

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 COMMITTEE ON PUBLIC PROPERTY AND
4 PUBLIC WORKS
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6

7 Room 400, City Hall
Philadelphia, Pennsylvania
8 Wednesday, December 7, 2011
2:15 p.m.
9
10

PRESENT:

11 COUNCILMAN DARRELL CLARKE, CHAIR
COUNCILMAN WILLIAM K. GREENLEE
12 COUNCILMAN JAMES KENNEY
COUNCILWOMAN DONNA REED MILLER

13
14 BILLS 110831, 110837, 110839, 110848 and
110875
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2 COUNCILMAN CLARKE: Good
3 afternoon. This is the Committee on
4 Public Property and Public Works.

5 Mr. Carter, please read the
6 title of the first bill.

7 THE CLERK: Bill No. 110831, an
8 ordinance authorizing the Commissioner of
9 Public Property to accept title to all
10 that lot or certain piece of ground with
11 the buildings and improvements thereon,
12 if any, erected located at 4810 North 7th
13 Street, Philadelphia, Pennsylvania, under
14 certain terms and conditions.

15 COUNCILMAN CLARKE: Thank you.

16 Let the record reflect we have
17 established a quorum: Councilman
18 Greenlee, Councilman Kenney and
19 Councilwoman Donna Reed Miller.

20 (Witness approached witness
21 table.)

22 COUNCILMAN CLARKE: Good
23 morning.

24 DEPUTY COMMISSIONER HERZINS:
25 Good afternoon.

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 COUNCILMAN CLARKE: Good
3 afternoon.

4 DEPUTY COMMISSIONER HERZINS:
5 Good afternoon, Chairman Clarke and
6 members of the Committee on Public
7 Property and Public Works. My name is
8 John Herzins. I am Deputy Commissioner
9 of the Department of Public Property here
10 today to testify in support of Bill No.
11 110831, an ordinance authorizing the
12 Commissioner to accept title to all that
13 lot or certain piece of ground with the
14 buildings and improvements, if any,
15 thereon erected located at 4810 North 7th
16 Street, under certain terms and
17 conditions.

18 The Neighborhood Transformation
19 Initiative demolished the adjacent
20 property and caused great damage to this
21 property in the process. The acquisition
22 of this property is in compliance with
23 the terms of a settlement.

24 The Department supports this
25 measure and, accordingly, I respectfully

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 ask that City Council approve Bill No.
3 110831.

4 I am also requesting a
5 suspension of the rules so as to allow
6 for the first reading at the next
7 session.

8 I'll be happy to answer any
9 questions you may have.

10 COUNCILMAN CLARKE: Thank you
11 very much.

12 Councilman Greenlee.

13 COUNCILMAN GREENLEE: Thank
14 you, Mr. Chairman.

15 Just quickly, Mr. Herzins. Is
16 this an unusual situation or does -- I
17 hope this doesn't happen a lot, where
18 they damage a property next door to them
19 that badly.

20 DEPUTY COMMISSIONER HERZINS: I
21 think this was just an oversight on
22 acquiring title to the property after the
23 settlement was reached on the damage
24 caused to the property.

25 COUNCILMAN GREENLEE: No. I

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 guess I'm asking about the damage. I
3 mean, does it happen much that we have to
4 purchase another property because the
5 property next door to it was --

6 DEPUTY COMMISSIONER HERZINS: I
7 haven't worked on any before, but I can't
8 answer that question.

9 COUNCILMAN GREENLEE: All
10 right. I haven't seen one before, so I
11 take it this is kind of an anomaly. Do
12 you know anything about the property that
13 we're buying? Had it been vacant? Was
14 there people in it?

15 DEPUTY COMMISSIONER HERZINS: I
16 do not. I know that the settlement price
17 was 37,000.

18 COUNCILMAN GREENLEE: Thank
19 you.

20 COUNCILMAN CLARKE: Real quick.
21 The acquisition of the property, are we
22 using NTI funds for the acquisition?

23 DEPUTY COMMISSIONER HERZINS:
24 I'm not clear what the funding source is
25 being used. It already had been paid

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 out. This is just acquiring the title.

3 So it probably was with NTI funds.

4 COUNCILMAN CLARKE: So it may
5 have been Risk Management that resolved
6 the monetary issue and this just relates
7 to the title transfer.

8 DEPUTY COMMISSIONER HERZINS:
9 This is just a title transfer.

10 COUNCILMAN CLARKE: Okay.
11 Thank you.

12 Any other questions?

13 (No response.)

14 COUNCILMAN CLARKE: Thank you.
15 Anyone else to testify on this
16 bill?

17 (No response.)

