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COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON PUBLIC PROPERTY AND
PUBLIC WORKS

- - -

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, April 9, 2008
9:50 a.m.

- - -

PRESENT:

COUNCILMAN DARRELL L. CLARKE, CHAIR
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM GREENLEE
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN FRANK RIZZO

BILLS 080135, 080205, 080206, 080208 and
080209

- - -

V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
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2

COUNCILMAN CLARKE: Good

3

morning. This is the Committee on Public

4

Property and Public Works. We have a

5

quorum established. We have Councilman

6

Jim Kenney, Councilman Bill Greenlee and

7

Councilwoman Joan Krajewski.

8

Will the Clerk please read the

9

title of the first bill.

10

THE CLERK: Bill No. 080205, an

11

ordinance authorizing the Commissioner of

12

Public Property, on behalf of the City,

13

to acquire the beds of the portions of

14

Delaware Avenue and Buckius Street that

15

are to be opened pursuant to Bill No.

16

080131, under certain terms and

17

conditions.

18

(Witnesses approached witness

19

table.)

20

COUNCILMAN CLARKE: Good

21

morning.

22

COMMISSIONER SCHLOTTERBECK:

23

Good morning. I'm sorry. The bill

24

number again, is it 080205?

25

COUNCILMAN CLARKE: 080205,

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 yeah.

3 COMMISSIONER SCHLOTTERBECK:

4 Thank you.

5 Good morning, Chairman Clarke
6 and members of the Public Property and
7 Public Works Committee. My name is Joan
8 Schlotterbeck. I'm the City of
9 Philadelphia Public Property
10 Commissioner. I'm here today to testify
11 in support of Bill No. 080205, an
12 ordinance authorizing me as the
13 Commissioner to acquire the beds of the
14 portions of Delaware Avenue and Buckius
15 Street.

16 This will enable the City to
17 acquire property to assist the Streets
18 Department with the opening of the
19 unopened portions of Delaware Avenue and
20 Buckius Street in accordance with Bill
21 No. 080131.

22 Public Property supports this
23 measure and, accordingly, I respectfully
24 ask that Council approve this bill. I
25 also ask that Council vote the Bill

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 080205 out of Committee with a favorable
3 recommendation and that the rules be
4 suspended to permit first reading at the
5 next Council session.

6 Thank you.

7 COUNCILMAN CLARKE: Thank you
8 for your testimony.

9 Any questions of this witness
10 on this particular bill by members of the
11 Committee?

12 (No response.)

13 COUNCILMAN CLARKE: Anyone else
14 to testify on this bill?

15 (No response.)

16 COUNCILMAN CLARKE: There being
17 none, we will proceed with the next bill.

18 Clerk, please read the title of
19 the next bill.

20 THE CLERK: Bill No. 080206, an
21 ordinance authorizing the Commissioner of
22 Public Property, on behalf of the City of
23 Philadelphia, to transfer to the
24 Philadelphia Authority for Industrial
25 Development, for nominal consideration, a

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.
2 certain parcel of land, with the
3 buildings and improvements thereon, known
4 as 815 East Washington Lane, for further
5 conveyance.

6 COMMISSIONER SCHLOTTERBECK:
7 Good morning, Chairman Clarke and members
8 of the Committee on Public Works and
9 Public Property. My name is Joan
10 Schlotterbeck, Public Property
11 Commissioner. I'm here today to testify
12 in support of Bill 080206, an ordinance
13 authorizing me as the Commissioner to
14 transfer to the Philadelphia Authority
15 for Industrial Development, for nominal
16 consideration, a certain parcel of land,
17 with the buildings and improvements
18 thereon, known as 815 East Washington
19 Lane, for further conveyance at fair
20 market value.

21 The purchase of this property
22 by Mt. Airy USA will provide them with
23 the opportunity to develop residential
24 housing.

25 The proceeds from the sale of

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 this property, \$565,000, will be
3 deposited into the City's General Fund.

4 The Department of Public
5 Property supports this measure and,
6 accordingly, I respectfully ask that City
7 Council approve Bill No. 080206.

8 I also request that Council
9 vote this bill out of Committee with a
10 favorable recommendation and that the
11 rules be suspended to permit first
12 reading at the next Council session.

13 Thank you.

14 COUNCILMAN CLARKE: Thank you.

15 Any questions of this witness
16 by members of the Committee on this bill?

17 (No response.)

18 COUNCILMAN CLARKE: Anyone else
19 to testify on this bill?

20 Mr. Kramer.

21 MR. KRAMER: Good morning,
22 Chairman Clarke, members of the Public
23 Property Committee. I am William Kramer,
24 the Division Director of the Development
25 Division of the Philadelphia City

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 Planning Commission. I am here today to
3 testify on Bill No. 080206, which was
4 introduced into City Council on February
5 28, 2008.

