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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE THE COUNCIL COMMITTEE ON
PUBLIC PROPERTY AND PUBLIC WORKS

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Room 400, City Hall
Philadelphia Pennsylvania
Wednesday, 5/15/02

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2:48 p.m.

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BILL 010631 - Authorizing Commissioner of Pub.
Prop. to acquire fee simple title to certain
parcels of property owned by RDA, known as parcels
5 and 8 of the Eastwick Urban Renewal Area Stage I,
bounded generally by Redwing Place, Meadow Lark
Place, Lapwing Place, and Longspur Place and in the
general vicinity of the northeast corner of Island
Avenue and Lindbergh Boulevard.

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COUNCILMEMBERS PRESENT:

James F. Kenney, Chair
Jannie L. Blackwell, Vice Chair
Darrell L. Clarke
Michael A. Nutter
Frank Rizzo

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VINCENT VARALLO ASSOCIATES, INC.
Registered Professional Reporters
Eleven Penn Center, Suite 600
Philadelphia, PA 19103
(215) 561-2220

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 010631

2 COUNCILMAN KENNEY: Good afternoon,

3 ladies and gentlemen. We have four bills to

4 consider today.

5 The first is Bill No. 010631, an
6 ordinance authorizing the Commissioner of Public
7 Property to acquire fee simple title to certain
8 parcels of property owned by the Redevelopment
9 Authority of the City of Philadelphia known as
10 parcels 5 and 8 of the Eastwick Urban Renewal Area
11 Stage I bounded generally by Redwing Place, Meadow
12 Lark Place, Lapwing Place, and Longspur Place and
13 in the general vicinity of the northeast corner of
14 Island Avenue and Lindbergh Boulevard, under
15 certain terms and conditions.

16 (Witness comes forward.)

17 COUNCILMAN KENNEY: Good afternoon.

18 MR. SIPOS: Good afternoon, Chairperson
19 Kenny and other members of the committee on Public
20 Property and Public Works. My name is Ken Sipos,
21 and I'm representing the Commissioner of Public
22 Property.

23 I'm here today to testify in support of
24 Bill No. 010631, an ordinance authorizing the
25 Commissioner of Public Property to acquire fee

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 010631
2 simple title to certain parcels of property owned
3 by the Redevelopment Authority of the City known as
4 Parcels 5 and 8 the Eastwick Urban Renewal Area
5 Stage I, bounded generally by Redwing Place,
6 Meadowlark Place, Lapwing Place, and Longspur

7 Place, and in the general vicinity of the northeast
8 corner of Island Avenue and Lindbergh Boulevard,
9 under certain terms and conditions.

10 The purchase of these lots will allow
11 open space for recreation and neighborhood green
12 space. These land-locked pieces have been
13 historically vacant and acted as buffers to the
14 surrounding land. After conveyance to the City,
15 the parcel will be maintained by the Recreation
16 Department.

17 The Department of Public Property
18 supports this measure; accordingly, I respectfully
19 ask that the committee approve this bill. I also
20 ask that the rules be suspended so that the
21 ordinance may be paced upon the second-reading
22 calendar at Council.

23 Thank you for your consideration, and
24 I'll be happy to answer any questions you may have.

25 COUNCILMAN KENNEY: Thank you very

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 010631

2 much.

3 Any questions for this witness?

4 (No questions.)

5 COUNCILMAN KENNEY: Seeing none, thank
6 you very much.

7 Anyone else here to testify on this
8 bill? Anyone else?

9 (No response.)

10 COUNCILMAN KENNEY: That will conclude
11 the consideration -- or testimony on Bill No.
12 010631.

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 020094, 202, 203

2 COUNCILMAN KENNEY: The next bills I
3 will call together as a group 'cause the testimony
4 will be basically the same on all three.

5 The first is Bill No. 020094, an
6 ordinance authorizing the Commissioner of Public
7 Property, on behalf of the City of Philadelphia, to
8 acquire by condemnation, or by purchase in lieu of
9 condemnation, a certain underground easement
10 through 3822 Ridge Avenue for sewer and drainage
11 purposes, under certain terms and conditions.

12 And Bill No. 020202, an ordinance

13 authorizing the Commissioner of Public Property, on
14 behalf of the City of Philadelphia, to acquire by
15 condemnation, or by purchase in lieu of
16 condemnation, a certain underground easement
17 through 3111 West Allegheny Avenue, for sewer and
18 drainage purposes, under certain terms and
19 conditions.

