
14 not sure who's related to what street. There's
15 three people on this panel?

16 Can I also see a show of hands who else
17 is testifying about specific neighborhood problems
18 or experiences?

19 Are you two ladies together? You're by
20 yourself?

21 I'm trying to get people up as quickly
22 as we can. We appreciate your patience, but I think
23 it's important that the record be very clear and
24 very expansive that this is a problem that needs
25 some serious attention.

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2 If you will please identify yourself for
3 the record.

4 MS. ZELLMAN: Joanne Zellman,
5 Z-E-L-L-M-A-N.

6 MR. MC GRAW: Irwin McGraw, M-C-G-R-A-W.

7 MR. COPELAND: John Copeland,
8 C-O-P-E-L-A-N-D.

9 THE CHAIRMAN: Who's going to start?

10 MS. ZELLMAN: In reference to 350
11 Cantrell, I live at 348 Cantrell. The problem is
12 really, really bad. The windows were covered in
13 roaches. The backyard was covered in roaches. I
14 have a four-year-old son. I have a bill from
15 Terminix for \$473.36. That's not including in the
16 bug spray that I bought around the corner for \$7 a
17 can that kills them instantly. It's not including
18 the sticky tracks I have under the couch and behind
19 the TV, boric acid that I put under the cabinets,
20 plus the Terminix bill.

21 THE CHAIRMAN: The offending house is
22 350?

23 MS. ZELLMAN: Yes.

24 THE CHAIRMAN: And you live where?

25 MS. ZELLMAN: 348, right next door. I

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2 have a four-year-old son from spraying all this bug
3 spray has asthma, had the croup from all the toxins
4 from the spray and stuff. He was in Children's
5 Hospital because of that. It was so bad, they were
6 actually in the summertime the whole windows were
7 covered, they were crawling outside. We had to get
8 boric acid and put it outside the houses. One day a
9 little boy left a cookie on the step, they all came
10 out, the whole steps were covered, the yard was
11 covered. I would go out in my yard and they would
12 actually come climbing over the fences.

13 THE CHAIRMAN: I know for a fact there's
14 a case on this. And again, when you're finished
15 we're going to try to get a status of what exactly
16 is going on.

17 Is the house occupied?

18 MS. ZELLMAN: They moved out.

19 THE CHAIRMAN: It's an empty property?

20 MS. ZELLMAN: I think there's one person
21 living there. There was the mother and two
22 children. She took her two kids and went up the
23 mountains to go live and left me in the house next
24 door with the problem.

25 THE CHAIRMAN: Ma'am, please.

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2 MS. MC GRAW: I live 352 Cantrell. I'm
3 on the other side.

4 THE CHAIRMAN: You're the other lucky
5 neighbor.

6 MS. MC GRAW: And I'll tell you, it's
7 terrible. I went through so much money. I mean, it
8 really is. Now it's calmed down a lot.

9 THE CHAIRMAN: What happened to calm it
10 down, because of the winter?

11 MS. MC GRAW: Because of the weather. I
12 was standing out there this morning in all the rain
13 and all and I killed some that was his step. I
14 mean, he's not doing nothing about it.

15 THE CHAIRMAN: Who is in there, do you
16 know? Is he a relative? Is he --

17 MS. MC GRAW: I think he's the boyfriend
18 of the woman that lived there. He worked at
19 Donnelly District over in Pennsauken, New Jersey.

20 THE CHAIRMAN: Is this a disorderly
21 house in addition?

22 MS. MC GRAW: Very. Now the odor.

23 THE CHAIRMAN: What I'm saying is as far
24 as activity, as far as noise.

25 MS. MC GRAW: Yes. All hours of the

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2 night, the radios. And I really think they was into
3 drugs. Like she said, they moved and left us. He's
4 even got them in his truck. He parks a big white
5 van outside my house across the street. They're in
6 the truck.

7 THE CHAIRMAN: Joe.

8 MR. COPELAND: I live four houses away.
9 The roaches come out in the day time 6, 7 o'clock at
10 night when we're sitting out. They walk from that
11 house down as far as my house. I was getting them
12 in my house, calling exterminators, I couldn't
13 figure out where the bugs were coming from. We're
14 sitting out one night, we're talking, somebody says,
15 "What's that on your shoulder?" I knock it off;
16 it's a roach. You look around, they're on my door.
17 This is 7 o'clock at night. It's beautiful out.
18 Then we're looking, they're on my wall, they're
19 actually walking down the walls to my house. I
20 ain't got nothing in my house they want. They
21 coming down there anyway.

22 THE CHAIRMAN: Four doors away?

23 MR. COPELAND: Four doors away. I'm
24 looking at property now. I'm moving. The one thing
25 I want for the property I'm looking at, I want

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2 acreage. I don't want nobody around me. I want a
3 quarter acre. I want four houses on my side, I want
4 the other person to have four houses on his side so
5 no matter what they do, they ain't going to affect
6 me anymore.

7 THE CHAIRMAN: And I know the answer,
8 but how long have you been living on that street?

9 MR. COPELAND: It's a shame.

10 THE CHAIRMAN: For the record, how long
11 have you been living there?

12 MR. COPELAND: I've been there since the
13 sixties I came down.

14 THE CHAIRMAN: Right after I was born.

15 MR. COPELAND: Right. And it was a nice
16 neighborhood. Still a nice neighborhood. You can't
17 let one person -- I mean, I heard these guys talk
18 about the law and their rights. There's four,
19 eight, there's almost eight houses. I don't know
20 how many people, but it's got to be over eight with
21 the kids and all. What the hell rights we got? I
22 mean, we got to have rights. One person, one family
23 can cause all these problem. It just doesn't work
24 that way. It's wrong.

25 THE CHAIRMAN: That's why we're here

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2 today.

3 Councilman DiCicco, you have something
4 to add?

5 COUNCILMAN DI CICC0: I said, to get
6 that acreage, you'd have to deal with the field
7 mice. I'm not making light of your problem.

8 THE CHAIRMAN: Mr. Verdi, I know that
9 there's a case on this. Can we get an update as to
10 what's going on?

11 Do you have anything else to add before
12 I bring the L & I representative up?

13 MS. MC GRAW: What I'm trying to say now
14 is I was there the day of the storm when they came
15 and they shut us all off, the day of the storm. I
16 think he still got his water shut off because now
17 I'm starting to get an odor.

18 THE CHAIRMAN: Can I ask you do you
19 notice whether or not there's any -- was the
20 electric ever turned off? Was there any rig put up,
21 any attempt to reconnect in any way.

22 MS. MC GRAW: No.

23 THE CHAIRMAN: Because those are things
24 that people should look for, too. In houses where
25 there is drug use and other problems, sometimes the

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2 electric gets turned off and what the do is they
3 take a set of battery cables and they'll try to
4 re-hook up their electricity. When you see that
5 kind of stuff, that's plainly illegal and it's also
6 a fire hazard. L & I and the electrical company
7 will come out immediately to try to deal with it,
8 take that problem and shut off the electric of the
9 street. It puts more pressure on them to get out of
10 there if they don't have the creature comforts of
11 home.

12 MS. MC GRAW: Another thing, the yard,
13 his yard is filthy. He's got water in a pool out
14 there and it's stagnated. And the alleyway, he's
15 got all kind of furniture throwed out there.

16 THE CHAIRMAN: Let me ask you one small
17 question, because I know from time to time I lived
18 on that street for 30-some years and I know from
19 time to time even when I was a kid there was always
20 one or two at the most problem properties either
21 from drug use or other types of problems. Would you
22 say this is probably the only house that's causing
23 this type of problem, or are there other houses on
24 the street that are creating this? If this one bad
25 tooth were removed, what would be the quality of

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2 that street?

3 MS. MC GRAW: It would be good. Now, I
4 heard the gentleman who lives up closer to Fourth
5 Street, he was telling me that the apartment on the
6 other side, there's an apartment there, he said that
7 he sat there and seen them coming out her door.
8 Now, I don't know if that's true or not.

9 THE CHAIRMAN: Which side of the street,
10 your side or the other side?

11 MS. MC GRAW: The other side.

12 THE CHAIRMAN: The corner apartment?

13 MR. COPELAND: The northeast corner.

14 MS. MC GRAW: Now, he told me he seen
15 them coming out of there.

16 THE CHAIRMAN: Councilman DiCicco.

17 COUNCILMAN DI CICC0: I apologize, I
18 stepped out of the room for a minute. Were there
19 pets at this property also?

