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

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6 Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, June 9, 2005, 9:30 a.m.

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050569 - An Ordinance authorizing the
Commissioner of Public Property, on
behalf of the City of Philadelphia,
to execute an easement agreement
that grants to Philadelphia
University an easement to convey
storm water from the University's
campus across a certain portion of
Wissahickon Park and to repair and
maintain the University's
improvements in a certain easement
area in the vicinity of Lincoln
Drive, approximately 500 feet
northeast of the Henry Avenue
Bridge; also authorizing the
President of the Fairmount Park
Commission and the Executive
Director of Fairmount Park to
execute an Operations and
Maintenance Agreement with the
University that sets forth certain
requirements for the University to
perform improvements in Wissahickon
Park and to maintain those
improvements; all under certain
conditions.

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- 2 050570 - An Ordinance authorizing the paving
3 of Driftwood Drive, Falls Circle,
4 Riverview Lane and an extension of
 Founders Place, under certain terms
 and conditions.
- 5 050571 - An Ordinance authorizing and
6 directing the revision of lines and
7 grades on a portion of City Plan No.
8 163 of the area bounded by Ridge
9 Avenue, Calument Street, the
10 Philadelphia Germantown and
11 Norristown Railroad (SEPTA), and
12 School House Lane, by striking from
13 the City Plan and vacating Gustine
14 Lake Drive, Schuylkill Falls Circle,
15 Genesis Terrace, Hilltop Lane and
16 Falling Water Lane, and by placing
17 on the City Plan Falls Circle,
18 Riverview Lane, Driftwood Drive and
19 an extension of Founders Place, all
20 under certain terms and conditions.
- 21 050572 - An Ordinance authorizing the paving
22 of Valley Green Court, under certain
23 terms and conditions.
- 24 050573 - An Ordinance authorizing the
25 Commissioner of Public Property to
 execute and deliver to the
 Philadelphia Authority for
 Industrial Development a deed
 conveying, for nominal
 consideration, fee simple title to a
 certain irregularly shaped portion
 of 250 Fountain Street, on the
 southwest corner of the intersection
 of Silverwood and Fountain Streets,
 with the improvements thereon, for
 further conveyance at fair market
 value.

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2 050574 - An Ordinance authorizing and
3 directing the revision of lines and
4 grades on a portion of City Plan No.
5 299 by placing on the City Plan
6 Valley Green Court and a 40' wide
7 right-of-way for drainage purposes
8 and water main purposes, under
9 certain terms and conditions,
10 including the dedication to the
11 City, free and clear of all
12 encumbrances, of the bed of Valley
13 Green Court.

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9 PRESENT:

10 COUNCILMAN FRANK DiCICCO
11 COUNCILMAN JUAN RAMOS
12 COUNCILWOMAN DONNA REED MILLER
13 COUNCILMAN FRANK RIZZO
14 COUNCILMAN DARRELL CLARKE
15 COUNCILMAN MICHAEL NUTTER

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1 Streets and Services - 6/9/05

2 COUNCILMAN DiCICCO: Good
3 morning, everyone. This is the Committee
4 on Streets and Services. My name is
5 Frank DiCicco. I'm the Chair of this
6 committee. Along with me are other
7 committee members. To my immediate left
8 is Councilwoman Donna Reed Miller; to her
9 left is Councilman Darrell Clarke; and to
10 his left is Councilman Frank Rizzo. I
11 will ask the clerk to read the title of
12 the first bill.

13 THE CLERK: Bill No. 050569, an
14 ordinance authorizing the Commissioner of
15 Public Property on behalf of the City of
16 Philadelphia to execute an easement
17 agreement that grants to Philadelphia
18 University an easement to convey storm
19 water from the University's campus across
20 a certain portion of Wissahickon Park and
21 to repair and maintain the University's
22 improvements in a certain easement area
23 in the vicinity of Lincoln Drive
24 approximately 500 feet northeast of the
25 Henry Avenue Bridge; also authorizing the

1 Streets and Services - 6/9/05
2 President of the Fairmount Park
3 Commission and the Executive Director of
4 the Fairmount Park Commission to execute
5 an Operations and Maintenance Agreement
6 with the University that sets forth
7 certain requirements for the University
8 to perform improvements in Wissahickon
9 Park and to maintain those improvements,
10 all under certain conditions.

