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COUNCIL OF THE CITY OF PHILADELPHIA  
JOINT COMMITTEE ON RULES and  
PARKS, RECREATION and CULTURAL AFFAIRS

- - -  
Room 400, City Hall  
Philadelphia, Pennsylvania  
Monday, November 26, 2007, 2:40 p.m.  
- - -

BILLS 070955, 070956 - Re Fox Chase Cancer  
Center Expansion.

(Full text of all bills contained herein.)

- COUNCILMEMBERS PRESENT:
- Anna C. Verna, Chair, Rules
  - Darrell L. Clark, Vice Chair, Rules
  - Frank DiCicco
  - William K. Greenlee
  - Jack Kelly
  - James F. Kenney
  - Donna Reed-Miller
  - Brian J. O'Neill
  - Blondell Reynolds-Brown, Chair, Parks and Rec.
  - Marian B. Tasco

- - -  
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COUNCIL PRESIDENT VERNA: This will be the joint Committee on Rules and also on Parks and Recreation. So whoever will be testifying will be testifying on both bills, so there's no necessity for someone to be testifying twice.

I would ask Mr. McPherson, then, to please read the title of Bill No. 070955 and 070956.

MR. MCPHERSON: Bill No. 070955, an ordinance to amend the Philadelphia Zoning Maps by changing the zoning designation of certain areas of land located within an area bounded by Burholme Avenue, Napfle Avenue, Burholme Avenue, Hartel Avenue, Hasbrook Avenue, Central Avenue, Cottman Avenue, Filmore Avenue, and Shelmire Avenue.

Bill No. 070956, an ordinance authorizing the president of the Fairmount Park Commission, the Executive Director of Fairmount Park, and the Public Property Commissioner,

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 on behalf of the City of Philadelphia,  
3 to enter into a lease with the  
4 Philadelphia Authority for Industrial  
5 Development to lease City-owned land  
6 south of Shelmire Avenue adjacent to  
7 the campus of the Fox Chase Cancer,  
8 Inc. to PAID, under which PAID will  
9 enter into a sublease with the  
10 Fairmount Park Conservancy, a  
11 Pennsylvania nonprofit corporation  
12 under which the conservancy will enter  
13 into a sublease and other agreements  
14 with Fox Chase, pursuant to which Fox  
15 Chase will construct, maintain, and  
16 operate cancer research and treatment  
17 facilities on the property; and  
18 authorizing the President of the  
19 Fairmount Park Commission, the  
20 Executive Director of Fairmount Park,  
21 the Public Property Commissioner, and  
22 the City Solicitor to enter into  
23 additional agreements and take all  
24 other actions necessary to complete the  
25 transaction contemplated by this

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56  
2 ordinance, all under certain terms and  
3 conditions.

4 COUNCIL PRESIDENT VERNA: Who's  
5 going to testify first? Mr. Kramer, are  
6 you testifying on these bills?

7 MR. KRAMER: Yes.

8 COUNCILMAN O'NEILL: Madam  
9 Chair?

10 COUNCIL PRESIDENT VERNA: Yes?

11 COUNCILMAN O'NEILL: I would  
12 like to make some introductory remarks.

13 COUNCIL PRESIDENT VERNA: Yes.

14 COUNCILMAN O'NEILL: Yes.

15 COUNCIL PRESIDENT VERNA: The  
16 Chair recognizes Councilman O'Neill.

17 COUNCILMAN O'NEILL: This  
18 process has been long, to say the least.

19 It is -- I am in full support  
20 of this legislation, these two bills.  
21 And I just want to say that I'm glad it  
22 finally all got worked out.

23 And many people have been  
24 frustrated who are involved either with  
25 the hospital directly or peripherally

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2 with the economic development aspects  
3 of this, and with the overall expansion  
4 and possibilities involved with the  
5 expansion.

6 Let me make it very clear that  
7 this didn't take a day longer than it  
8 had to take. And through the efforts  
9 of some people who I brought into the  
10 process -- Mr. William Sasso, who I  
11 believe is here somewhere -- got into  
12 it just for a breakfast meeting and  
13 wound up spending hours and hours on  
14 it. And former City Department of  
15 Streets Traffic Engineer Chief Charlie  
16 Trainor, who retired a year-and-a-half  
17 ago after 36 years with the City, I  
18 don't think we'd be sitting here today.

19 But I want to stress that for  
20 all of those people I mentioned that  
21 Fox Chase is one of the more wonderful,  
22 loving institutions anywhere, but they  
23 are also a neighbor.

24 And if this was just being  
25 done as an economic development

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2 project, it wouldn't have been done two  
3 years ago. It is not just an economic  
4 development issue; it is a neighborhood  
5 issue as well. And you will see some  
6 people are here today who don't want  
7 this at all under any circumstances.