20 MS. ZELLMAN: They had a dog and it
21 died.

22 MS. MC GRAW: They had a dog.

23 COUNCILMAN DI CICC0: No pets now?

24 MS. MC GRAW: No.

25 THE CHAIRMAN: Is there access to the

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2 alley or is there an alley gate and you need a key
3 to get in?

4 MS. MC GRAW: You need a key.

5 COUNCILMAN DI CICC0: Do either of you
6 have keys?

7 MS. MC GRAW: You can get through my
8 house if anybody comes out.

9 COUNCILMAN DI CICC0: We're going to get
10 people in there to clean the alley. How can we get
11 access to the alley?

12 MS. MC GRAW: Through my house or her
13 house.

14 THE CHAIRMAN: John, do you have a key
15 to the gate?

16 MR. COPELAND: No, but I can get one.

17 COUNCILMAN DI CICC0: You should all
18 have a key in the event of emergency. Sean from my
19 office is here. He'll take your name and phone
20 number and we'll make arrangements to get the key to
21 get access to the alley and have it cleaned out.

22 THE CHAIRMAN: Thank you for coming. We
23 appreciate your time and your patience. We're going
24 to try to get something resolved as soon as we
25 possibly can.

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2 Mr. Verdi, do you have anything?

3 I'm sorry, do you have anything else?

4 MR. COPELAND: No. Thank you,

5 Councilman.

6 THE CHAIRMAN: While L & I is looking
7 for a status on that, is Michele Russello here?
8 Would you please come up?

9 Is there anyone from Mildred Street or
10 the surrounding streets that are here that need to
11 come up and testify.

12 Please identify yourself.

13 MS. RUSSELLO: My name is Michele
14 Russello, that's R-U-S-S-E-L-L-O. I live at 2603
15 South Mildred Street. The building I'm complaining
16 about is 2601 South Mildred.

17 Since July of 1997 my life has been
18 hell. Upon losing my father that year that July,
19 that September I inherited a family of roaches. And
20 I know they were coming from the building next door.
21 The building next door consist of an apartment and a
22 small store. I never realized the problem could
23 manifest so quickly. I tried to talk to my neighbor
24 and I know they didn't have a lot of money. I went
25 there and I offered to pay for the exterminator. I

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2 thought if we worked together on it, and no problem.
3 But I became aware of the fact that some people are
4 not bothered to live with roaches, to my amazement.
5 They're just part of the family. And I tried to do
6 my best on my own to work with my neighbors on it.
7 I started calling -- in fact, there is the landlord
8 who lived on my street. His name is Lenny
9 Drudanno (ph). He owned the building. I spoke to
10 him, I pleaded with him, "Please, Lenny, do
11 something about them. He said, "I'll give them
12 bombs or whatever."

13 These children told me, "My mother
14 throws the bombs out."

15 So I'm getting frustrated so I called
16 L & I. I spoke to a man who was very, very helpful.
17 He would come down and he would do whatever he had
18 to do and he would follow-up for me. Eventually, it
19 seemed to me there's nothing this poor guy could do.
20 He was as frustrated as I was. I said, "Anthony,
21 what actually are you doing for me?" He said,
22 "Well, I'm doing procedure." The landlord said he
23 would take care of it bah, bah, bah, on and on.

24 So they decided because of the store
25 maybe I could call the Health Department. I spoke

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2 to Herbert Rodwell who has been wonderful. Mr.
3 Rodwell is extremely helpful. Because of a store
4 maybe I snag on this end because it's a health
5 problem because there are roaches falling from the
6 ceiling in the store. So he's been there and has
7 actually gained access to the house. I met him on
8 occasion. I said, you know, I said that house is
9 not fit for any humans to live in. I wouldn't walk
10 through the front door. The utility people, they
11 won't go down the basement. It's just -- it's a
12 problem.

13 So I got my own exterminator and
14 literally I was in tears. My life was turned to I
15 think, breathe, I do everything roaches. My mother
16 and I are like Blair in the exorcist. We are
17 constantly looking around the house. Our holidays
18 are ruined. We don't want to invite people over.
19 We're embarrassed, you're sitting and all of a
20 sudden a roach comes out.

21 I have a neighbor Franklin Latanso (ph)
22 who suggested that I call my Councilman, which I
23 did. And we do have a hearing date, we do have
24 court. Upon getting notice of that the other day,
25 my car received a nice coat of turpentine. So I

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2 know there's some vindication going on there.

3 THE CHAIRMAN: Did you call the Police
4 Department?

5 MS. RUSSELLO: Yes, I did. There was
6 turpentine on the hood of my car.

7 THE CHAIRMAN: The police officer took a
8 report?

9 MS. RUSSELLO: He took a report. I had
10 my suspicions, obviously. I've been there 38 years.
11 You know, we do have court dates.

12 THE CHAIRMAN: When did the turpentine
13 incident happen?

14 MS. RUSSELLO: It happened yesterday
15 morning.

16 THE CHAIRMAN: We're going to talk to
17 the captain this afternoon as soon as we're done
18 this hearing to make sure that they do what they
19 have to do to keep the patrol there and make sure
20 that you're safe. In addition to dealing with this
21 health and safety problem, I mean, taking action to
22 stop it now is putting you and your property in some
23 jeopardy, which is just beyond any reasonable
24 understanding.

25 MS. RUSSELLO: I tried to be nice about

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2 it, but there's no being nice to people who live
3 like this.

4 THE CHAIRMAN: What's the size of the
5 family? How many people are in there?

6 MS. RUSSELLO: The family is the mother
7 and father. I believe the mother, I used to think
8 she had a nice tan. I didn't realize she was an
9 alcoholic. They have three to four children living
10 in there. I did not want to call the Child Welfare
11 Department. I did not want to them to take the
12 children away, I just wanted to get rid of the
13 roaches.

14 When you see them crawling in your
15 bed -- I actually lost my job because I couldn't
16 focus anymore. I went to work, I didn't want to go
17 home at night because I was scared. I laid on my
18 couch. I mean, I would just lose my mind. I sat at
19 my table hysterical crying and shaking. He went
20 through everyone of my bedrooms, drawers, my
21 closets. I was there shaking. I mean, it's a
22 horrible experience and it just amazes me some
23 people, they live that like. It's really beyond me.

24 THE CHAIRMAN: How old are the children
25 in the house?

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2 MS. RUSSELLO: The youngest is about 8
3 or 9, he's the youngest.

4 THE CHAIRMAN: You're not going to call
5 DHS, but we are. And I think that, again, we're
6 going to get a report on what is going on was.
7 What's the date of your hearing.

8 MS. RUSSELLO: The date of the store --
9 they have separate dates. I was working with the
10 store to try to get the back people out. The store
11 people weren't dirty themselves. In fact, they
12 actually came from a property they went in and
13 boarded up and now they're running a little store.
14 I didn't want to mess with anyone's livelihood.
15 They were trying to keep the store clean, but they
16 can't because of the problem in the apartment. And
17 supposedly the landlord is going to come down.

18 THE CHAIRMAN: When is your hearing
19 date?

20 MS. RUSSELLO: Their hearing date is
21 November 24th. Herbert Rodwell is going to let me
22 know when the dates were because I was going to be
23 there.

24 THE CHAIRMAN: Do you know what court,
25 is it Common Pleas Court?

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2 MS. RUSSELLO: I'm not quite sure.

3 THE CHAIRMAN: Do you have any paperwork
4 with you today?

5 MS. RUSSELLO: I have petitions.

6 THE CHAIRMAN: As far as the notice of
7 the hearing?

8 MS. RUSSELLO: No, I didn't receive
9 notice. They received notice. Mr. Rodwell was to
10 let me know.

11 THE CHAIRMAN: Okay. Could we find out
12 couple things. Could we perhaps combine. I mean,
13 it's kind of crazy to have two separate hearing
14 dates for a duplex for a store and an apartment in
15 the same building, go in abate one and can't abate
16 the other. November 24th seems to be in inordinate
17 amount of time for this to continue.

18 Bob, you can -- why don't somebody sit
19 the table and give -- if nothing else today, in
20 addition to developing some type of a task force, if
21 nothing else today what I'd like to do is at least
22 reward these people coming in trying to get their
23 problems resolved beyond the normal scope, the
24 normal process.