6 Bill No. 080206 will permit the
7 City to transfer property located at 815
8 East Washington Lane to PAID, who will
9 subsequently sell the property at fair
10 market value to Mt. Airy USA. 815 East
11 Washington Lane is an approximately
12 2.4-acre parcel zoned G-2 General
13 Industrial and R-9 Residential. Mt. Airy
14 USA proposes residential housing on this
15 parcel.

16 The Planning Commission at its
17 meeting of March 18, 2008 recommended
18 that Bill No. 080206 be approved.

19 This concludes my testimony. I
20 appreciate the opportunity to appear
21 today, and would be pleased to answer any
22 questions you may have.

23 COUNCILMAN CLARKE: Thank you.

24 What type of housing will this
25 be? Market-rate?

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 MR. KRAMER: Yes --

3 COUNCILMAN CLARKE: Mixed-use?

4 MR. KRAMER: -- I believe it
5 is.

6 COUNCILMAN CLARKE: Why are we
7 selling it for nominal? Why are we
8 conveying for nominal if it's all market
9 rate?

10 MR. HERZINS: It's not nominal.
11 Nominal transferred to PAID, and PAID is
12 selling it at fair market value.

13 COUNCILMAN CLARKE: And the
14 price is?

15 MR. HERZINS: 565,000.

16 COUNCILMAN CLARKE: Thank you.

17 COMMISSIONER SCHLOTTERBECK:
18 Which was read into the record as part of
19 my testimony.

20 COUNCILMAN CLARKE: Thank you.
21 I apparently wasn't paying attention.
22 I'm sorry.

23 Anyone else to testify on this
24 bill?

25 Yes, sir. Please come up.

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 (Witness approached witness
3 table.)

4 MR. SALICE: My name is Jason
5 Salice and I'm the Director of Real
6 Estate for Mt. Airy USA.

7 One point of clarification, it
8 is our intent to mix the incomes, so that
9 there will be some affordable housing,
10 rental housing options.

11 COUNCILMAN CLARKE: What will
12 the split be?

13 MR. SALICE: 50/50.

14 COUNCILMAN CLARKE: 50/50?

15 MR. SALICE: Yes.

16 COUNCILMAN CLARKE: And the
17 median income for the affordable units
18 will be approximately what?

19 MR. SALICE: Right now we're
20 looking at 50 percent of area median
21 income.

22 COUNCILMAN CLARKE: Will you
23 require any City subsidy?

24 MS. SALICE: Yes, we will.

25 COUNCILMAN CLARKE: For the

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.
2 affordable units?

3 MR. SALICE: Yes.

4 COUNCILMAN CLARKE: Thank you.

5 MR. SALICE: Thank you.

6 COUNCILMAN CLARKE: Thank you
7 for that clarification.

8 Any other questions from
9 members of the Committee for these
10 witnesses?

11 (No response.)

12 COUNCILMAN CLARKE: There being
13 none, thank you very much.

14 Will the Clerk please read the
15 title of the next bill.

16 THE CLERK: Bill No. 080208, an
17 ordinance authorizing the Commissioner of
18 Public Property, on behalf of the City of
19 Philadelphia, to transfer to the
20 Philadelphia Authority for Industrial
21 Development, for nominal consideration, a
22 certain parcel of land, with the
23 buildings and improvements thereon, known
24 as 4301 Tacony Street, for further
25 conveyance.

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 COMMISSIONER SCHLOTTERBECK:

3 Good morning. My name is Joan
4 Schlotterbeck. I'm the City of
5 Philadelphia Public Property
6 Commissioner. I'm here today to testify
7 in support of Bill No. 080208, an
8 ordinance authorizing me as the
9 Commissioner to execute and deliver to
10 the Philadelphia Authority for Industrial
11 Development, for nominal consideration, a
12 certain parcel of land, with buildings
13 and improvements thereon, known as 4301
14 Tacony Street, for further conveyance at
15 fair market value.

16 The purchase of this property
17 by the First Philadelphia Charter School
18 for Literacy will allow them to expand
19 their current facility to include a
20 playground and will be open to the
21 public.

22 The proceeds for the sale of
23 this property will be \$270,000, which
24 will be deposited into the City's General
25 Fund.

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 The Department of Public
3 Property supports this measure and,
4 accordingly, I respectfully request that
5 Council approve Bill No. 080208 and also
6 recommend that they favorably pass this
7 out of Committee and the rules be
8 suspended to permit first reading at the
9 next Council session.