18 COUNCILMAN CLARKE: There being
19 none, thank you very much.

20 Bill No. 110837 is being
21 withdrawn.

22 Mr. Carter, please read the
23 title of the next bill.

24 THE CLERK: Bill No. 110839, an
25 ordinance authorizing the Commissioner of

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 Public Property to acquire certain land
3 located generally along the east bank of
4 the Schuylkill River between Sears Street
5 (as extended westward to the Schuylkill
6 river) and South 34th Street, including
7 land in the vicinity of the eastern end
8 of Grays Ferry Bridge; and further to
9 acquire certain interests in real estate
10 along Grays Ferry Avenue between the
11 eastern end of Grays Ferry Bridge and
12 South 34th Street, all under certain
13 terms and conditions.

14 COUNCILMAN CLARKE: Thank you.

15 DEPUTY COMMISSIONER HERZINS:

16 Good afternoon, Chairman Clarke and
17 members of the Committee on Public
18 Property and Public Works. My name is
19 John Herzins. I am the Deputy
20 Commissioner of the Department of Public
21 Property here to testify in support of
22 Bill No. 110839, an ordinance authorizing
23 the Commissioner to acquire certain land
24 located along the east bank of the
25 Schuylkill River between Sears Street and

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 South 34th Street, including land in the
3 vicinity of the eastern end of the Grays
4 Ferry Bridge and also further to acquire
5 certain interests in real estate along
6 Grays Ferry Avenue between the eastern
7 end of the Grays Ferry Bridge and South
8 34th Street, all under certain terms and
9 conditions.

10 The acquisition of this
11 property will support the goal of the
12 Department of Parks and Recreation to
13 create and enhance recreation space and
14 reconnect the City with its waterfronts.
15 The City is acquiring the property for
16 nominal consideration.

17 The Department of Public
18 Property supports this measure and,
19 accordingly, I respectfully ask that City
20 Council approve Bill No. 110839.

21 I am requesting a suspension of
22 the rules so as to allow for first
23 reading at the next session of Council.

24 I will be happy to answer any
25 questions you may have. And we also have

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 here today Mark Focht and Joe Syrnick to
3 answer any questions on the project.

4 COUNCILMAN CLARKE: Thank you.

5 Any questions of this
6 particular witness?

7 Councilman Kenney.

8 COUNCILMAN KENNEY: Thank you,
9 Mr. Chair.

10 How large is the parcel and who
11 owns it now?

12 DEPUTY COMMISSIONER HERZINS:
13 Joe, do you want to.

14 (Witness approached witness
15 table.)

16 MR. SYRNICK: Good afternoon,
17 Mr. Chairman and members of the
18 Committee. My name is Joe Syrnick and
19 I'm with the Schuylkill River Development
20 Corporation.

21 Councilman, it's about 11 acres
22 total. Most of it is now in the
23 ownership of PAID, although there is a
24 small part that is in the ownership of
25 the Redevelopment Authority.

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 COUNCILMAN KENNEY: Do you know
3 where it came from for PAID to have it?

4 MR. SYRNICK: Do I know --

5 COUNCILMAN KENNEY: I'm just
6 curious as to the history of --

7 MR. SYRNICK: How did --

8 COUNCILMAN KENNEY: Who did
9 PAID get it from?

10 MR. SYRNICK: Most of the
11 thing -- of the 11 acres, about eight
12 acres were donated to the City --
13 actually, to PAID, with the intention of
14 it ultimately coming to the City by the
15 DuPont Chemical Corporation before they
16 left town. Some of it was actually
17 carved out of a parcel that had been
18 acquired to move over to a Fed Ex
19 distribution center, but the City had the
20 wisdom to not transfer the riverfront
21 because that was deemed to be valuable
22 for the trail, and then there was again a
23 small part, about an acre, that was
24 actually condemned by the Redevelopment
25 Authority on behalf of the City.

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 COUNCILMAN KENNEY: Okay.

3 Thank you.

4 COUNCILMAN CLARKE: Thank you.

5 Unrelated, where are we at with
6 the pedestrian bridge? What's the status
7 of that?

8 MR. SYRNICK: Well, it's well
9 under construction. If you were out
10 there, you may have seen the ramp on the
11 river side. It was poured and is curing
12 now. The ramp on the land side, the
13 columns are up. They tell me they're
14 going to pour it before it gets cold.
15 That will probably cure over the
16 wintertime, and then come the beginning
17 of spring, somewhere around March, they
18 would drop the truss in. So it's on
19 target, but the grand ribbon cutting
20 probably will be sometime early next
21 fall.