25 MR. SOLVIBLE: We're not sure what court

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2 it is. I believe she means Municipal Court. We
3 would have to take it out of Municipal Court and put
4 it in Equity Court.

5 The address 2601 South Mildred Street.

6 MR. SOLVIBLE: Could be the Health
7 Department taking it to court on the store.

8 THE CHAIRMAN: If you don't know the
9 answer, you can't answer. I'll ask you to
10 coordinate with Ms. Russello and see if we can't
11 move things at a better pace.

12 MR. SOLVIBLE: I'll ask our chief of
13 enforcement to find out.

14 THE CHAIRMAN: Councilman DiCicco.

15 COUNCILMAN DI CICC0: Ms. Russello --

16 MS. RUSSELLO: Can I say one thing? I
17 know these people in this apartment, they have a
18 history of this. They moved from a place previous
19 to this under the same scenario and it's happened
20 again. I don't see any solution to this problem
21 except sealing the property. When is a landlord
22 responsible?

23 COUNCILMAN DI CICC0: That's what my
24 question is. You said the landlord is Mr. Leonard
25 Drudanno?

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2 MS. RUSSELLO: Yes.

3 COUNCILMAN DI CICC0: And where does he
4 live?

5 MS. RUSSELLO: He owns the property on
6 my block. He lives in Virginia.

7 COUNCILMAN DI CICC0: We'll check and
8 see if he has the proper license.

9 MR. SOLVIBLE: If his there's mixed
10 occupancy in the building and the whole building is
11 roach infested or vermin infested, the violation is
12 written against the owner, not the tenants. So I
13 think that's the first problem.

14 COUNCILMAN DI CICC0: Find out if he has
15 the proper licenses to operate it as a rental
16 property.

17 MS. RUSSELLO: Is he responsible at any
18 time to make sure these people keep a clean
19 environment?

20 COUNCILMAN DI CICC0: Once he's
21 notified, he's responsible to correct the problem.
22 Now, in many cases, as you know, they do ignore it,
23 especially when you have an absentee landlord who
24 lives in Virginia. All he cares about, obviously,
25 is the rental income. That doesn't make your

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2 problem go away. It's unfortunate we're left with
3 these problems. But there are other ways in which
4 we may be able to force his hand. For instance, if
5 he's not properly licensed, he could be cited for
6 that.

7 MR. SOLVIBLE: The law also requires an
8 agent that lives in the City.

9 COUNCILMAN DI CICC0: So those are the
10 things we can check on.

11 MS. RUSSELL0: I know he's supposed to
12 come down and bomb Saturday. This has been going on
13 since September of '97. You get to point, you
14 realize you're talking to a wall.

15 These people continue to live like this
16 because it's the way they live. So when does a
17 building actually -- are you able to move the
18 occupants and seal it?

19 I think the little store is trying to
20 make an attempt to keep their part of it clean, but
21 they can't with the back part of it being so, you
22 know, the way it is.

23 COUNCILMAN DI CICC0: We're going to run
24 a check of everything, licenses, whether he's paid
25 his taxes, whether they're up to date.

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2 MS. RUSSELLO: He has back taxes.

3 COUNCILMAN DI CICC0: Then there are
4 other alternatives.

5 MS. RUSSELLO: I have to park my car in
6 another part of the city because I know what's going
7 to happen.

8 THE CHAIRMAN: Councilman Nutter.

9 COUNCILMAN NUTTER: Thank you, Mr.
10 Chairman. I apologize for being late to the
11 hearing. Ma'am, I have been the listening to your
12 situation. Your testimony is that this store is
13 presently open?

14 MS. RUSSELLO: Oh, yes.

15 COUNCILMAN NUTTER: And you live next to
16 it?

17 MS. RUSSELLO: Yes.

18 COUNCILMAN NUTTER: Is this like a
19 grocery store?

20 MS. RUSSELLO: It's a grocery store.
21 They were, I believe, selling lunch meat, too. I'm
22 not sure if they still are because I don't shop
23 there.

24 COUNCILMAN NUTTER: So the problem
25 emanating from this place and then transferred into

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2 your place because you live next door?

3 MS. RUSSELLO: Yes, I'm the first house.

4 I tell them I'm going to complain, you know.

5 COUNCILMAN NUTTER: Well, I guess what
6 I'm having a little difficulty understanding is how
7 can the store be open if they have all this activity
8 going on? People are eating food out of this place.

9 MR. SOLVIBLE: Councilman, that's
10 probably -- the Health Department is bringing them
11 to court probably for that purpose. That's the
12 reason for the two different court dates. One is
13 the Health Department driven, and one is L & I
14 driven.

15 COUNCILMAN NUTTER: I appreciate that,
16 but didn't I hear that the dates were in November?

17 MS. RUSSELLO: I spoke to the store
18 owner. I do talk to them because we were trying to
19 do an effort together to move the tenants from the
20 back of the property. I have seen them make an
21 attempt. He said he had a court date of November
22 24th, and they had a court date in the back, a
23 different date. And he says, "This is kind of
24 crazy, we all have different court dates."

25 MR. VERDI: The understanding that she

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2 just said to me was the court date in November may
3 be generated by the Health Department in relation to
4 the store. The Health Department probably inspected
5 the store and found infestation and then sent that
6 to court. The issue with the residential area is
7 our responsibility. That's why it has a different
8 date. Our hearing date would be different.

9 COUNCILMAN NUTTER: L & I doesn't have
10 any involvement in the store issue?

11 MR. VERDI: Unless the store issue was
12 referred to us by the Law Department for the
13 infestation. What they do at times -- not the Law
14 Department. Excuse me. The Health Department will
15 refer that to us if they feel the infestation should
16 warrant revocation of the license. What I'm going
17 to do when I get back to my office is find out and
18 check and see if we did get anything of that nature.
19 In reference to revoking the food license would in
20 essence shut the store down. I will check on that
21 when I get back.

22 THE CHAIRMAN: What about the
23 possibility of revoking the rental license? I think
24 at some point maybe the Law Department could give us
25 an opinion at some point that if we are issuing a

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2 rental license for a property that is obviously
3 unhealthful because of infestation, do we not have
4 somewhat exposed to some liability because we're
5 basically certifying that that property is eligible
6 for rental?

7 MR. VERDI: In the new procedure,
8 Councilman, that we just initiated a couple weeks --
9 that we should have in effect in a couple weeks, we
10 are now looking heavily at going after residential
11 rental licenses. One of the sentences or paragraphs
12 of this new administrative hearing letter is going
13 to read, "This hearing is due to show us cause why
14 not to revoke your residential rental license along
15 with your business privilege license becoming a
16 public nuisance." So that is going to be in that
17 letter. We haven't really tested a case yet.

18 THE CHAIRMAN: This letter goes to the
19 guy in Virginia?

20 MR. VERDI: This letter will go to the
21 gentleman in Virginia, plus it also goes to his
22 agent.

23 A lot of our problems also in relations
24 to the violations are actually trying to get
25 responsible party in the City.

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2 MR. SOLVIBLE: Also, if we revoke the
3 license, it doesn't necessarily get us what we want
4 because the tenant may not move out and you still
5 have to go through a long process, possibly the
6 owner, to get the tenant out.

7 COUNCILMAN NUTTER: I'm trying to
8 separate a couple of these pieces here. You
9 obviously have the impact of the infestation issue
10 on the next door neighbor, the lady at the table.
11 She has a immediate problem. But it also seems to
12 me that people coming in the store as a result of
13 all this vermin-like activity going on, there is an
14 immediate health threat to someone who buys
15 something in this place. And whether it's a Health
16 Department issue or an L & I issue, it seems to me
17 that you have another issue of threat to health,
18 safety, and welfare of the customers. So if you
19 have an extended court date, and I don't know when
20 that date was assigned, but I think the one thing we
21 know is that today is the 20th of October. They're
22 not due in until November 24th. So for over a
23 month, we know that people will go in this store,
24 having been inspected by a Health Department person
25 and possibly subjecting the public to a dangerous

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2 situation upon the food side and the business side.
3 And I'm not saying that closing the business
4 necessarily eliminates the infestation problem or
5 solves this lady's problem immediately, but we have
6 two parties here. We have the next door neighbor
7 and we have the general public. Now, how do we
8 protect the general public from this person?