10 Thank you.

11 COUNCILMAN CLARKE: Thank you.

12 Any questions of this witness
13 by members of the Committee?

14 (No response.)

15 COUNCILMAN CLARKE: Anyone else
16 to testify?

17 Mr. Kramer.

18 MR. KRAMER: Good morning,
19 Chairman Clarke and members of the Public
20 Property Committee. I am William Kramer,
21 the Division Director of the Development
22 Division of the Philadelphia City
23 Planning Commission. I am here to
24 testify on Bill No. 080208, which was
25 introduced into City Council on February

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.
2 28, 2008.

3 Bill No. 080208 will permit the
4 City to transfer property located at 4301
5 Tacony Street to PAID, who will
6 subsequently sell the property at fair
7 market value to First Philadelphia
8 Charter School for Literacy. 4301 Tacony
9 Street is an approximately 0.09-acre
10 parcel zoned L-3 Limited Industrial.
11 First Philadelphia Charter School for
12 Literacy will utilize this property to
13 expand its existing facility and will
14 include a public playground.

15 The Planning Commission at its
16 meeting of March 18, 2008 recommended
17 that Bill No. 080208 be approved.

18 This concludes my testimony. I
19 appreciate the opportunity to appear, and
20 will be pleased to answer any questions
21 you may have.

22 COUNCILMAN CLARKE: Thank you.

23 Any questions of this witness?

24 (No response.)

25 COUNCILMAN CLARKE: Anyone else

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 to testify on this bill?

3 (No response.)

4 COUNCILMAN CLARKE: There being
5 none, will the Clerk please read the
6 title of the next bill.

7 THE CLERK: Bill No. 080209, an
8 ordinance authorizing the Commissioner of
9 Public Property, on behalf of the City of
10 Philadelphia, to transfer to the
11 Philadelphia Authority for Industrial
12 Development, for nominal consideration,
13 some or all of the City's interest in
14 certain parcels of land, with the
15 buildings and improvements thereon,
16 located in an area bounded by North Front
17 Street, Wildey Street, Leopard Street and
18 Richmond Street; certain parcels of land,
19 with the buildings and improvements
20 thereon, known as 1101 through 19 North
21 Front Street, located on the east side of
22 North Front Street; and certain parcels
23 of land, with the buildings and
24 improvements thereon, known as 1043
25 through 47 North Front Street, located on

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.
2 the east side of North Front Street, for
3 further conveyance.

4 COMMISSIONER SCHLOTTERBECK:

5 Good morning. My name is Joan
6 Schlotterbeck. I'm the Public Property
7 Commissioner. I'm here today to testify
8 in support of Bill No. 080209, an
9 ordinance authorizing me as the
10 Commissioner to execute and deliver to
11 Philadelphia Authority for Industrial
12 Development, for nominal consideration,
13 fee simple title to certain parcels of
14 land, with the buildings and improvements
15 thereon, located in the area bounded by
16 North Front Street, Wilkey Street,
17 Leopard Street and Richmond Street;
18 certain parcels of land, with the
19 buildings and improvements thereon, known
20 as 1101 to 19 North Front Street, located
21 on the east side of North Front Street;
22 and certain parcels of land, again, with
23 the buildings and improvements thereon,
24 known as 1043 to 47 North Front Street,
25 located on the east side of North Front

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

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

4 The purchase of these
5 properties will provide Tower Investments
6 the opportunity to develop them for both
7 residential and commercial use.

8 The proceeds from the sale of
9 these properties is \$2.4 million and it
10 will be deposited into the General Fund.

11 I'd like to conclude my
12 testimony here at this point and ask that
13 Bill Kramer from City Planning weigh in
14 on where their Commission is on this
15 particular bill.

16 COUNCILMAN CLARKE: Thank you.

17 Any questions of the
18 Commissioner?

19 (No response.)

20 COUNCILMAN CLARKE: Mr. Kramer,
21 please proceed.

22 MR. KRAMER: Good morning,
23 Chairman Clarke. I am William Kramer,
24 Division Director of the Development
25 Division of the Philadelphia City

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 Planning Commission. I am here today to
3 testify on Bill No. 080209, which was
4 introduced into City Council on February
5 28, 2008.

6 Bill No. 080209 will permit the
7 City to transfer properties located at
8 1043-46 and 1101-1119 North Front Street
9 to PAID, who will subsequently sell the
10 property at fair market value to Tower
11 Investments. 1043-1047 North Front
12 Street is an approximately 0.8-acre
13 parcel zoned L-5 Limited Industrial.
14 1101 to 1119 North Front Street is an
15 approximately 0.4-acre parcel zoned L-5
16 Limited Industrial. Tower Investments
17 proposes a mixed-use development on these
18 parcels.