22 COUNCILMAN CLARKE: Great.

23 Thank you.

24 Any other questions?

25 (No response.)

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 COUNCILMAN CLARKE: Anyone else
3 to testify on this bill?

4 (No response.)

5 COUNCILMAN CLARKE: There being
6 none, Mr. Carter.

7 THE CLERK: Bill No. 110848, an
8 ordinance amending Chapter 16-200 of The
9 Philadelphia Code ("Sales, Leases, and
10 Other Grants of City-Owned Buildings and
11 Facilities") to require that notice of
12 the pending transfer of City-owned lands
13 and lands owned by certain quasi-public
14 agencies be posted on such lands prior to
15 their transfer, all under certain terms
16 and conditions.

17 MR. MONDLAK: Good afternoon,
18 Chairman Clarke and members of the
19 Committee of Public Property and Public
20 Works. My name is John Mondlak. I'm the
21 Director of Real Estate Development in
22 the Commerce Department. I'm here today
23 to present testimony in support of Bill
24 No. 110848, which was introduced by
25 Councilman Clarke.

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 Bill 110848 requires a physical
3 posting of a notice on real estate owned
4 by the City or certain quasi-public
5 agencies prior to being offered for sale,
6 prior to Council hearing and prior to
7 their sale.

8 The Administration supports
9 Bill 110848 because it will increase
10 transparency in the sale of City-owned
11 real estate by providing notice to the
12 community at appropriate times during the
13 real estate transaction.

14 Pursuant to discussions with
15 Councilman Clarke and his staff, we are
16 proposing technical amendments to this
17 bill, which have been circulated to
18 Councilman Clarke's office.

19 I respectfully request that the
20 Committee report this bill, as amended,
21 out of Committee with a favorable
22 recommendation and also ask that the
23 rules of Council be suspended to permit
24 first reading at the next meeting of City
25 Council.

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 Thank you for your time and I'm
3 happy to answer any questions.

4 COUNCILMAN CLARKE: Thank you.

5 Any questions of this witness?

6 (No response.)

7 COUNCILMAN CLARKE: Anyone else
8 to testify on this bill?

9 (No response.)

10 COUNCILMAN CLARKE: Thank you
11 very much.

12 Mr. Carter.

13 THE CLERK: Bill No. 110875, an
14 ordinance authorizing the Commissioner of
15 Public Property, on behalf of the City,
16 to acquire fee simple title, or a lesser
17 interest in real estate, in parcels of
18 land along the Delaware River and the
19 Kensington & Tacony Trail, for the
20 purpose of incorporating the acquired
21 land into the Kensington & Tacony Trail
22 for public recreation use, under certain
23 terms and conditions.

24 (Witness approached witness
25 table.)

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 MR. DONAGHY: Good afternoon,
3 Chairman Clarke and members of City
4 Council. My name is Jim Donaghy and I'm
5 here today as the Vice-Chair of the
6 Delaware River City Corporation. I'm
7 here to provide testimony in support of
8 Bill No. 110875.

9 This bill authorizes the
10 Commissioner of Public Property, on
11 behalf of the City, to acquire real
12 estate along the Delaware River for the
13 purpose of incorporating it into the
14 Tacony & Kensington Trail for public use
15 and recreation.

16 Allow me to begin by giving you
17 some background on the non-profit. The
18 Delaware River City Corp is a 501(c)(3)
19 founded with the help and approval of
20 Councilwoman Krajewski to facilitate
21 implementation of the North Delaware
22 Riverfront Greenway and Trail. This
23 plan, when implemented, will enhance the
24 City's quality of life, support
25 investment, economic growth and new

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 community development, provide
3 recreational opportunities, public open
4 space, create a sustainable riverfront
5 environment and once again provide public
6 access to the Delaware River.

7 Delaware River City Corporation
8 has been very active in the past year.
9 We are finalizing design plans for the
10 Kensington & Tacony Trail. This bill
11 will provide the authority to create an
12 unobstructed 1.6 mile trail running from
13 the Old Frankford Creek in the south to
14 Princeton Avenue in the north along the
15 Delaware River. Construction is
16 scheduled to begin in 2012. The trail
17 will run through a new 4.5 acre
18 riverfront Lardner's Pointe Park
19 currently under construction. The
20 Kensington and Tacony section of this
21 trail is part of the 11-mile Delaware
22 River Trail and ultimately a key
23 connection in the East Coast Greenway.