9 MR. SOLVIBLE: The Health Department
10 inspects the food establishment for their license
11 and their health code and they determine -- and with
12 the Law Department on court dates for that which is
13 segregated from L & I's process in dealing with
14 residential properties. So it's two separate. So
15 to answer your question, this task force Councilman
16 talked about will help in letting us understand the
17 Health Department's process and vice versa, them
18 understanding our process and working together.

19 MS. RUSSELLO: Can I say something?

20 THE CHAIRMAN: Yes.

21 MS. RUSSELLO: It's really scary to me
22 that I know the tenants are a huge problem. The
23 utility people won't go down in the basement.
24 They're slobs. They sat there every night. I was
25 willing to exterminate. They drink beer all day and

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2 they -- the Health Department has been there, Mr.
3 Rodwell has been there. And I don't understand why
4 someone can't go in and clean out that place and
5 remove them from the property. They're the problem.
6 They're not going to straighten up there act because
7 that's the way they live. Until they're out of
8 there, my life is going to be like murder; it's
9 murder. I live, dream, and think and bug. I go to
10 bed at night worrying. I used to enjoy my home. I
11 haven't taken a bath in my bathtub because I want to
12 get in and out of that shower. I can't enjoy my
13 home anymore because these people have violated --
14 these people collect -- I worked until I couldn't
15 focus any longer because it's all I thing about is
16 roaches.

17 THE CHAIRMAN: Do we know if these
18 people are paying rent or if they're on any type of
19 assistance of any kind? Do we know the status of
20 the property as far as are they subsidized in any
21 way by the government? If they don't work and
22 they're there drinking every day, how do they pay
23 their rent?

24 MS. RUSSELL0: I believe the husband now
25 works. I'm not sure if they receive anything from

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2 the government. But even if in fact they did, they
3 are defacing the whole property by that two by four
4 store.

5 THE CHAIRMAN: We're going to attempt --
6 Commissioner Verdi is going to try to find out
7 what's going on with this.

8 MR. VERDI: There was a violation issued
9 on September 10th. Unfortunately, I can't -- I just
10 called my office and the system went down on us.
11 We're looking for reinspection date. Just in case,
12 what I just did was we're dispatching people over to
13 1487 Wilt. I just had an inspector go over to 350
14 Cantrell. We'll have an update.

15 THE CHAIRMAN: I recognize you don't
16 have people to send out dispatch from this room.
17 But if we can get the commitment that we're going to
18 have people out there dealing with this in the most
19 effective way possible, and that doesn't necessarily
20 mean bringing the Law Department and getting another
21 hearing date, but trying to access that property in
22 a legal way to allow us to take care of the problem.

23 MR. SOLVIBLE: And as you know,
24 Councilman, if we can get in through crook or miss,
25 we'll get in. I mean, the line is not necessarily

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2 straight. We'll bend it to try to do our job.

3 THE CHAIRMAN: We can go look for the
4 two guys who are out scamming senior citizens. They
5 seem to get in people's houses pretty quick. Maybe
6 we ought to employ them and let them get in the
7 property.

8 Okay, thank you very much.

9 MS. RUSSELLO: In fact, I'm a little
10 scared to be sitting here today because I am the
11 only person who lives next to this building. You
12 know, it sounds pretty cruel. I don't want to put
13 anybody out on the street, but these people have
14 ruined my life.

15 THE CHAIRMAN: When we get done with
16 this panel, I'm going to go call Captain Heath of
17 the 4th District to make sure that we have enough
18 coverage and make sure that the community relations
19 officer comes and talks to you and understands that
20 you have direct contact with them to make your
21 situation a priority.

22 MS. RUSSELLO: Thank you very much.

23 THE CHAIRMAN: Thank you.

24 Barbara Johnson, Marie Lewenowski, are
25 they here?

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2 MR. MC LAUGHLIN: Councilman Kenney, as
3 per your suggestion, everyone who took the time to
4 come here today to participate in this will get
5 moved into priority status. I personally will
6 handle each one of these to make sure.

7 THE CHAIRMAN: I appreciate that effort.
8 I think my point was as coming here and spending the
9 time, having the patience of dealing with many of
10 these long term from two years to nine years -- and
11 please understand me, I'm not finding fault with L &
12 I. I as the chairman of this committee recognize
13 the burden that sometimes this legislative body and
14 all the problems of the City kind of just throw on
15 the department of last resort. When the Police
16 Department won't deal with it, when the Fire
17 Department won't deal with it, when the Health
18 Department won't deal with it, L & I becomes a
19 catch-all for everybody. They're in a big system
20 with a big bureaucracy and things are going to fall
21 through the crack. It doesn't make anybody in this
22 room who's gone through this feel any better, but if
23 at least if they come out of this with some
24 resolution for their immediate problem while we're
25 working on long-term policy changes or procedures

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2 that are necessary, I think it will be worthwhile.

3 MR. MC LAUGHLIN: And I certainly agree.

4 THE CHAIRMAN: Thank you.

5 Will you please identify yourself for
6 the record?

7 MS. LEWANDOWSKI: My name is Gloria
8 Lewandowski and I live at 2631 Mercer and I have
9 been having a problem with 2633 Mercer Street. It's
10 roaches. Prior to the roaches it was many other
11 things, but my main problem today is the roaches.
12 Last year I called L & I September 21st. Actually,
13 at the time at 12:22 p.m. I spoke with to Ms.
14 Stewart and reported the roach problem going which
15 had been going on for two to three years. So I
16 guess the complaint was put into the computer.
17 October 28th. I called back to find out the status
18 of my report. I spoke with a Ralph and he said it
19 was backlogged and they would get to it. November
20 17th I called again at 1:17 p.m. I spoke with Sonya
21 Stewart who happened to remember me and made mention
22 that the report was never filed.

23 At this point I was, like most of the
24 other people here, you know, pretty crazy. Roaches
25 all over the house. I wasn't raised like this. I'm

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2 not used to this. And so anyway I placed another
3 report.

4 So as time goes on, this summer starts
5 and apparently I have a huge roach problem again.
6 So July 19th I walked over to L & I because I wasn't
7 getting any results with the phone calls and I spoke
8 to a Mr. Rollins who informed me that actually on
9 December 8th L & I did go to 2633 Mercer and was
10 refused entrance, which is the style here with this
11 house; this always happens. So I placed other
12 complaint and that's where I stand.

13 I'm at my witt's end. I'm like most of
14 the other people where I have roaches in my bedroom.
15 I can't have company to my home. I'm embarrassed.
16 I hate to go home because I don't live like this and
17 I actually don't want to go home any more. I'm like
18 the other woman, I used to enjoy my home. I can't
19 stand going home.

20 THE CHAIRMAN: Do the neighbors on the
21 other side experience the same problems?

22 MS. LEWANDOWSKI: Well, they do, but as
23 in most situations with any kind of reporting,
24 people are afraid. There's always a retaliation
25 factor.

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2 property 2633, is there a family living there?

3 MS. LEWANDOWSKI: It's a mother, father
4 a little boy about 2 or 3, and a young girl about 9
5 or 10. The father goes to work everyday. The young
6 girl goes to school. The mother's home with the
7 child.

8 There are weeks that no trash is put
9 out, so I know part of it is they're just dirty and
10 lazy people. I hate to say it. And they don't put
11 their trash out. I mean, sometimes it's months. A
12 family of four with no trash? I can't -- it's in
13 there somewhere.

14 Then, of course, if I do say things or
15 other neighbors, like I have asked different times,
16 you know, I'll help you, could we do this. When I
17 come home from work the next day, I may have like
18 probably juice -- they're small things, but they're
19 things that make my life miserable. There would be
20 trash on my pavement, things crushed into my step,
21 you know, just little destructive things. Not
22 enough to call the police, but enough to let me know
23 that I guess I'm disturbing them.

24 Plus, I have asthma. I mean, I use an
25 inhalator. And this summer I actually sprayed my

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2 house every day. My dad goes to a place where
3 exterminators go to get the fluid, and I sprayed my
4 house every day and I'm still seeing roaches. I
5 have roach motels, the stickies, and it's just
6 disgusting, it really is.

7 THE CHAIRMAN: How long have you been
8 living in the property?

9 MS. LEWANDOWSKI: Thirteen years.

10 THE CHAIRMAN: And you've experienced
11 this for three years?

12 MS. LEWANDOWSKI: Where it's out of
13 control. Initially, it had started and I just
14 thought maybe I was getting lax in my housekeeping,
15 but I realize that it was probably just the
16 beginning of what was going on.