11 COUNCILMAN DiCICCO: Is there
12 anyone here from the streets department
13 or public property?

14 Fairmount Park, thank you.

15 Whoever's here on behalf of the
16 City, please come forward to testify.

17 MR. FOCHT: Good morning,
18 members of Council. My name is Mark
19 Focht. I'm director of Environment,
20 Stewardship, and Education for the
21 Fairmount Park Commission, and I'm here
22 to testify in support of Bill No. 050569.
23 This bill would authorize the Public
24 Property Commissioner to execute an
25 easement agreement with Philadelphia

1 Streets and Services - 6/9/05
2 University and it would authorize
3 Fairmount Park officials to execute an
4 operations and maintenance agreement with
5 Philadelphia University regarding
6 improvements and maintenance in
7 Wissahickon Valley Park. The easement
8 agreement will allow Philadelphia
9 University to discharge a strictly
10 controlled amount of storm water across a
11 portion of Wissahickon Valley Park along
12 Lincoln Drive. The accompanying
13 operations and maintenance agreement
14 specifies certain improvements that
15 Philadelphia University must make in the
16 easement area and sets forth requirements
17 for the University to maintain those
18 improvements in the future.

19 Over the years, uncontrolled
20 storm water from Philadelphia University
21 property has caused severe soil erosion
22 in Wissahickon Valley Park. Sediment
23 from the hillside has run into
24 Wissahickon Creek and polluted the
25 stream. Occasionally, large storms wash

1 Streets and Services - 6/9/05
2 large quantities of stone and soil across
3 Lincoln Drive requiring emergency
4 clearance. In winter months, storm water
5 from the University and melting snow ran
6 onto Lincoln Drive and froze when
7 temperatures dropped, which created
8 dangerous conditions on Lincoln Drive
9 that caused car accidents.

10 We are very pleased that
11 Philadelphia University is making
12 improvements to its campus to reduce
13 storm water discharges to Wissahickon
14 Valley Park and to properly handle the
15 storm water that does run from its
16 campus. The University's creating a
17 large retention basin that will contain
18 the runoff from a hundred-year storm.
19 Water will flow from the basin in a
20 controlled manner into the park. The
21 rate of water discharge from the basin
22 will be less than the runoff into the
23 park before the basin was created.

24 Also, the University will
25 repair an area in Wissahickon Valley Park

1 Streets and Services - 6/9/05
2 that was damaged by storm water runoff
3 from the University's campus, and the
4 University will make improvements in the
5 park and implement monitoring and repair
6 procedures to ensure that the repaired
7 area is not damaged by future storms.

8 Through a separate but
9 coordinated initiative, the City of
10 Philadelphia streets department will make
11 further improvements in Wissahickon
12 Valley Park below the area where the
13 University is making its improvements.
14 Streets department will implement its
15 work later this year as part of major
16 repairs to Lincoln Drive. The streets
17 department's work will complete the storm
18 water management system for the area of
19 Wissahickon Valley Park affected by storm
20 water from Philadelphia University.
21 Altogether, the improvement by the
22 University together with those from the
23 streets department will allow storm water
24 to be properly conveyed from Philadelphia
25 University to the Wissahickon Creek.

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2 In summary, under Bill 050569,
3 the City can enter into agreements that
4 will reduce storm water runoff into
5 Wissahickon Valley Park, reduce erosion
6 of the forested slopes in the park below
7 the University, reduce sediment running
8 into the creek, reduce icing on Lincoln
9 Drive, and reduce accidents and traffic
10 delays. Thank you very much.

11 COUNCILMAN DiCICCO: Thank you.
12 Before we proceed with any further
13 testimony, let the record reflect that
14 Councilman Nutter to my right and to his
15 right is Councilman Ramos are also
16 members of this committee.

17 Good morning again and please
18 go ahead with your testimony, whoever
19 wants to go.

20 Excuse me. Councilman Rizzo
21 has a question.

22 COUNCILMAN RIZZO: To Fairmount
23 Park, one of the issues I deal with
24 regularly, especially during the winter
25 months, you mentioned about the water

1 Streets and Services - 6/9/05
2 runoff and it's a very dangerous
3 situation when the storm drains along
4 both Kelly and Lincoln Drive are clogged
5 in some cases in the wintertime when it's
6 about 20, 30 degrees, 37, 38 during the
7 day and then all of a sudden those
8 puddles of water freeze and people are
9 involved in accidents unnecessarily. I
10 know it's tough. I know the 92nd
11 District tries to put salt out and the
12 streets department tries to do what they
13 can do. Someone many months ago told me
14 that this issue that we're discussing
15 here today was also a contributing factor
16 to the runoff over the roadway. It's
17 hard for me to think that that's possible
18 knowing where the University is versus
19 where Kelly Drive and Lincoln Drive are
20 located. Is there going to be any relief
21 from what I just described, the water
22 over the roadway? Will this help this
23 issue?