20 And Bill No. 020203, an ordinance
21 authorizing the Commissioner of Public Property, on
22 behalf of the City of Philadelphia, to acquire to
23 acquire by condemnation, or by purchase in lieu of
24 condemnation, a certain underground easement
25 through 3500 Scotts Lane for sewage and drainage

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 020094, 202, 203
2 purposes, under certain terms and conditions.

3 (Witness comes forward.)

4 COUNCILMAN KENNEY: Please identify
5 yourself for the record.

6 MR. McCLOSKEY: Good afternoon.

7 COUNCILMAN KENNEY: Good afternoon.

8 MR. McCLOSKEY: My name is Paul
9 McCloskey, and I'm from the Water Department of the
10 City of Philadelphia.

11 Bills No. 020094, 020203, and 020202
12 authorize the Public Property Commissioner, on
13 behalf of the Water Department, to purchase or, if
14 necessary, condemn a 50-foot right-of-way through
15 the properties located at 3822 Ridge Avenue, 3111

16 West Allegheny, and 3500 Scotts Lane for the
17 construction of the Dobson's Run storm water flood
18 release sewer.

19 The Water Department proposes to
20 reconstruct the sewer at the lower end of the
21 Dobson's Run sewer in the East Falls area of the
22 City. Currently, industrial businesses in the area
23 are experiencing severe flooding due to surcharging
24 the storm water sewer. The existing sewer is in a
25 bed of former Ontario Street, which has been

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 020094, 202, 203
2 retained as a drainage right-of-way. Former
3 Ontario Street runs east and west and in between
4 Scotts Lane and the CSX Transportation Railroad.
5 The existing sewer begins at the Schuylkill River
6 and travels eastward to Henry Avenue and beyond.
7 Between 32nd Street and Ridge Avenue, most of the
8 sewer has warehouses and factory buildings built
9 directly on top of it.

10 In order to avoid condemning these
11 businesses, we plan to redirect the drainage in a
12 new sewer in a proposed right-of-way on the line of
13 32nd produced from former Ontario Street southward
14 to Willard Street and continuing southward on 32nd
15 from Willard to Allegheny Avenue, then continuing
16 on Allegheny Avenue from 32nd Street to Ridge
17 Avenue, then continuing beneath the Laurel Hill
18 Cemetery, the Kelly Drive, and over to the

19 Schuylkill River.

20 The sewer shall be constructed totally
21 in tunnel so as not to disrupt the community or any
22 properties. The tunnel under the Laurel Hill
23 Cemetery requires a 50-foot right-of-way from Ridge
24 Avenue to Kelly Drive, beginning at a variable
25 depth of 30 to 50 feet below the surface of the

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 020094, 202, 203
2 ground. The top of the sewer shall have a variable
3 depth of 48 to 63 feet below the surface of the
4 ground.

5 No construction in any matter of
6 easement rights shall be allowed above the
7 elevation line. The tunnels shall have a depth so
8 as not to involve the existing burial chapels or
9 produce settlement of the monuments or vibration.
10 We are aware of the sensitivity of the property,
11 that it's consecrated ground and that it has
12 significant historical value. However, the area 10
13 to 15 feet below the surface is solid rock and the
14 design of the sewers and plants was not to affect
15 the function of the facilities or the property in
16 any way.

17 The 50-foot right-of-way required
18 through 3111 West Allegheny Avenue in on the line
19 of 32nd Street produced from the north side of
20 Willard to the south side of CSX Railroad. The
21 right-of-way crosses the main employees' parking

22 lot at Pep Boys. The sewer should be built totally
23 in tunnel, the depth of the tunnel should vary
24 between 25 and 60 feet below the surface of the
25 ground, and no disruption of the property or its

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 020094, 202, 203
2 business shall occur.

3 The proposed 50-foot right-of-way
4 required through 3500 Scotts Lane is on the line of
5 32nd Street from the north side of the CSX Railroad
6 right-of-way line to the south side of the existing
7 drainage right-of-way on former Ontario Street.
8 The proposed right-of-way is approximately 90 feet
9 long and is in the extreme rear of the property.
10 The property is on a commercial site, and the rear
11 of the property is undeveloped.

12 The rear of the property that faces the
13 railroad is a narrow plateau and behind a closed
14 fence. The plateau drops 30 feet to railroad. The
15 sewer and construction shall be placed within the
16 shaft in connection to the existing Ontario Street
17 right-of-way with a proposed sewer that shall be
18 built in the tunnel. The sewer shall have a
19 variable depth between 40 and 60 feet below the
20 surface to the ground, and minimal disruption of
21 the site shall be expected.

22 The Water Department favors passage of
23 the bills.

24 COUNCILMAN KENNEY: With a suspension

25 of the rules?