17 THE CHAIRMAN: How long have they lived
18 there?

19 MS. LEWANDOWSKI: They lived there
20 probably, I'm going to guess about seven years,
21 maybe a little longer.

22 THE CHAIRMAN: Just make sure -- before
23 we get questions from other Council Members, I want
24 to make sure that you talk to either Mr. Solvibile or
25 to Mr. Verdi who is here before you leave today.

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2 We'll see if we can move on this.

3 Understand also that your testimony will
4 be used to develop a set of recommendations that,
5 hopefully, will keep people having to go through
6 this in the future, but at the same time we're
7 trying to get your situation on track.

8 MS. LEWANDOWSKI: Thank you.

9 THE CHAIRMAN: Thanks for your patience.

10 Are you on the same street? We'll take
11 these two ladies here.

12 Please identify yourself for the record.

13 MS. MERENCO: Lynn Merenco.

14 MS. SPIZER: Marian Spizer.

15 THE CHAIRMAN: Please proceed.

16 MS. SPIZER: We are residents of Agate
17 Street. L & I did come out a few weeks ago. We
18 still have a roach problem. There are still roaches
19 coming and they are a health hazard. I did a little
20 research and they carry salmonella, staph infection,
21 strep. So it is a health hazard. Those are serious
22 bacteria.

23 THE CHAIRMAN: Can you give us an idea
24 as to the history of what happened at that property
25 so we can get an idea of what's going on?

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2 MS. MERENCO: Well, I started to call
3 L & I last summer. For about two months straight I
4 called every single day. I got the number through
5 the blue pages of the yellow pages and never spoke
6 to anyone; it was always a machine. I kept leaving
7 message after message after message. I finally just
8 gave up.

9 The problem came on and off. We would
10 exterminate like crazy, they would go away, they
11 would come back. This summer, I'd say starting in
12 June, my middle bedroom -- I have four kids. In my
13 middle bedroom I had to completely shut down, throw
14 their clothes out, there was roaches so bad. I'm
15 connected right to another bedroom where a dead body
16 sat for three or four days, maggots all over.

17 THE CHAIRMAN: In the house on Agate
18 Street?

19 MS. MERENCO: In the house in the
20 bedroom next to where my problem all started.

21 THE CHAIRMAN: Who was living in that
22 property?

23 MS. MERENCO: Well, there was a guy, he
24 was drug addict, completely like a vegetable, didn't
25 even know where he was. He wasn't even there most

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2 of the time. 90 percent of the time it was all his
3 friends, prostitutes were there. He would leave,
4 come home for a couple of days, and be gone again
5 for another month.

6 We both have offered to pay for his
7 exterminating. Last summer I did pay for his
8 exterminating. I'm living off of one check. So
9 what happened was it just got into the kitchen. I
10 could not cook. I delivered my fourth child in
11 August, and it's been hell. I mean, my kids aren't
12 allowed to have anybody over because I'm
13 embarrassed. I couldn't cook for them. I'm broke,
14 between the exterminating and having to eat out
15 every single night. My kids would have to jump up
16 from eating cereal before they go to school because
17 there would be roaches crawling across the table.

18 When the L & I inspector did -- well,
19 thanks to you, this is the only way that that
20 problem has been solved.

21 THE CHAIRMAN: What I would ask -- and I
22 know Mr. Solvile and Commissioner McLaughlin were,
23 I think, at I property or at the street. If there
24 is some way we can do a follow-up.

25 What is status of the house now, has it

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2 been cleaned sealed?

3 MS. MERENCO: It's been cleaned and
4 sealed, but I'm still getting them and I'm getting
5 them even in places that I didn't have them before.
6 I had 2 bedrooms that were safe, my bedroom and the
7 back bedroom which have I have all the kids in now.
8 I still can't use the middle bedroom. They're even
9 getting in there now.

10 I did call a Mr. Ferrara from the Health
11 Department. He came by yesterday and checked the
12 cracks and everything and he did see live ones
13 running around but he didn't see them like infested
14 in the cracks, but it's still the problem.

15 MS. SPIZER: Can I say one more thing?
16 We haven't had any food in my home. It's myself and
17 my mother. She has kids to feed. We go out a lot.
18 We go to my brother's house, we go wherever. But
19 we haven't had food in there for easily a month, and
20 we still have roaches coming into our home.

21 And it was sealed. The day it was
22 sealed, I asked if I could go in and look around,
23 and there were thousands of dead roaches, plus some
24 still moving around in there, and those weren't
25 swept up. What the exterminator told us is that

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2 they feed off them and they'll eat dead bugs. So
3 there's still live ones running around in there.

4 THE CHAIRMAN: Can we perhaps get our
5 contractor, whoever we contract with to do that work
6 maybe revisit this site and to do whatever we need?

7 MR. SOLVIBLE: We'll have it reopened,
8 if not today, tomorrow. And we'll try to -- we'll
9 broom sweep. We did broom sweep it that day at the
10 end.

11 MR. SOLVIBLE: So you understand how bad
12 it must have been in there, we removed, which is not
13 normal, all the curtains, all the paneling on the
14 wall, and we took out everything except the kitchen
15 cabinets. And really, the Health Department really
16 treated that. But we'll reopen and recap so someone
17 can get in. We'll reopen again and bomb it again
18 and bomb next door. Her house we didn't bomb,
19 Councilman, because the Health Department was
20 concerned for her children.

21 MS. MERENCO: The baby is six weeks now.
22 He was in the hospital last week for two days with a
23 viral infection. I don't know if that has anything
24 to do with it, but it's in the back of my mind.
25 He's sick again this week. This is like a

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2 six-week-old baby. Not that the other ones aren't
3 important, but I am so -- I mean, I didn't even know
4 until like a couple weeks ago that roaches bite. I
5 didn't know that.

6 Like I said, I'm very thankful that the
7 place has been taken of, but I just want to say that
8 there is still a problem.

9 THE CHAIRMAN: We need a follow-up.

10 MR. SOLVIBLE: Councilman, I think if
11 you deal with a problem and deal with it from a
12 mental health situation, the neighbors told us that
13 the gentleman who owned the house is a machinist
14 making 40- to \$60,000 a year, got on drugs and booze
15 and just slowly deteriorated. So it's a really -- a
16 lot of this, the people who create these problems is
17 a mental health problem and obviously is not
18 something L & I can deal with.

19 THE CHAIRMAN: We'll try to follow-up
20 and see if we can get this thing finished.

21 MS. MERENCO: I'd also like to mentioned
22 they did a great job. They were out there all day
23 to clean everything out. There's a home in back of
24 us, too, we share the backyard, there's elderly
25 woman behind me who has roaches, too. She comes out

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2 in the middle of the night, no lights on. What are
3 you doing? I don't like to see the bugs. She has a
4 neighbor next to her which is the house right behind
5 us, the people there were supposed to be evicted --

6 THE CHAIRMAN: The commissioner says
7 they have that address and they're working on that.
8 Now, hopefully we'll get to the situation that he
9 dealt with last week.

10 MS. MERENCO: My concern is there are
11 kids in there and there are roaches in there, and
12 apparently somebody from the ethic community got
13 them an extension to remain there because they had
14 nowhere to go. I didn't want to see kids streeted,
15 but they were living in a roach-infested home.

16 THE CHAIRMAN: Who owns the property?

17 MS. MERENCO: I'm not sure.

18 THE CHAIRMAN: Is it a rental?

19 MS. MERENCO: I believe a rental, yes.

20 THE CHAIRMAN: We'll get a full report
21 from the Commissioner of the status of that house
22 behind you.

23 MS. MERENCO: It is climbing down.
24 People on the other side away from the drug house
25 have it.

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2 THE CHAIRMAN: We'll be on that.
3 Hopefully we can resolve your problems and you can
4 get back to normal life.

5 MS. MERENCO: Thank you.

6 THE CHAIRMAN: Thank you very much for
7 your patience and waiting. Would you please
8 identify yourself for the record.