24 MR. FOCHT: Yes, Councilman,
25 absolutely. The water currently does

1 Streets and Services - 6/9/05
2 find its way onto Lincoln Drive, but when
3 this project is completed, both the
4 project at Philadelphia University and
5 the streets department project we're
6 working on for Lincoln Drive, that will
7 be corrected.

8 COUNCILMAN RIZZO: Because as
9 I'm sure you do know, there's standing
10 water almost all the time on the
11 right-hand operating lane of Kelly Drive
12 and during the summer it's annoying. You
13 get your car washed and the next thing
14 it's all dirty again when you drive
15 through there. But more important is in
16 the winter when the water freezes
17 overnight and you wouldn't expect to have
18 an icy patch there. So I'm glad to hear
19 that this will help that.

20 MR. FOCHT: Absolutely.

21 COUNCILMAN RIZZO: Thank you.

22 COUNCILMAN DiCICCO: Thank you.

23 Whoever's next. Joan, are you
24 prepared --

25 MS. SCHLOTTERBECK: Joan

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2 Schlotterbeck, Public Property
3 Commissioner. I would just like to go on
4 the record saying I'm here to support
5 this Bill No. 050569.

6 COUNCILMAN DiCICCO: Thank you,
7 Commissioner.

8 Yes, ma'am. Please identify
9 yourself for the record and proceed with
10 your testimony.

11 MS. ANTHEIL: Yes. Good
12 morning. My name is Jane Antheil and I'm
13 the vice president for student life at
14 Philadelphia University. And I have a
15 statement I'd like to read.

16 COUNCILMAN DiCICCO: Thank you.

17 MS. ANTHEIL: To support,
18 promote, and nurture dynamic learning,
19 cultural understanding, and community
20 involvement, Philadelphia University is
21 constructing buildings with parking
22 structure. These structures will be
23 constructed on the University's main
24 campus located in the Germantown-East
25 Falls section of Philadelphia. The

1 Streets and Services - 6/9/05
2 campus center is comprised of three
3 levels and will become a central focus
4 for activities and gathering spaces. The
5 recreation center will provide a full
6 array of athletic facilities, including a
7 three court basketball floor. The
8 University believes the construction of
9 these buildings will positively influence
10 future development in the East
11 Falls-Germantown sections of
12 Philadelphia. Project plans have been
13 discussed in many community forums,
14 including public meetings with the East
15 Falls Community Council, the East Falls
16 Zoning Committee, as well as individual
17 meetings with neighborhood groups.

18 The University is located at
19 School House Lane and Henry Avenue in
20 Philadelphia and a portion of the
21 University's main campus is adjacent to
22 and higher in elevation than lands
23 belonging to the City of Philadelphia,
24 which are administered by the Fairmount
25 Park Commission. Through close

16 Any questions for these
17 witnesses from members of the committee?

19 COUNCILMAN DiCICCO: Councilman
20 Nutter, do you have anything?

23 I appreciate the testimony.
24 This particular issue has perplexed us
25 for some time. I appreciate Philadelphia

1 Streets and Services - 6/9/05
2 University stepping up and trying to
3 resolve this matter. I appreciate the
4 Fairmount Park testimony and the
5 Commissioner of Public Property.

6 Thank you, Mr. Chairman.

7 COUNCILMAN DiCICCO: Thank you.

8 Anyone else here who wishes to
9 testify for or against this bill?

10 (No response.)

11 COUNCILMAN DiCICCO: Bill No.
12 050570 and Bill No. 050571 are being held
13 at the request of the sponsor. I would
14 ask the clerk to read the title of the
15 next bill.

16 THE CLERK: Bill No. 050573, an
17 ordinance authorizing the Commissioner of
18 Public Property to execute and deliver to
19 the Philadelphia Authority for Industrial
20 Development a deed conveying, for nominal
21 consideration, fee simple title to a
22 certain irregularly shaped portion of 250
23 Fountain Street on the southwest corner
24 of the intersection of Silverwood and
25 Fountain Streets, with the improvements

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2 thereon, for further conveyance at fair
3 market value.