19 The Planning Commission at its
20 meeting on March 18, 2008 reviewed Bill
21 No. 080209 and after lengthy discussion
22 requested an additional 45 days to
23 consider this bill.

24 They have it on their agenda
25 for our next meeting, which is April

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 15th, and if it pleases Council, we will
3 send our recommendation in writing at
4 that time.

5 COUNCILMAN CLARKE: Okay. This
6 parcel is just south of Girard Avenue?

7 MR. KRAMER: Yes, sir.

8 COUNCILMAN CLARKE: And you
9 said it's on the east side?

10 MR. KRAMER: Yes, sir.

11 COUNCILMAN CLARKE: Okay.

12 MR. KRAMER: It's currently
13 vacant land. It sits in --

14 COUNCILMAN CLARKE: It's behind
15 the bar. I think there's a bar there or
16 something.

17 MR. KRAMER: I'm not sure about
18 that, but it's between I-95 and the El.

19 COUNCILMAN CLARKE: Not that I
20 frequent the bar. I just happen to live
21 in the neighborhood, so I'm familiar with
22 the location.

23 MR. KRAMER: Right. It's a
24 triangular piece of area between the
25 Market-Frankford El and I-95. And,

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 frankly, some of the concerns our
3 Commission had was, there were
4 neighborhood plans that called for this
5 to be used as open space, and they wanted
6 to get a further understanding of that as
7 part of the Planning Commission's duties
8 and responsibilities, so we intend to
9 consider this again at our next meeting,
10 which is Tuesday.

11 COUNCILMAN CLARKE: Well, the
12 Councilman has indicated that he would
13 like for it to be moved out of Committee,
14 but he will hold it on the Calendar until
15 the Planning Commission has done its
16 work.

17 MR. KRAMER: Thank you, sir.

18 COUNCILMAN CLARKE: You're
19 welcome.

20 Any questions?

21 (No response.)

22 COUNCILMAN CLARKE: Anyone else
23 to testify on this bill?

24 (No response.)

25 COUNCILMAN CLARKE: There being

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.
2 none, will the Clerk please read the
3 title of the last bill.

4 THE CLERK: Bill No. 080135, an
5 ordinance designating the Family Court
6 Building located at 1801 Vine Street as
7 the Judge Nicholas A. Cipriani Family
8 Court Building.

9 COMMISSIONER SCHLOTTERBECK:
10 Good morning again. My name is Joan
11 Schlotterbeck, City of Philadelphia
12 Public Property Commissioner. I'm here
13 today to testify in support of Bill No.
14 080135, an ordinance designating the
15 Family Court building located at 1801
16 Vine Street as the new Judge Nicholas A.
17 Cipriani Family Court Building.

18 The Department supports this
19 measure and, accordingly, I respectfully
20 ask that Council approve Bill No. 080135
21 and that you recommend out of Committee
22 today a favorable recommendation and
23 suspend the rules to permit first reading
24 at the next session.

25 Thank you.

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 COUNCILMAN CLARKE: Thank you.

3 Let the record show that

4 Councilman Wilson Goode is also in

5 attendance at this hearing.

6 Any questions of this witness

7 by members of the Committee?

8 (No response.)

9 COUNCILMAN CLARKE: Anyone else
10 to testify on the bill?

11 I understand we have three or
12 four people. Mr. Cipriani and we have
13 Mr. Bevilacqua and Your Honor. You might
14 as well all come up.

15 MR. CIPRIANI: Chairman Clarke
16 and members of this honorable committee,
17 my name is Eugene Cipriani and I'm here
18 on behalf of the Cipriani family to
19 testify in favor of proposed Bill No.
20 080135 to name the Family Court building
21 after my father, Judge Nicholas A.
22 Cipriani.

23 Dad was a true son of
24 Philadelphia. His grandparents and
25 parents were immigrants from Italy. His

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 grandfather, Michael A. Bozzuto, opened
3 up a barbershop in South Philadelphia in
4 1903 and later became a committeeman in
5 1915, thus starting our family's service
6 to the citizens of Philadelphia. Great
7 grandpop Bozzuto even spoke and wrote
8 English with such proficiency that he had
9 a clerk's job in this great building.
10 Dad picked up the political baton upon
11 his return from the military service in
12 1946 and honorably served this community
13 as an attorney.

14 In 1969, Dad was elected judge
15 to the Court of Common Pleas, and after
16 an initial stint in the criminal division
17 found his way to Family Court. Dad was
18 no stranger to family law since his
19 general practice included the usual round
20 of divorces and messy situations
21 involving the wayward children of
22 clients. In Family Court, Dad found his
23 home.