9 MS. THOMAS: My name is Ada Thomas, 2620
10 West Masters Street.

11 THE CHAIRMAN: May I have your name?

12 MS. SIMS: My name is Sims. I live at
13 1438 North Corlies Street.

14 THE CHAIRMAN: Thank you very much.
15 Would you please proceed with your testimony?

16 MS. THOMAS: My problem is I have a
17 house directly in the back of me that's been vacant
18 for about 20-some years. I've called and called and
19 called, and now it's like a forest. Three trees are
20 growing back up. Weeds are everywhere, come clean
21 over to my fence. The house is at 2619 West
22 Ingersoll Street.

23 THE CHAIRMAN: Could you spell that for
24 me, please?

25 MS. THOMAS: I-N-G-E-R-S-O-L-L.

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2 THE CHAIRMAN: Thank you.

3 MS. THOMAS: Now, the problem is every
4 time I call they put me on hold and L & I told me
5 that I couldn't do anything to that property because
6 the tax is being paid. But it's nobody living in
7 there. It used to be squatters go in. I stopped a
8 police officer. He told me he couldn't do anything.
9 So now we have problem with the weeds growing up.
10 And I got my daughter's clippers and tried to clip
11 some. The electric man won't go down the alley.
12 And I see mice when I go out in my yard. One day I
13 saw a rat, and I'm scared of them.

14 THE CHAIRMAN: I'm scared of them, too.

15 MS. THOMAS: So that's my problem. And
16 this has been going on for 20-some years. Everybody
17 gives me the run-around and say I can't do nothing
18 about it.

19 THE CHAIRMAN: Let our office check on
20 what's going on with that property and see if it's
21 in a condition to be demolished or not and see if we
22 can't get that lot cleaned out and dealt with, okay?

23 MS. THOMAS: Okay.

24 THE CHAIRMAN: Thank you. We have your
25 phone number here. We'll get ahold of you, okay?

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2 Thank you for your patience.

3 MS. SIMS: My problem is a little bit
4 similar to hers. I live next to a house that's been
5 boarded up for 13 years.

6 THE CHAIRMAN: The house is next door?

7 MS. SIMS: Next door, 1436.

8 THE CHAIRMAN: 1436 --

9 MS. SIMS: North Corlies. Recently I --

10 THE CHAIRMAN: I'm sorry to interrupt
11 you, ma'am, but the address of the offending
12 property is 34?

13 MS. SIMS: It's 36. I'm at 38.

14 THE CHAIRMAN: I'm sorry, go ahead.

15 MS. SIMS: Here recently they decided
16 they wanted to break in and tear off the panels from
17 the front of this house. I took pictures to show
18 you what happened. The front is open. This is the
19 front. It's kind of not clear, but this will give
20 you some idea. And the back is an alleyway, there's
21 no house in back of them but a alleyway where they
22 dumped all the trash everything. The only thing I'm
23 afraid of now is that the children might want to
24 play there. And sometimes with the front being open
25 with trash in there, somebody might decide they

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2 might just want to throw a match or something in
3 there and set the place afire because that's what
4 happened before this was boarded up because the man
5 was there had a fire there and the house caught
6 afire. So you can't sleep at night because you
7 don't know who might just decide to go in there and
8 set the whole place on fire.

9 THE CHAIRMAN: So the problem is you
10 need this property resealed and secured so that no
11 one can get in there?

12 MS. SIMS: It has to be cleaned out.
13 The basement has to be cleaned out.

14 THE CHAIRMAN: We will get on that as
15 soon as we can. We appreciate you coming in and
16 testifying. We have your phone number so my office
17 will get ahold of you.

18 MS. SIMS: Thank you very much.

19 THE CHAIRMAN: Thank you very much. I
20 appreciate it.

21 Thank you very, very much for your
22 patience. Please identify yourself.

23 MS. WAX: My name is Carmen Wax.

24 THE CHAIRMAN: Please proceed.

25 MS. WAX: I'm here in reference to a

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2 nuisance property on the corner of 6900 block.

3 That's the address, it's three doors away.

4 THE CHAIRMAN: This is 6900 Forrest?

5 MS. WAX: Yes. It's in West Oak Lane.

6 Basically, the house is flat out a crack house.

7 It's trash everywhere. And I saw an ad in the

8 newspaper with the children and the dog and all

9 that, and I said this is the same situation that we

10 have. But it's just the trash everywhere. There's

11 a dog. I called SPCA. Some other neighbors called

12 SPCA and they still never came because the dog is

13 still there.

14 THE CHAIRMAN: One dog?

15 MS. WAX: One dog, and it's a pit bull,

16 too.

17 THE CHAIRMAN: Are there people in the

18 property?

19 MS. WAX: Yes.

20 THE CHAIRMAN: Do they come and go or

21 they stay there?

22 MS. WAX: No, they live there. It's a

23 girl and guy and their kids. It's children there.

24 It's just like the situation has just escalated over

25 the years.

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2 THE CHAIRMAN: How long has been going
3 on?

4 MS. WAX: Well, like I said, it's
5 escalated over the past three years to a
6 full-fledged crack house. We've been living there
7 for 33 years. And the traffic all night, it's
8 just -- it's a corner property, so it's like they
9 have like -- I wouldn't even call it an apartment on
10 the bottom, but there's people living in there,
11 prostitution, everything.

12 THE CHAIRMAN: What police district is
13 it?

14 MS. WAX: 35th.

15 THE CHAIRMAN: Have you had any contact
16 at all with the police district themselves.

17 MS. WAX: Not me myself, but the block
18 committee, they've been trying. But like I said, I
19 called DHS. My neighbor that lives directly next to
20 them, she's called DHS. And I know that DHS has
21 been out there, but I don't know what they did.

22 I myself, I work for the city so I go to
23 L & I and make my complaints. I don't know if they
24 did anything because nothing seemed to have changed.
25 Like I said, trash. You won't even walk pass

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2 because you know a big rat is going to come out
3 soon. The traffic all night, the noise, it's just
4 disgusting.

5 My mother's lived there for 33 years,
6 like I said. And she's recently widowed and she's
7 considering selling her home because of everything
8 that's going on. And she can't even see selling the
9 house with that two doors away. It's like, like I
10 said, it's just terrible.

11 THE CHAIRMAN: I appreciate your
12 testimony, and we promise that we going to get on
13 this immediately to see if we can't get something
14 resolved so your trip all the way down here won't be
15 wasted. Thank you.

16 Did you want to say something?

17 MR. MC LAUGHLIN: The exact address?

18 THE CHAIRMAN: The exact address is 6900
19 Forrest Avenue. And you heard, open crack, that
20 stuff.

21 MS. SPELTS: Good morning.

22 THE CHAIRMAN: Good afternoon. Thank
23 you for your patience.

24 MS. SPELTS: Is it afternoon? After
25 hearing all the problems with roaches, what is

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2 involved with us is not quite so bad, but I would
3 like to be able to read a statement. We do have
4 statements here for the committee.

5 For the record, my name is Doreen
6 Spelts, S-P-E-L-T-S, and I'm the president of the
7 School of Hard Knocks, Incorporated. Throughout
8 here I will refer to it as SOHK. We're a
9 multifaceted youth intervention organization. We're
10 nonprofit, 501(c)(3). We are a company that was
11 incorporated in the State of Delaware and registered
12 in the Commonwealth of Pennsylvania. Attached to
13 the testimony are different items. Number 1
14 includes material related to our organization.
15 We're presenting testimony today because we will
16 soon open our first community resource center at
17 2509 West Lehigh Avenue. And I'd like to take this
18 time to thank you for inviting me. Your staff
19 called me about this and I made arrangements to be
20 here.

21 A little bit of history, SOHK convenes a
22 program of structured experiences for youngsters in
23 schools, community centers, houses of worship,
24 detention centers, and juvenile jails. The program
25 was created in July 1993 by Simon Khaadim and the

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2 late Thurman Ali Bonner, two men serving life at SCI
3 Graterford. For two years, the Messrs. Bonner and
4 Ahad, trustees in Graterford's OSU, interacted with
5 nearly 3,000 youngsters between the ages of 6 to 18.
6 It was through those intervention sessions that the
7 cofounders created seven community oriented programs
8 geared for young people. Our prayer is to oversee
9 some of their programs out of 2509 West Lehigh
10 Avenue, a building donated to us by businesswoman
11 Sharon Thomas.

