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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC PROPERTY AND

4

PUBLIC WORKS

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, June 12, 2008
9:35 a.m.

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PRESENT:

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COUNCILMAN DARRELL L. CLARKE, CHAIR

12

COUNCILMAN WILLIAM GREENLEE

13

COUNCILMAN JAMES F. KENNEY

14

COUNCILWOMAN JOAN L. KRAJEWSKI

15

COUNCILMAN BRIAN J. O'NEILL

16

COUNCILWOMAN DONNA REED MILLER

17

COUNCILMAN FRANK RIZZO

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BILL 080541 - An ordinance authorizing the
Commissioner of Public Property, on behalf of
the City of Philadelphia, to lease from The
School District of Philadelphia certain
property located in the vicinity of Byberry
and Academy Roads...

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V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
215.561.2220 215.567.2670

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COUNCILMAN CLARKE: Good

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morning. This is the Committee on Public

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Property and Public Works.

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Will the Clerk read the title

6

of the first bill.

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THE CLERK: Bill 080541, an

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ordinance authorizing the Commissioner of

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Public Property, on behalf of the City of

10

Philadelphia, to lease to the School

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District of Philadelphia certain property

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located in the vicinity of Byberry and

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Academy Roads for further sublease to the

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Academy Sports Association, under certain

15

terms and conditions.

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COUNCILMAN CLARKE: Thank you.

17

(Witness approached witness

18

table.)

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COUNCILMAN CLARKE: Deputy.

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DEPUTY COMMISSIONER HERZINS:

21

Good morning, Chairman Clarke and members

22

of the Committee on Public Property and

23

Public Works. My name is John Herzins.

24

I am Deputy Commissioner of the

25

Department of Public Property here today

1 6/12/08 - PUBLIC PROPERTY - BILL 080541
2 on behalf of the Commissioner to testify
3 in support of Bill No. 080541, an
4 ordinance authorizing the Commissioner,
5 on behalf of the City of Philadelphia, to
6 lease from the School District of
7 Philadelphia certain property containing
8 approximately 26 acres of land located at
9 Byberry and Academy Roads for further
10 sublease to the Academy Sports
11 Association.

12 The City currently leases
13 approximately 15 acres from the School
14 District and further subleases to the
15 Academy Sports Association. This
16 ordinance will add approximately 11
17 acres, as well as provide for a ten-year
18 lease. The Academy Sports Association
19 has occupied a portion of this property
20 since 1984. The City is acting as a
21 pass-through to allow the School District
22 property to be used as ball fields and
23 for athletic and recreational activities
24 for members of the community.

25 We also have submitted for your

1 6/12/08 - PUBLIC PROPERTY - BILL 080541

2 consideration an amendment to the
3 ordinance, which is a revised legal
4 description for the parcel.

5 The Department of Public
6 Property supports this measure and,
7 accordingly, I respectfully ask that City
8 Council approve Bill No. 080541, as well
9 as the amendment, and also request that
10 the Committee vote this bill out of
11 Committee with a favorable recommendation
12 and that the rules be suspended to permit
13 first reading at the next Council
14 session.

15 Thank you.

16 COUNCILMAN CLARKE: Thank you,
17 Commissioner.

18 For the record, let the record
19 reflect that we have established a
20 quorum: Councilman Rizzo, Councilman
21 Greenlee, Councilwoman Krajewski,
22 Councilwoman Miller and Councilman
23 Kenney.

24 Are there any questions of this
25 witness by members of the Committee?

1 6/12/08 - PUBLIC PROPERTY - BILL 080541

2 Councilman, did you --

3 COUNCILMAN O'NEILL: No. We
4 have a small presentation.

5 COUNCILMAN CLARKE: We have a
6 small presentation. It will be --

7 COUNCILMAN O'NEILL: Following
8 this.

9 COUNCILMAN CLARKE: Following
10 this? Okay.

11 No questions?

12 (No response.)

13 COUNCILMAN CLARKE: Thank you
14 very much for your testimony, sir.

15 Any other witnesses on this
16 particular bill?

17 Please come forward.

18 (Witnesses approached witness
19 table.)

20 COUNCILMAN CLARKE: I see we
21 have a special guest testifying today.

22 COUNCILMAN O'NEILL: Yes. We
23 have Marge Caputo from the Academy Sports
24 Association, but also Mr. Tom Forkin from
25 Speaker of the House, Dennis O'Brien's

1 6/12/08 - PUBLIC PROPERTY - BILL 080541
2 office.

3 COUNCILMAN CLARKE: I was
4 speaking about the other gentleman at the
5 table.

6 COUNCILMAN O'NEILL: I know. I
7 know.

8 Tom, why don't you go first.

9 MR. FORKIN: Thank you very
10 much, Mr. Chairman, members of the
11 Committee, Councilman O'Neill. Thank you
12 for the opportunity to speak on this
13 important matter. I'm here to request
14 your support for Bill No. 080541 leasing
15 approximately 26 acres from the School
16 District of Philadelphia for use as
17 community athletic fields.

18 We want to particularly express
19 our appreciation to Councilman O'Neill
20 and his staff, particularly Bob Borelli,
21 for all their support, the introduction
22 and the expeditious handling of this
23 process.

24 As you may know, these fields
25 have been the subject of negotiations and

1 6/12/08 - PUBLIC PROPERTY - BILL 080541
2 review with the School District, the City
3 Administration and the local community.
4 In fact, we have Marge Caputo from
5 Academy Sports with us here today. These
6 fields have been used by Academy Sports
7 since at least 1984, and they will now be
8 additional acreage to be striped, to be
9 graded, to be lighted for the use of the
10 Academy Sports and their 400-plus
11 families in Northeast Philadelphia, as
12 well as open to the public.