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1 5/15/02 PUB. PROPERTY/WORKS - BILL 020094, 202, 203

2 MR. McCLOSKEY: A suspension of the
3 rules is requested too, Mr. Chairman.

4 COUNCILMAN KENNEY: Great.

5 Anyone have any questions of this
6 witness?

7 (No questions.)

8 COUNCILMAN KENNEY: Anyone else here to
9 testify on any of these bills?

10 (No response.)

11 COUNCILMAN KENNEY: Seeing none, that
12 will conclude our public hearing.

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1 5/15/02 PUB. PROP./PUB. WORKS - PUBLIC MEETING

2 COUNCILMAN KENNEY: The Chair
3 recognizes Councilmember Nutter for a motion on
4 Bill No. 010631 with a rules suspension.

5 COUNCILMAN NUTTER: Thank you,
6 Mr. Chairman.

7 I move that Bill No. 010631 be reported
8 out of this committee with a favorable
9 recommendation and a further recommendation that
10 the rules of Council be suspended so as to permit
11 first reading at our next session.

12 COUNCILMAN KENNEY: Second?

13 (Duly seconded.)

14 COUNCILMAN KENNEY: It's been moved and
15 seconded.

16 All in favor?

17 There are none opposed.

18 Bill No. 010631 will be reported out of
19 this committee favorably, and a request will be
20 made for a rules suspension to allow for first
21 reading at our next Council session.

22 The Chair recognizes Councilmember
23 Rizzo for a motion on Bill No. 020094 with a rules
24 suspension.

25 COUNCILMAN RIZZO: Mr. Chairman, I move

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1 5/15/02 PUB. PROP./PUB. WORKS - PUBLIC MEETING
2 that that bill -- and I apologize for not having it
3 in front of me --

4 COUNCILMAN KENNEY: 020049.

5 COUNCILMAN RIZZO: -- be moved out of
6 committee with a favorable recommendation and a
7 request of a suspension of the rules so that it can
8 be heard at our next Council session.

9 COUNCILMAN KENNEY: Is there a second?
10 (Duly seconded.)

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

13 All in favor?

14 There are none opposed.

15 Bill No. 020094 will be reported out of
16 this committee favorably, and a request will be
17 made for a rules suspension to allow for first
18 reading at our next Council session.

19 The Chair recognizes Councilmember
20 Clarke for a motion on Bill No. 020202.

21 COUNCILMAN CLARKE: Thank you,
22 Mr. Chairman. I make a motion that Bill No.
23 020202 -- it's a great number.

24 (Laughter.)

25 COUNCILMAN CLARKE: -- be reported out

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1 5/15/02 PUB. PROP./PUB. WORKS - PUBLIC MEETING
2 of committee with a favorable recommendation and a
3 request for a suspension of the rules so as to
4 permit first reading at our next session of
5 Council.

6 (Duly seconded.)

7 COUNCILMAN KENNEY: Moved and seconded.

8 All in favor?

9 There are none opposed.

10 Bill No. 020202 will be reported out of
11 this committee favorably, and a request will be
12 made for a rules suspension to allow for first
13 reading at our next Council session.

14 The Chair recognizes Councilmember
15 Blackwell for a motion on Bill No. 020203.

16 COUNCILWOMAN BLACKWELL: Thank you,
17 Mr. Chairman. I move that Bill No. 020203 be
18 reported out of committee with a favorable
19 recommendation and also a recommendation for a
20 suspension of the rules so as to permit first
21 reading at the next session of Council.

22 COUNCILMAN KENNEY: Is there a second?

23 (Duly seconded.)

24 COUNCILMAN KENNEY: It's been moved and
25 seconded.

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1 5/15/02 PUB. PROP./PUB. WORKS - PUBLIC MEETING

2 All in favor?

3 There are none opposed.

4 Bill No. 020203 will be reported out of
5 this committee favorably, and a request will be
6 made for a rules suspension to allow for first
7 reading at our next Council session.

8 That concludes the business of the
9 Committee of Public Property and Public Works.
10 Thank you for your attendance.

11 (Proceedings end at 3 o'clock
12 p.m.)

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2 CERTIFICATE

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4 I HEREBY CERTIFY that the foregoing
5 proceedings of the Council of the City of
6 Philadelphia's meeting of the Committee on Public
7 Property and Public Works of Wednesday, May 15,
8 2002, are contained fully and accurately in the
9 stenographic notes taken by me, and that this is a
10 true and correct transcript of same.

11

12 RE: Bill No.'s 010631, 020094, 020202, 020203

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Josephine Cardillo

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Registered Professional Reporter
and Notary Public

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