12 In June of this year we began
13 improvements inside the building and then took the
14 initiative to clean up a vacant lot at 2513 West
15 Lehigh Avenue, which is next to our building.
16 Attachment No. 2 is a news release dated October
17 12th which notes the most current status of our work
18 at 2509 West Lehigh Avenue. Additionally, we've
19 learned from staff in Councilman Darrell Clarke's
20 office that this lot is eligible for adoption.
21 We're in the process of completing the necessary
22 paperwork to submit to Philadelphia Housing
23 Development Corporation. Our goal is to turn the
24 lot into a small community park for the children and
25 seniors in the neighborhood.

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2 Also attached to 2509 but next to the
3 vacant lot is 2511 West Lehigh Avenue, an unoccupied
4 building. We've been told by various residents on
5 the street that no one has lived there for at least
6 five years. We're concerned that this building will
7 collapse as the exterior of the structure appears to
8 be unsound. Also a sump pump has become a vital
9 piece of equipment in our basement because water
10 appears to be leeching into our space from the
11 basement at 2511. We've also been told that
12 buildings along this area of Lehigh Avenue sit on a
13 former creek bed.

14 During the time we spent working at the
15 site, we've developed a good relationship with the
16 residents in the community. Many times they've
17 expressed their appreciation to us for what we've
18 done, amongst their relief at seeing pounds of trash
19 carted away, we sense a great amount of frustration
20 and hopelessness and helplessness. Two weeks ago a
21 resident on the other side of Sterner Street came to
22 our site to ask if we could help her clean up the
23 alley that runs behind her neighbors' homes. We're
24 going to do it as soon as we can.

25 We have two men working with us who are

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2 completing their community service with this
3 renovation project. They've developed into
4 experienced workers who can be challenged to change
5 a backyard or a neighborhood from blight to bright.
6 Our mission is to recruit and train paroled men and
7 women for our Shepherd Program and eventually offer
8 full-time employment with the corporation. We
9 currently retain five men and three women to
10 facilitate structured experiences to youth-at-risk.
11 Many men and woman who've returned to freedom are
12 eager to give back to society as a way to restore
13 the wrongs they committed in their communities. Our
14 experience with the Lehigh Avenue project has
15 convinced us that we can bring effective and
16 positive changes to neighborhoods across the city.

17 In closing and after hearing everything
18 this morning, I would ask that Philadelphia become
19 more service friendly to its residents, whether they
20 be senior citizens or people who work and pay taxes.
21 They are bound together by the common thread that
22 tells them no one hears them when they call. They
23 feel totally disempowered. Many of these people
24 can't sell their houses and pick up their belongings
25 and live in a better neighborhood or a different

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2 place in order to find a better quality of life.
3 They're literally stuck here.

4 A city is more than a place with great
5 hospitals, houses of culture, universities,
6 restaurants, and corporate offices. It's a place
7 where people live and work. Please try to resolve
8 this issue of city blight. We didn't hear too much
9 about it, but there's an awful lot of city blight
10 out there. It's destroying Philadelphia, and we who
11 work with children, we can see what it is doing to
12 them.

13 On the map that you will be getting,
14 I've drawn a map of Lehigh Avenue and Sterner Street
15 which is the street that is back to back to Lehigh.
16 There are vacant houses on Sterner. A couple have
17 been boarded up by L & I. One of the houses on
18 there, 2520, is boarded up in the front but it is
19 not boarded up in the back. And in the back of that
20 space is a horrendous amount of trash that needs to
21 be carted away. Also, the fact that it is unboarded
22 in the back allows for possibly some problems to
23 take place. So we tried to address it.

24 L & I was very, very helpful in getting
25 bags to us and tools when we cleaned the lot, but

1 RESOLUTION NO. 990580

2 apparently they do not have to offer that same
3 service when you're cleaning up alleys. And we
4 really, really would like to have that one back 2520
5 cleaned up because we know with having children in
6 there they're going to run up and down the alleys.
7 Unsafe is unhealthy.

8 THE CHAIRMAN: So it's two requests, one
9 is either the demolition or capsulation of 2511 West
10 Lehigh, and the securing and boarding of the rear
11 2520 Sterner?

12 MS. SPELTS: I'm not quite sure what you
13 can do about 2511.

14 THE CHAIRMAN: Well, there are processes
15 now that L & I has in place that if the building is
16 not -- if the building is immanently dangerous, it
17 can be removed. If it's not immanently dangerous,
18 then the capsulation process which includes the
19 replacing of a roof, the down spouts, the drainage
20 to keep the kind of water problems and other things
21 away from the properties next door. So they're
22 going to evaluate that and determine which is the
23 best angle. Thank you very much.

24 MS. SPELTS: Thank you.

25 THE CHAIRMAN: Mr. Regerio. This is

1 RESOLUTION NO. 990580

2 the last witness I have on the list. Anyone else to
3 testify?

4 Thank you very much for waiting. Please
5 identify yourself.

6 MR. REGERIO: My name is Salvatore
7 Regerio. I live at 722 North Bodine Street. I'd
8 like to register a complaint about a house directly
9 behind me, 721 North Third Street. The name of the
10 people who live there is Maximo, M-A-X-I-M-O.
11 They've been living in the neighborhood for many
12 years, I understand. I've only been living there
13 for two years. I bought my house two years ago.
14 It's a very small street. The street that I live
15 on, it's just houses on one side. It has a church
16 that occupies the other side of the street. My
17 complaint is that the people who live behind me,
18 it's a husband and wife. As I said, they've been
19 living there many years. I believe the woman who
20 lives in that house was born there. She's made it
21 very clear to me and to all my neighbors that
22 relatives of hers owned my house other houses on the
23 street until me and my neighbors started buying
24 them. She feeds stray cats, pigeons, squirrels, and
25 anything else that runs around the neighborhood.

1 RESOLUTION NO. 990580

2 She has had at any one time up to 19 cats in her
3 backyard. My neighbors, who I understand have
4 complained about her for years to L & I and nothing
5 has been done about it. I myself have made several
6 calls to L & I. When I described the problem, if
7 you were to go out there on any given day other than
8 about 6:30 or 7 o'clock in the morning or 4 o'clock
9 in the afternoon, other than those two times of day,
10 if you went into her yard, which people have done, I
11 have seen official-looking people going into her
12 yard on many occasions from complaints that my
13 neighbors have registered, you would never know
14 anything was going on in her backyard. She keeps
15 her backyard spotless. All during this past summer
16 even with the drought she is constantly washing her
17 backyard. I didn't complain about that the fact
18 that she was wasting water because we figured if we
19 complained about that she wasting water, the problem
20 would get worse.

21 She feeds the cats and pigeons. The
22 cats then come into all our backyards. We all have
23 these little postage stamp back yards. The cats
24 come into our yards and leave their droppings behind
25 in our yards, they dig up our plants and flowers,

1 RESOLUTION NO. 990580

2 they drive our pets crazy. I have two dogs who are
3 going out of their minds with frustration not being
4 able to get to the cats. My neighbor had two cats
5 many years. She just a month ago had to put the
6 cats to sleep. Unfortunately, she couldn't be here
7 today to tell her story because she was working.
8 She had to have her cats put to sleep because her
9 cats in retaliation for these stray cats leaving
10 messes on her doorstep, her cats were starting to
11 wet all over her house kind of in retaliation and
12 frustration. She had to put her two cats, who she
13 had for many years, put to sleep.

14 As I said, my dogs are going crazy. My
15 neighbors animals are all going crazy because of
16 this. These cats just come and do whatever they
17 want. They put feces on our roofs. Our houses
18 smell from the cats.

19 As I said, if you were go out to her
20 house right now and you walked into her background,
21 you would see no evidence -- the point I must stress
22 here is that if you go out there now, you would see
23 no evidence of cats, birds, squirrels or anything.
24 If you came into my yard, you would find cat feces.
25 There's a telephone wire that runs along the back of

1 RESOLUTION NO. 990580

2 my house above my yard, and birds perch there in the
3 morning and the afternoon when they're waiting to be
4 fed and they leave dropping all over my backyard. I
5 can't keep my lawn furniture on the back part of my
6 yard. I have to fold it up every day, bring it to
7 another part, this little, tiny yard, because of the
8 bird droppings. I can't be out in my yard at
9 certain times of the day because of the birds
10 perching on the wire.