13 So we would ask that you would
14 please give every consideration to this
15 bill and pass it out of Committee today.

16 Thank you very much.

17 COUNCILMAN CLARKE: Thank you.

18 Please proceed.

19 MS. CAPUTO: My name is Margie
20 Caputo and I'd like to say good morning
21 to the Councilmembers, and I want to
22 thank you for the opportunity to testify
23 on behalf of the Academy Sports
24 Association regarding the proposed
25 ordinance in front of you today.

1 6/12/08 - PUBLIC PROPERTY - BILL 080541

2 This proposed area is for a
3 lease of acreage which is adjacent to the
4 Shallcross School property. I myself
5 have been a resident of the growing
6 Northeast community of Parkwood for 30
7 years and an active participating member
8 of the Academy Sabres family for over 20
9 years.

10 For 31 years, the Academy
11 Sabres organization has welcomed the
12 challenge to meet the ever-growing
13 community needs for youth athletic
14 programs. We are an all-volunteer club
15 offering children from ages of 3 and a
16 half to 18 years of age the opportunity
17 to participate in organized sports
18 activities. Our programs include
19 baseball, softball, basketball, soccer,
20 and most recently we have added flag
21 football to our achievements. We service
22 in excess of 400 families and still
23 continue to grow.

24 Adjacent to our current field
25 location is a viable opportunity of

1 6/12/08 - PUBLIC PROPERTY - BILL 080541
2 acreage, which is now an eyesore to our
3 great community. The addition of this
4 proposed property would allow us the
5 necessary expansion to continue and grow
6 our athletic programs. We are capable
7 and ready to maintain this additional
8 acreage.

9 The removal of this hazard and
10 the development of new athletic fields
11 would be a great addition to our
12 community. We envision this property as
13 an opportunity to create a safe, useful
14 environment for our children.

15 On behalf of our Academy Sabres
16 family, I encourage you to please vote
17 favorably for this ordinance.

18 Thank you.

19 COUNCILMAN CLARKE: Thank you.
20 Councilman.

21 COUNCILMAN O'NEILL: Thank you,
22 Mr. Chairman. The bill includes 26 acres
23 approximately, 15 that have been leased
24 for at least two ten-year periods, and
25 that lease expired in the last

1 6/12/08 - PUBLIC PROPERTY - BILL 080541

2 Administration. And I give credit to
3 Speaker O'Brien who has been trying his
4 hardest through the School District to
5 get this ground, the extra 11 acres --
6 which used to be called the Swamp. It
7 will soon be additional fields --
8 approved as part of a lease.

9 Six years ago it was approved
10 by the School District. It finally last
11 week, in a very shortened time frame, was
12 approved by this Administration and
13 coupled with the 15 that had never been
14 released for another ten years. So this
15 is a 26-acre parcel now, 15 of which has
16 always been fields for the last 20-some
17 years.

18 And so I would like to thank
19 all those involved. Henry Schwartz was
20 terrific. He was working all the -- we
21 only had a few hours last Wednesday to
22 get this together, and it was all done
23 very well and very expeditiously. And I
24 just ask the Committee to move the bill
25 with the amendment and also suspend the

1 6/12/08 - PUBLIC PROPERTY - BILL 080541
2 rules.

3 Thank you.

4 COUNCILMAN CLARKE: Thank you.

5 Any questions of these
6 witnesses by members of the Committee?

7 (No response.)

8 COUNCILMAN CLARKE: There being
9 none, are there any other witnesses to
10 testify on this bill?

11 COUNCILMAN O'NEILL: I'm
12 corrected. It's 10 and 10.9. But it's
13 more than 20. They double counted five
14 acres. I didn't make that up today.

15 Thank you.

16 COUNCILMAN CLARKE: Thank you.

17 Anyone else to testify on this
18 bill?

19 (No response.)

20 COUNCILMAN CLARKE: There being
21 none, this concludes the public hearing.

22 We will now go into the public
23 meeting of the Committee on Public
24 Property and Public Works.

25 Councilman Kenney, can I ask

1 6/12/08 - PUBLIC PROPERTY - BILL 080541
2 for a motion on the amendment.

3 COUNCILMAN KENNEY: Thank you,
4 Mr. Chairman. I move that Bill No.
5 080541 be amended accordingly with the
6 amendments that have been circulated to
7 the Committee.

8 (Duly seconded.)

9 COUNCILMAN CLARKE: It's been
10 moved and seconded.

11 All in favor?

12 (Aye.)

13 COUNCIL PRESIDENT VERNA: Those
14 opposed?

15 (No response.)

16 COUNCILMAN CLARKE: The ayes
17 have it.

18 Councilman Kenney.

19 COUNCILMAN KENNEY: Yes,
20 Mr. Chairman. I move that Bill No.
21 080541, as amended, be reported out of
22 this Committee with a favorable
23 recommendation and a request made for a
24 rules suspension to allow first reading
25 at our next Council session today.

1 6/12/08 - PUBLIC PROPERTY - BILL 080541

2 (Duly seconded.)

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

5 Those in favor?

6 (Aye.)

7 COUNCILMAN CLARKE: Those
8 opposed?

9 (No response.)

10 COUNCILMAN CLARKE: The ayes
11 have it. Bill No. 080541 is reported out
12 of Committee with a favorable
13 recommendation, with rules suspension to
14 allow reading at the next session of
15 Council.

16 Thank you very much.

17 (Committee on Public Property
18 and Public Works adjourned at 9:45 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on June 12, 2008, and that

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this is a true and correct transcript of same.

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MICHELE L. MURPHY

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RPR-Notary Public

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