4 COUNCILMAN DiCICCO: Good
5 morning, again, Commissioner.

6 MS. SCHLOTTERBECK: Good
7 morning, Councilman DiCicco and other
8 members of the Committee on Streets and
9 Services. My name is Joan Schlotterbeck.
10 I'm the Commissioner of the Department of
11 Public Property. I'm here today
12 representing the department to testify in
13 support of Bill No. 050573, an ordinance
14 authorizing me as the Commissioner to
15 execute and deliver to the Philadelphia
16 Authority for Industrial Development a
17 deed conveying, for nominal
18 consideration, fee simple title to a
19 certain irregularly shaped portion of 250
20 Fountain Street on the southwest corner
21 of the intersection of Silverwood and
22 Fountain Streets with the improvements
23 thereon for further conveyance at fair
24 market value.

25 This bill will permit the City

1 Streets and Services - 6/9/05
2 through the Philadelphia Authority for
3 Industrial Development to sell a portion
4 of the premises on 250 Fountain Street to
5 the adjacent owner at fair market value.
6 I respectfully ask that City Council
7 approve Bill 050573. I would also ask
8 that the rules be suspended so that the
9 ordinance may be passed upon second
10 reading at Council. Thank you.

11 COUNCILMAN DiCICCO: Thank you.

12 Any questions for this witness?
13 Any comments? Anyone else here who
14 wishes to testify for or against this
15 bill?

16 (No response.)

17 COUNCILMAN DiCICCO: Seeing
18 none, I will ask the clerk to read the
19 title of the next bill.

20 THE CLERK: Bill No. 050572, an
21 ordinance authorizing the paving of
22 Valley Green Court under certain terms
23 and conditions.

24 MR. MORELLI: Good morning,
25 Mr. Chairman and members of the

1 Streets and Services - 6/9/05
2 committee. My name is Frank Morelli,
3 survey bureau manager of the department
4 of streets. The department of streets
5 would like to offer the following
6 testimony on Bill No. 050572: This is
7 not an administration ordinance but an
8 ordinance requested by Mr. Thomas Citro,
9 Citro Communications, 5419 Oxford Avenue,
10 Philadelphia, PA, who represents Walter
11 Lewis and Bruce Tinnenny.

12 The purpose of this ordinance
13 is to place Valley Green Court on the
14 City plan for the development of 35 new
15 single family dwellings. This ordinance
16 is supported by the department of streets
17 and it is recommended to your committee
18 for favorable action.

19 COUNCILMAN DiCICCO: Thank you.

20 Any questions for this witness
21 from the committee?

22 Councilman Nutter.

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

25 Mr. Morelli, just so we're

1 Streets and Services - 6/9/05
2 clear, I think you read the testimony for
3 Bill No. 050574. Is that the bill that's
4 placing the street on the plan and 72 is
5 allowing for it to be paved?

6 MR. MORELLI: 72 is the paving
7 and 74 is the placing.

8 COUNCILMAN NUTTER: Right.
9 Okay.

10 COUNCILMAN DiCICCO: Is the
11 record straight?

12 COUNCILMAN NUTTER: Yes.

13 You read the testimony for the
14 next bill versus the other bill. It's
15 okay.

16 COUNCILMAN DiCICCO: So the
17 testimony that was just given was for
18 Bill No. 050574.

19 COUNCILMAN NUTTER: Exactly.

20 COUNCILMAN DiCICCO: So why
21 don't you go back and do 72.

22 COUNCILMAN NUTTER: Why don't
23 you tell us what you want to tell us
24 about 72.

25 MR. MORELLI: 72 is the paving

1 Streets and Services - 6/9/05

2 ordinance.

3 COUNCILMAN NUTTER: You're in
4 support of that?

5 MR. MORELLI: Yes. This is not
6 an administration ordinance but an
7 ordinance requested by Mr. Thomas Citro,
8 Citro Communications, 5419 Oxford Avenue,
9 Philadelphia, Pennsylvania 19124, who
10 represents Walter Lewis and Bruce
11 Tinnenny.

12 The purpose of this ordinance
13 is to pave Valley Green Court for the
14 development of 35 new single family
15 dwellings. This ordinance is supported
16 by the department of streets and
17 recommended to your committee for
18 favorable action.