11 Squirrels come and bury -- dig up all my
12 plants in my yard and flowers and buries the nuts
13 that she leaves. Every morning her and her husband
14 go out with these big aluminium dishes filled with
15 cats, food for the birds, and they throw pounds and
16 pounds -- I don't know where they get the money to
17 do this, but loads of peanuts for the squirrels.
18 And everything gets -- all the droppings and peanuts
19 get left my yard and all my neighbors' yards.

20 If you went to into her yard now, again,
21 as I said, you would find her yard spotless. You
22 would think that I was crazy. When I called L & I
23 and I told them the problem, they said me and my
24 neighbors would probably be cited because of the
25 messes in our yards and her yard would be found to

1 RESOLUTION NO. 990580

2 be clean. Somebody would have to come out to house
3 6:30 or 7 o'clock in the morning, stand in my second
4 floor bathroom and watch this scene unfold . It's
5 every single day.

6 She has complained to -- when she needs
7 to she will tell you, I owned your house or my aunt
8 and uncle owned your house and I don't get along
9 with anybody. I fight with everybody because I feed
10 the cats and the birds, but I don't get along with
11 anybody and I can do whatever I want.

12 I put a furring strip along the back
13 fence of my yard with nails sticking out of it to
14 try to stop the cats from walking cross. She had
15 someone come into her yard, know it with off with a
16 hammer and yell across into my house that they would
17 be back tomorrow to do something further.

18 I put a large palm tree in my backyard
19 this year. One of the branches was hanging over
20 into her yard. She called the person who holds my
21 mortgage who used to live in my house and told him
22 that she was getting the District Attorney's Office
23 after him if he didn't have me remove this tree and
24 the flag that I was hanging on the back fence
25 because the tree was hanging over into her yard and

1 RESOLUTION NO. 990580

2 the flag was hanging on a fence which she put up.
3 So not to make anymore trouble with the person
4 holding my mortgage, a friend of mine removed tree
5 and the flag.

6 So she keeps winning and winning and
7 winning, and I'm getting no where. I called your
8 office. I talked Sherry, she said she would get
9 back to me Monday. She called me and told me to
10 come here.

11 THE CHAIRMAN: One of the things I'm
12 wondering is if your neighbors and yourself are as
13 frustrated as I think you might be, would it be
14 feasible for you guys, the street to get legal
15 counsel to sue civilly this individual for your
16 inability to enjoy your property?

17 MR. REGERIO: My understanding from one
18 of my neighbors on one side who's been living on the
19 street many years is that that's been tried.
20 They've petitions and all but --

21 THE CHAIRMAN: She's actually been
22 civilly sued?

23 MR. REGERIO: Yes, I believe so. I
24 believe there was some action taken.

25 THE CHAIRMAN: How long ago?

1 RESOLUTION NO. 990580

2 MR. REGERIO: A couple years ago.

3 THE CHAIRMAN: Part of the problem is,
4 that he's right, L & I will come out there and see
5 that --

6 MR. REGERIO: She washes all day long.

7 THE CHAIRMAN: I'm just wondering
8 whether or not if we would investigate perhaps the
9 civil court's ability to modify her behavior. I
10 mean, obviously she knows you guys are upset with
11 her.

12 MR. REGERIO: She's thrilled with the
13 fact that she's driving us crazy.

14 THE CHAIRMAN: So I'm wondering whether
15 or not -- do you have a videotape of this whole
16 thing?

17 MR. REGERIO: No, I don't.

18 THE CHAIRMAN: Is there some way that we
19 can maybe get some tape of it? You're probably
20 waken up in the morning by the birds.

21 MR. REGERIO: Or my dog going crazy. I
22 can't use my house -- I shouldn't even say this in
23 public, but I can't use my house alarm anymore
24 because my dog is 42 pounds and he stands very tall.
25 I couldn't understand why day after day my house

1 RESOLUTION NO. 990580

2 alarm kept going off, the cops kept going to my
3 house. I finally realized I have a French door on
4 the back of my house. When he see the cats going
5 by, he just jumps up and bangs into the door and it
6 kept setting my house alarm off. So I'm paying an
7 alarm company and I can't keep my house alarm on. I
8 have to lock my dog in my bedroom at night so that I
9 can sleep on the third floor in peace with the alarm
10 on. And I'm out during the day and I can't keep my
11 alarm on.

12 THE CHAIRMAN: Let us examine the
13 possibility of doing something from a civil suit
14 with not costing you guys anything, to try to put a
15 lawyer or lawyers who will take that on and perhaps
16 get to a point where we can get a court to order her
17 either to pay damages or to stop her activities.
18 Any type of videotape you could or your neighbors
19 could provide would be helpful in providing the
20 necessary evidence to try to bring that thing to
21 some conclusion. We have your phone number. We'll
22 get back to you.

23 There is no one else here to testify on
24 this resolution. We do have two pieces of business
25 to do, two ordinances. One is 990605 and 990495.

1 BILL NOS. 990495, 990605

2 of you, for the support that you give to L & I.

3 THE CHAIRMAN: Thank you for your
4 testimony and for being here today and for your
5 help.

6 Are you going to testify on these bills?

7 MR. MC LAUGHLIN: No.

8 MR. HAGLER: I am.

9 THE CHAIRMAN: Let me read the two bills
10 into the record and then you can say you have no
11 objection to the passage of it.

12 First is Bill No. 990605 which is an
13 ordinance amending Subcode PM of Title 4 of the
14 Philadelphia Code, entitled "The Philadelphia
15 Property Maintenance Code," by extending the
16 emergency nuisance abatement program to include the
17 First Ward, the Second Ward, the 39A Ward and the
18 29B Ward. That's Bill No. 990605.

19 And Bill No. 990495 is an ordinance
20 amending Subcode PM of Title 4 of the Philadelphia
21 Code entitled "The Philadelphia Property Maintenance
22 Code," by extending the emergency nuisance abatement
23 program to include the Fifth Ward.

24 Will you please identify yourself for
25 the record and proceed?

1 BILL NOS. 990495, 990605

2 MR. HAGLER: Yes. I am Otis Hagler,
3 Jr., Legislature Regulatory Affairs manager for the
4 Department of Licenses and Inspections. Council
5 Chair, we have no objections to the passage of these
6 ordinances.

7 THE CHAIRMAN: Thank you very much.

8 There's no one else to testify on these
9 bills, that concludes the public hearing of the
10 Licenses and Inspections Committee.

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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC MEETING
COMMITTEE ON LICENSES AND INSPECTIONS

- - -

Wednesday, October 20, 1999

- - -

Public Meeting conducted by the
Committee on Public Property and Public Works, held
in Room 401, City Hall, Philadelphia, Pennsylvania,
on the above date, to consider action on the
following:

BILLS 990605, 990495

- - -

PRESENT:

COUNCILMAN JAMES KENNEY, Chairman
COUNCILMAN FRANK DI CICCIO
COUNCILMAN MICHAEL NUTTER
COUNCILMAN FRANK RIZZO

- - -

1 BILL NOS. 990495, 990605
2 THE CHAIRMAN: We now convene a public
meeting. The Chair recognizes Councilman DiCicco
3 for a motion on Bill No. 990495.
4 COUNCILMAN DI CICC0: I move that Bill
No. 990495 be reported out of this committee with a
5 favorable recommendation and that the rules of
Council be suspended so as to permit first reading
at the next session of City Council.
(Properly seconded.)
6 THE CHAIRMAN: All in favor?
There are none opposed. Bill No. 990495
7 will be reported out of Committee with a favorable
recommendation, in addition a request will be made
8 for the rules suspension to allow for first reading
at our next Council Session.
9 The Chair recognizes Councilman DiCicco
a motion on Bill No. 990605.
10 COUNCILMAN DI CICC0: Thank you, Mr.
Chairman. I move that Bill No. 990605 be reported
11 out of this committee with a favorable
recommendation and that the rules of Council be
12 suspended so as to permit first reading at our next
regular session.
13 (Properly seconded.)
14 THE CHAIRMAN: Moved and seconded. All
in favor?
There are none opposed.
15 Bill No. 990605 will be reported out
this committee with a favorable recommendation and a
16 request will be made for rules suspension to allow
for first reading at our next Council Session.
17 Thank you for your attendance. This
concludes the business of the Licenses and
18 Inspections Committee. Thank you.
(Council adjourned at 1:00 p.m.)
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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of October 20, 1999, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: COMMITTEE ON LICENSES AND INSPECTIONS

Lisa C. Bradley, RPR
and Notary Public