24 This bill will provide a new
25 authorization to acquire land by

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 purchase, condemnation or otherwise to
3 help complete the completion of the
4 Kensington & Tacony Trail. The
5 authorization under a previous bill
6 covering much of the same land has
7 expired, so a new authorization is
8 needed. And the description of the land
9 subject to the bill has changed slightly
10 based on new surveys for additional land
11 the City needs to acquire. Passage of
12 this bill will permit the Delaware River
13 City Corporation to continue its
14 important work of revitalizing the
15 Delaware Riverfront.

16 I urge you to support this
17 bill. I'm also asking for a suspension
18 of the rules to allow this bill to be
19 heard at the next session of City
20 Council.

21 I would be happy to answer any
22 questions. Thank you for your time.

23 COUNCILMAN CLARKE: Thank you
24 very much.

25 Any questions of this witness?

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 (No response.)

3 COUNCILMAN CLARKE: Anyone else
4 to testify on this bill?

5 (No response.)

6 COUNCILMAN CLARKE: There being
7 none, this concludes the public hearing
8 of the Committee of Public Property and
9 Public Works. We will now go into the
10 public meeting.

11 Councilman Kenney.

12 COUNCILMAN KENNEY: Thank you,
13 Mr. Chairman. I move that Bill No.
14 110831 be reported out of this Committee
15 favorably and a request made for rules
16 suspension to allow for first reading at
17 our next Council session.

18 (Duly seconded.)

19 COUNCILMAN CLARKE: It's been
20 moved and seconded.

21 Those in favor?

22 (Aye.)

23 COUNCILMAN CLARKE: Those
24 opposed?

25 (No response.)

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 COUNCILMAN CLARKE: The ayes
3 have it. Bill No. 110831 is reported out
4 of Committee with a favorable
5 recommendation, with rules suspension as
6 to allow reading at the next session of
7 Council.

8 Councilman Kenney.

9 COUNCILMAN KENNEY: Thank you,
10 Mr. Chairman. I move that Bill No.
11 110839 be reported out of this Committee
12 favorably and a request made for rules
13 suspension to allow for first reading at
14 our next Council session.

15 (Duly seconded.)

16 COUNCILMAN CLARKE: It's been
17 moved and seconded.

18 Those in favor?

19 (Aye.)

20 COUNCILMAN CLARKE: Those
21 opposed?

22 (No response.)

23 COUNCILMAN CLARKE: The ayes
24 have it. Bill No. 110839 is reported out
25 of the Committee with a favorable

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 recommendation, with a rules suspension
3 to allow reading at the next session of
4 Council.

5 Councilman Kenney, a motion on
6 the amendment to Bill No. 110848.

7 COUNCILMAN KENNEY: Thank you,
8 Mr. Chairman. I move that the amendment
9 to Bill No. 110848 be approved.

10 (Duly seconded.)

11 COUNCILMAN CLARKE: It's been
12 moved and seconded.

13 Those in favor?

14 (Aye.)

15 COUNCILMAN CLARKE: Those
16 opposed?

17 (No response.)

18 COUNCILMAN CLARKE: The ayes
19 have it.

20 Councilman Kenney.

21 COUNCILMAN KENNEY: Thank you,
22 Mr. Chairman. I move that Bill No.
23 110848, as amended, be reported out of
24 this Committee favorably and a request
25 made for rules suspension to allow for

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 first reading at our next Council
3 session.

4 (Duly seconded.)

5 COUNCILMAN CLARKE: It's been
6 moved and seconded.

7 Those in favor?

8 (Aye.)

9 COUNCILMAN CLARKE: Those
10 opposed?

11 (No response.)

12 COUNCILMAN CLARKE: The ayes
13 have it. Bill No. 110848 is reported out
14 of Committee with a favorable
15 recommendation, with rules suspension to
16 allow reading at the next session of
17 Council.

18 Councilman Kenney.

19 COUNCILMAN KENNEY: Thank you,
20 Mr. Chairman. I move that Bill No.
21 110875 be reported out of this Committee
22 favorably and a request for rules
23 suspension to allow for first reading at
24 our next Council session.

25 (Duly seconded.)

1 12/7/11 - PUBLIC PROPERTY - BILL 110831, ETC.

2 COUNCILMAN CLARKE: It's been
3 moved and seconded.

4 Those in favor?

5 (Aye.)

6 COUNCILMAN CLARKE: Those
7 opposed?

8 (No response.)

9 COUNCILMAN CLARKE: The ayes
10 have it. Bill No. 110875 is reported out
11 of the Committee with a favorable
12 recommendation, with rules suspension as
13 to allow reading at the next session of
14 Council.

15 Thank you very much. This
16 concludes the meeting on Public Property
17 and Public Works.

18 (Committee on Public Property
19 and Public Works concluded at 2:30 p.m.)

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1
2 CERTIFICATE

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

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

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