24 When appointed Administrative
25 Judge of the Family Court division in

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 October of 1980, Dad took on the role of
3 healer. The prior two decades saw
4 Philadelphia torn apart by racial strife,
5 and Dad sought to bring all of our
6 citizens together. Dad was a great
7 scholar and sought to enhance the stature
8 of Philadelphia's judiciary by active
9 participation in national and
10 international family law issues. Through
11 his efforts, Philadelphia became known as
12 a leader in family law administration.

13 While providing meaningful
14 efforts to reconcile the various factions
15 within the City, Dad fell in love with
16 the 1801 Vine Street building. As a
17 child of the Depression, he knew its
18 history. In the first two decades of the
19 20th Century, our wise Philadelphia
20 forebearers decided to reinvent
21 Philadelphia into becoming the Paris of
22 the East Coast. A great public works
23 project, started in the teens of that
24 decade, saw the demolition of many homes
25 and businesses to build Philadelphia's

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 version of the Champs d'Elysees, now
3 known as the Benjamin Franklin Parkway.
4 It connected the central business
5 district to our own Acropolis where the
6 Art Museum sits. Logan Square, one of
7 William Penn's original urban parks,
8 became Logan Circle.

9 The project was not complete
10 without turning the north side of Logan
11 Circle into a replica of Paris' Place de
12 la Concorde. Between 19th and 20th
13 Streets sits the Free Library. For all
14 of its grandeur, it is relatively devoid
15 of artwork. But when the Family Court
16 building was constructed in the 1930s and
17 opened up in or just after 1940, it was a
18 jewel. As a Works Progress
19 Administration building of the Franklin
20 D. Roosevelt administration, not only was
21 the building grand in scale, but its
22 walls and even a few of its light
23 passages were decorated with paintings
24 and stained glass by artists otherwise
25 unable to get work. Dad could identify

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 with these individuals since people like
3 them patronized his father's barbershop.

4 Dad as Administrative Judge and
5 later Senior Judge became the unofficial
6 historian of the building and was even
7 featured one Sunday in the Philadelphia
8 Inquirer's magazine.

9 But Dad's most enduring
10 contribution to the Family Court was his
11 devotion to the administration of justice
12 to those who had no voice, the children
13 of Philadelphia. Those children were his
14 children regardless of background. Dad
15 did everything he could to make their
16 plight easier.

17 Dad has gone on to his eternal
18 reward. Even if the 1801 Vine Street
19 building were to be sold to a private
20 developer, the building itself has
21 significance as being the first to
22 combine the various elements of family
23 law activities under one roof.

24 Tragically, the City's requirements to
25 assist families in need has escalated and

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 it appears the building may be outdated.

3 I submit that for whatever time is left
4 to have the Family Court headquartered at
5 1801 Vine Street, it would be most
6 appropriate to have this magnificent
7 edifice named after the man who
8 symbolized the importance of family law
9 in Philadelphia and who loved and
10 appreciated the building, and more
11 importantly, its people in which the
12 great work of family law continues to be
13 carried out.

14 Thank you.

15 COUNCILMAN CLARKE: Thank you
16 for your testimony, sir.

17 Please proceed.

18 MR. BEVILACQUA: Chairman
19 Clarke, members of the Committee, Kenney,
20 Krajewski, Greenlee and Councilperson
21 Goode, it gives me great pleasure to
22 appear before you. My name is Gabriel
23 Bevilacqua. I am an Immediate Past
24 Chancellor of the Justinian Society,
25 which is composed of over 700

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 Italian-American lawyers and judges in
3 the Greater Philadelphia area, and
4 Vice-President of the Grand Lodge of
5 Pennsylvania, the Order Sons of Italy in
6 America, which has over 67 lodges
7 throughout the Commonwealth and a number
8 of lodges in Philadelphia. So I appear
9 before you today in support of renaming
10 the Family Court building in honor of the
11 memory of Judge Nicholas A. Cipriani.

12 I am truly honored to speak on
13 behalf of both the Grand Lodge of
14 Pennsylvania, Order Sons of Italy in
15 America and its current President,
16 Vincent Turco, and the Justinian Society
17 and its current Chancellor, Rudolph
18 Garcia. As I mentioned, the Order is the
19 oldest and most diverse association of
20 Italian-Americans, having over 67 lodges
21 in this great Commonwealth, and the
22 Society is comprised of over 700 members
23 in the Greater Philadelphia area. I
24 speak in behalf of both organizations in
25 strong support of renaming the Family

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 Court building the Nicholas A. Cipriani
3 Family Court Building.