19 COUNCILMAN DiCICCO: Thank you.

20 MR. SOFFER: Good morning,
21 Mr. Chairman, members of the Streets and
22 Services Committee. My name is Martin
23 Soffer and I'm here today to testify on
24 behalf of the Planning Commission. The
25 purpose of this ordinance -- this relates

13 Before we proceed, I would ask
14 the clerk to read the title of Bill No.
15 050574 into the record. Thank you.

16 THE CLERK: Bill No. 050574, an
17 ordinance authorizing and directing the
18 revision of lines and grades on a portion
19 of City Plan No. 299 by placing on the
20 City Plan Valley Green Court and a
21 40-foot wide right-of-way for drainage
22 purposes and water main purposes, under
23 certain terms and conditions, including
24 the dedication to the City, free and
25 clear of all encumbrances, of the bed of

1 Streets and Services - 6/9/05

2 Valley Green Court.

3 COUNCILMAN DiCICCO: Thank you.

4 Again, are there any questions
5 from the committee, any comments? Anyone
6 else here who wishes to testify for or
7 against the bill?

8 (No response.)

9 COUNCILMAN DiCICCO: Thank you,
10 gentlemen. This concludes the public
11 hearing on the Committee of Streets and
12 Services.

13 We will now go into the public
14 meeting.

15 The Chair recognizes Councilman
16 Ramos.

17 COUNCILMAN RAMOS: Thank you,
18 Mr. Chairman. I move that Bill No.
19 050569 be reported out of committee with
20 a favorable recommendation and further
21 move that the rules of Council be
22 suspended to permit first reading of this
23 bill at our next Council meeting.

24 (Duly seconded.)

25 COUNCILMAN DiCICCO: It has

1 Streets and Services - 6/9/05
2 been properly moved and seconded with a
3 favorable recommendation and a further
4 recommendation that the rules of Council
5 be suspended. All those in favor signify
6 by saying aye.

7 (Chorus of "ayes.")

8 COUNCILMAN DiCICCO: Those
9 opposed?

10 (No response.)

11 COUNCILMAN DiCICCO: Bill is
12 carried.

13 COUNCILMAN RAMOS: I move that
14 Bill 050572 be reported out of committee
15 with a favorable recommendation and
16 further move that the rules of Council be
17 suspended to permit first reading of this
18 bill at our next Council meeting.

19 (Duly seconded.)

20 COUNCILMAN DiCICCO: It has
21 been moved and properly seconded that
22 Bill 050572 be reported out of this
23 committee with a favorable recommendation
24 and a further recommendation that the
25 rules of Council be suspended so as to

1 Streets and Services - 6/9/05
2 permit first reading at the next session
3 of City Council. All those in favor
4 signify by saying aye.

5 (Chorus of "ayes.")

6 COUNCILMAN DiCICCO: Those
7 opposed?

8 (No response.)

9 COUNCILMAN DiCICCO: The bill
10 is approved.

11 COUNCILMAN RAMOS: I move that
12 Bill 050573 be reported out of committee
13 with a favorable recommendation and the
14 rules of Council be suspended to permit
15 first reading of this bill at our next
16 Council meeting.

17 (Duly seconded.)

18 COUNCILMAN DiCICCO: It has
19 been properly moved and seconded Bill
20 050573 be reported out of committee with
21 a favorable recommendation and that the
22 rules be Council be suspended so as to
23 permit first reading at our next session
24 of Council. All those in favor signify
25 by saying aye.

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2 (Chorus of "ayes.")

3 COUNCILMAN DiCICCO: Those
4 opposed?

5 (No response.)

6 COUNCILMAN DiCICCO: The bill
7 is approved.

8 COUNCILMAN RAMOS: I move that
9 Bill 050574 be reported out of committee
10 with a favorable recommendation and
11 further move that the rules of Council be
12 suspended to permit first reading of this
13 bill at our next Council meeting.

14 (Duly seconded.)

15 COUNCILMAN DiCICCO: It has
16 been moved and properly seconded that
17 Bill No. 050574 be reported out of this
18 committee with a favorable recommendation
19 and that the rules of Council be
20 suspended to permit reading at out next
21 session of Council. All those in favor
22 signify by saying aye.

23 (Chorus of "ayes.")

24 COUNCILMAN DiCICCO: Those
25 opposed?

1 Streets and Services - 6/9/05

2 (No response.)

3 COUNCILMAN DiCICCO: Bill is
4 approved.

5 This concludes the hearings on
6 the Committee of Streets and Services.
7 Thank you all for attending.

8 (Whereupon the hearing
9 adjourned at 10:00 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence, and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
hearing taken on June 9, 2005, and that
this is a true and correct transcript of
same.

Kimberly A. Overwise
Certified Realtime Reporter
Notary Public

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