4 We strongly urge this Committee
5 to memorialize the extraordinary life and
6 the achievements of a remarkable
7 individual, one who exemplified the
8 highest ideals of the judiciary and of
9 our great city.

10 It was Justice Oliver Wendell
11 Holmes who said that a judge should sit,
12 quote, "without a thought of self,
13 without even the unconscious pride of
14 aloofness, serenely absorbed in the
15 problems of the matters at hand, weighing
16 as if the elements in the balance were
17 dead matter, but discerning and
18 collecting those elements with the help
19 of a noble and tender heart."

20 In these few words, Justice
21 Holmes said much about Judge Nicholas A.
22 Cipriani, without a thought of self,
23 serenely absorbed, with the help of a
24 noble and tender heart. These are the
25 qualities that Judge Cipriani brought to

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 his work, to his community, to his life
3 and to his profession.

4 The story of our justice
5 system, indeed the story of our country,
6 is told through the lives of people like
7 this fine, pure and humble jurist. Told
8 through such a life, this is an
9 ennobling, uplifting and aspiring story.
10 That is why I am here today representing
11 the Italian-American community in support
12 of this proposal.

13 At the end of the tempest,
14 Prospero stages a beautiful dance of
15 spirits, which he abruptly ends. When
16 Ferdinand expresses dismay at Prospero's
17 brusk dismissal of the spirits, Prospero
18 replies in a speech that many may
19 sympathize with. Be cheerful, sir,
20 Prospero says to Ferdinand. Our revels
21 now are ended. These are our actors, as
22 I foretold you. We're all spirits and
23 are melted into air, into thin air. And
24 like the baseless fabric of this vision,
25 the cloud-capped towers, the gorgeous

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 palaces, the solemn temples, the great
3 globe itself, yea all of which it will
4 inherit shall dissolve. And like this
5 insubstantial pageant, faded, leave not a
6 rack behind. We are such stuff as dreams
7 are made on and our little life is
8 rounded with a sleep.

9 Judge Cipriani's life, I
10 respectfully submit, was not an
11 insubstantial dream, nor was his life a
12 futile sleep. He began his legal
13 training in 1935 in the Law Offices of
14 Bob Sebastian. He humbly worked first as
15 a stenographer before going on to law
16 school and receiving his degree in 1943
17 from Temple University Law School.

18 The summer of 1943 saw our
19 country at war and our honoree heard his
20 country's call. He joined the United
21 States Armed Forces and served with
22 distinction for three years.

23 The life of Judge Cipriani took
24 many unexpected twists and turns.
25 Following 20 years of private practice

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 and then service for four years as a
3 Special Assistant Attorney General of
4 Pennsylvania, he was elected to the
5 Philadelphia Court of Common Pleas in
6 November of 1969. He distinguished
7 himself from the bench, not only as an
8 abled jurist, but as a pioneering
9 administrator, leading the family
10 division of the First Judicial District
11 as Administrative Judge for many, many
12 years. All the while he was an active
13 and contributing member of this community
14 and of this great city.

15 For most, that would have been
16 a time to look back and to rest on his
17 very ample laurels, but not for Judge
18 Cipriani. Refusing to look back, he
19 instead adapted to new challenges. Judge
20 Cipriani served as Pennsylvania President
21 of the Order Sons of Italy in America,
22 President of the Temple University
23 General Alumni Association and on the
24 Board of Trustees of Methodist Hospital,
25 his community hospital, in South

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 Philadelphia.

3 He had leadership roles with
4 the Big Brothers Association of
5 Philadelphia and served on numerous other
6 Boards, always with great fidelity and
7 without pay. Not surprisingly, he is the
8 recipient of many awards, including
9 recognition by the Republic of Italy with
10 the highly prestigious designation of
11 "commenda torre" and receipt of the
12 equally prestigious Order of Merit.

13 Each and every one of us can
14 only dream of achieving some small
15 measure of this exceptional man's
16 stature. His drive, gentility and
17 respect for his fellow human beings is
18 legendary. It is the force of this
19 character, this great character, and the
20 great dignity with which he faithfully
21 discharged his duties that truly
22 distinguishes Judge Cipriani. Few, if
23 any, can think of an individual who
24 possess greater grace and serenity.

25 I had the privilege of knowing

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 him both personally and professionally
3 during my year as Chancellor of the
4 Philadelphia Bar Association. And when I
5 think of Judge Cipriani, I think of the
6 qualities that our parents and
7 grandparents brought to everything they
8 did, optimism, strength, cheerfulness, a
9 love of life, hard work and simplicity.

10 Let us be resolved not to let
11 this man's great spirit melt into thin
12 air, nor like the insubstantial pageant,
13 faded, leaving not a rack behind.

14 While it may be true that we
15 are such stuff as dreams are made on and
16 our little life is rounded with a sleep,
17 we can, with conscious choice and
18 respectful reflection, recognize the
19 legacy of this truly remarkable
20 individual by renaming the Family Court
21 building to honor his life of service to
22 all of us.

23 Thank you for allowing me to
24 speak.

25 COUNCILMAN KENNEY: Thank you

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.
2 for your testimony.

3 Judge, can you please identify
4 yourself for the record and proceed.

5 JUDGE CARRAFIELLO: Yes. Good
6 morning, Chairman Clarke and honorable
7 members of this Council. My name is
8 Matthew D. Carrafiello. I am Judge of
9 the Common Pleas Court of this county,
10 and I have had the honor and pleasure of
11 knowing Judge Cipriani for the last 37,
12 38 years. Now, I would go on to recount
13 my testimony, except that everything that
14 I would say I think has already been
15 said. So if instead I could give you my
16 written testimony.

17 There's just a couple things
18 that I would say.

19 I'm one of those individuals
20 that owes a great debt to Judge Cipriani,
21 because he encouraged me, he mentored me
22 and he showed me what it was to be a
23 judge. A judge must be long suffering, a
24 judge must listen, and a judge must care.

25 I would challenge anyone to

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 ever recount the situation which Judge
3 Cipriani raised his voice. It never
4 happened. He was a loving, caring man.

5 He has encouraged so many of
6 our children. He's kept so many of our
7 families together. The reason why 1801
8 Vine Street should bear his name is
9 because he is the epitome of what every
10 worker in the vineyard of family law and
11 family justice should be.

12 I would only bring one other
13 thing to your attention, that a couple
14 years ago when Judge Cipriani was facing
15 the eventual end of his career, he gave
16 me quite a number of articles and books.
17 One of them was a pamphlet he put
18 together in 1986. It was put together
19 for a salute to Parkway institutions
20 sponsored by the Free Library of
21 Philadelphia. In commemoration, he put
22 together a booklet, and as was his style,
23 he didn't claim sole authorship for it,
24 although he did solely put this together
25 and solely have it published. Nor did he

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 recount the history of Family Court,
3 including the predecessor to the building
4 at 18th and Vine Street. He did not
5 recount that in his own words. Instead,
6 he chose an article that was nationally
7 published in 1917 which was written by
8 President Theodore Roosevelt.

9 This exemplifies his pension
10 for the history of Family Court, his love
11 of Family Court justice and his concern
12 that we all understand the burdens that
13 the family in Philadelphia undergoes.

14 He was a loving, caring man who
15 has been an example of what we should all
16 follow. So I would, therefore, highly
17 recommend that this building be named in
18 his honor.

19 Thank you.

20 COUNCILMAN CLARKE: Thank you,
21 Your Honor.

22 Councilman Kenney.

23 COUNCILMAN KENNEY: Thank you
24 very much for your testimony, and
25 certainly it will be an honor to vote on

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 this particular piece of legislation in
3 honor of Judge Cipriani, who was
4 absolutely a wonderful, wonderful man.

5 As a life-long South
6 Philadelphian, I take special pride in
7 casting my vote in that regard, and I
8 just want to tell you that some of the
9 most enlightening time I've ever spent
10 was the half a dozen times or so that I
11 had the opportunity to pick him up at the
12 corner waiting for the C bus in South
13 Philadelphia at, I think it was, Broad
14 and Wolf and drive him into town. For
15 that short period of time, he imparted to
16 me such wisdom that I'll never forget
17 him.

18 And, again, as a South
19 Philadelphian, I would like to publicly
20 say that, Judge Carrafiello, you are
21 following in his footsteps in many ways,
22 both in demeanor, ability and dedication,
23 and I'm very proud of you, too.

24 JUDGE CARRAFIELLO: Thank you,
25 sir.

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 COUNCILMAN KENNEY: Thanks.

3 COUNCILMAN CLARKE: Thank you,
4 Councilman.

5 Any other questions of these
6 witnesses?

7 (No response.)

8 COUNCILMAN CLARKE: Thank you
9 all so much for your testimony.

10 JUDGE CARRAFIELLO: Thank you.

11 COUNCILMAN CLARKE: Aaron,
12 please proceed.

13 MR. FINESTONE: Councilman
14 Clarke, members of the panel, I'm Aaron
15 Finestone, City Council technical staff,
16 and I'm going to read into the record a
17 letter from Councilman Brian O'Neill. He
18 apologizes. He's at another meeting and
19 he cannot be here at this point.

20 Dear Councilman Clarke, I write
21 in support of Bill 080135, which would
22 name the Family Court building at 1801
23 Vine Street after the late Judge Nicholas
24 A. Cipriani.

25 From 1969 through 2006,

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 Nicholas A. Cipriani gave more than three
3 decades of dedicated and outstanding
4 service to the children, families and
5 citizens of Philadelphia. The Family
6 Court building at 1801 Vine Street was
7 his home. He presided over cases,
8 mentored generations of young lawyers and
9 acted as a friend and advisor to court
10 staff.

11 Judge Cipriani mentored me
12 personally for almost ten years as a
13 Family Court juvenile probation officer
14 and as a practicing attorney.

15 His service was capped by a
16 term as Administrative Judge of the
17 Family Court Division, during which time
18 he instituted new programs to make
19 justice accessible to all citizens. I
20 can think of no greater tribute to this
21 fine judge than to name his home, the
22 Family Court building at 1801 Vine
23 Street, after him.

24 Kindly make this letter part of
25 the record of the public hearing on Bill

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 080135.

3 Very truly yours, Brian J.

4 O'Neill, Councilman, 10th District.

5 COUNCILMAN CLARKE: Thank you.

6 Anyone else to testify on this
7 bill?

8 (No response.)

9 COUNCILMAN CLARKE: There being
10 none, we will now move into the public
11 meeting.

12 The Chair recognizes Councilman
13 Kenney for a motion on Bill No. 080135.

14 COUNCILMAN KENNEY:

15 Mr. Chairman, I move that Bill No. 080135
16 be reported out of this Committee with a
17 favorable recommendation and a request
18 for a rules suspension to allow for first
19 reading at our next Council session.

20 (Duly seconded.)

21 COUNCILMAN CLARKE: Moved and
22 seconded.

23 All in favor?

24 (Aye.)

25 COUNCILMAN CLARKE: Those

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 opposed?

3 (No response.)

4 COUNCILMAN CLARKE: The ayes
5 have it. Bill No. 080135 is reported out
6 of the Committee with a favorable
7 recommendation, with a rules suspension
8 as to allow reading at the next session
9 of Council.

10 Councilman Kenney, can I get a
11 motion on Bill No. 080205.

12 COUNCILMAN KENNEY:
13 Mr. Chairman, I move that Bill No. 080205
14 be reported out of this Committee with a
15 favorable recommendation and a request
16 made for a rules suspension to allow
17 first reading at our next Council
18 session.

19 (Duly seconded.)

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

22 All those in favor?

23 (Aye.)

24 COUNCILMAN CLARKE: Those
25 opposed?

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 (No response.)

3 COUNCILMAN CLARKE: The ayes
4 have it. Bill No. 080205 will be
5 reported out of the Committee with a
6 favorable recommendation, with a rules
7 suspension as to allow reading at the
8 next session of Council.

9 Councilman Greenlee, can I get
10 a motion on Bill No. 080206.

11 COUNCILMAN GREENLEE: Thank
12 you, Mr. Chairman. I move that Bill No.
13 080206 be reported out of this Committee
14 with a favorable recommendation and move
15 further that the rules of Council be
16 suspended to allow for first reading at
17 our next session of Council.

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 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 COUNCILMAN CLARKE: The ayes
3 have it. Bill No. 080206 will be
4 reported out of the Committee with a
5 favorable recommendation, with a rules
6 suspension as to allow reading at the
7 next session of Council.

8 Councilman Rizzo, can I please
9 ask for a motion on Bill No. 080208.

10 COUNCILMAN RIZZO: Bill 080208
11 to be referred from this Committee with a
12 favorable recommendation, that the rules
13 be suspended so it can be heard on the
14 next session of Council.

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 080208 will be reported
25 out of the Committee with a favorable

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

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

5 Councilwoman Krajewski,
6 please --

7 COUNCILWOMAN KRAJEWSKI:

8 Mr. Chairman, I move that Bill 080209 be
9 reported out of this Committee with a
10 favorable recommendation.

11 (Duly seconded.)

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

14 Those in favor?

15 (Aye.)

16 COUNCILMAN CLARKE: Those
17 opposed?

18 (No response.)

19 COUNCILMAN CLARKE: The ayes
20 have it. Bill 080209 will be reported
21 out of the Committee with a favorable
22 recommendation.

23 This concludes the Committee on
24 Public Property and Public Works.

25 Thank you very much.

1 4/9/08 - PUBLIC PROPERTY - BILL 080135, etc.

2 (Committee on Public Property
3 and Public Works adjourned at 10:25 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
foregoing matter on April 9, 2008, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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