8 I have two issues that I  
9 insisted upon from day one; that was  
10 that traffic be better, if possible,  
11 after this expansion but certainly no  
12 worse because I thought that the  
13 neighbors were entitled to no less. We  
14 are there now.

15 And also that while I believe  
16 most of the land from Burholme Park  
17 that's being taken for this project is  
18 not the park land that's used by  
19 residents of the area but is fenced in  
20 for a golf concession that's been there  
21 for 50 years or so.

22 That it was incumbent to have  
23 either land acquired nearby for park  
24 land to replace this ground that is the  
25 subject of our hearings today; or, as

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 it turned out, we were unable to get  
3 land because it becomes a lot more  
4 expensive when people see that fat  
5 checkbook that they think is out there.  
6 So there's a significant trust being  
7 set up to accommodate purchases in the  
8 future of park land.

9 And this ended there. I  
10 respect those that are against this  
11 project. They have a totally different  
12 view of the world than I do, and -- but  
13 I respect it.

14 And for those who have agreed  
15 with me all along that this is a great  
16 project if we could make the traffic  
17 work, I just ask them to accept my  
18 explanation as to why it took so long.

19 Thank you.

20 COUNCIL PRESIDENT VERNA: The  
21 Chair recognizes Councilwoman Tasco.

22 COUNCILWOMAN TASCO: Thank you.

23 I'd like to publicly announce  
24 that I have to abstain from  
25 participating in this discussion

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2 because I serve on the Minority  
3 Outreach Board for Fox Chase Cancer  
4 Center. I am not on the board of Fox  
5 Chase, I have not had any discussion  
6 about this with Fox Chase or any  
7 meeting with Fox Chase.

8 But to clear up -- but to  
9 create -- not to create any confusion,  
10 I want to make a public disclosure that  
11 I do serve on their Minority Outreach  
12 Program Advisory Board.

13 COUNCIL PRESIDENT VERNA: Thank  
14 you very much, Councilwoman.

15 COUNCILMAN O'NEILL: Madam  
16 President, may I just add 'cause it's  
17 something I meant to say at the previous  
18 meeting -- hearing on Holy Family, but  
19 it certainly applies even more to this  
20 one.

21 When people question our  
22 policy of District Council members  
23 controlling the fate of legislation in  
24 their own district, we have many, many  
25 examples but, we have two before us

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2 today -- Holy Family University and Fox  
3 Chase Cancer Center -- that are win/win  
4 situations for the institutions and for  
5 the community because we respect the  
6 wishes of the people that live around  
7 the institutions through their district  
8 representative.

9 And if there's a need to deal  
10 with District Council prerogative or  
11 whatever you want to call it, then we  
12 should do it internally when a member  
13 may be abusing it -- but not when a  
14 member is representing the people who  
15 live in the area, who otherwise would  
16 have no one representing them.

17 Thank you.

18 COUNCIL PRESIDENT VERNA: Thank  
19 you very much.

20 Good afternoon. Please  
21 identify yourself for the record.

22 MR. FOCHT: Good afternoon,  
23 Council President Verna and Chairwoman  
24 Reynolds-Brown and committee members.  
25 I'm Mark A. Focht. I'm the Executive

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 Director of the Fairmount Park  
3 Commission, and I am pleased to appear  
4 before you today on behalf of the  
5 Fairmount Park Commission to support  
6 Council Bill 070956, authorizing the  
7 City of Philadelphia, through the  
8 Fairmount Park Commission, to enter into  
9 a lease with the Philadelphia Authority  
10 for Industrial Development (PAID) for a  
11 portion of the property located in  
12 Burholme Park, a park under the  
13 jurisdiction of Fairmount Park  
14 Commission, under which PAID will enter  
15 into a sublease with the Fairmount Park  
16 conservancy and subsequently under which  
17 the Fairmount Conservancy will enter  
18 into a sub sublease with the Fox Chase  
19 Cancer Center, pursuant to which the  
20 Cancer Center will expand its cancer  
21 research and treatment campus.

22 A paramount mission of  
23 Fairmount Park is the protection and  
24 preservation of open space for the  
25 citizens of Philadelphia and the

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2 protection of our watersheds. However,  
3 the Commission understands that  
4 sometimes itself essential to balance  
5 its mission with the City's crucial  
6 need for economic development. The  
7 Commission believes that this bill  
8 strikes that balance.

9 The Cancer Center approached  
10 the Fairmount Park Commission in 2004,  
11 requesting the Commission make  
12 available a portion of Burholme Park  
13 for the purpose of expansion of the  
14 campus center campus.

15 The Commission immediately  
16 formed the Burholme Committee to  
17 explore whether the Commission could  
18 agree to the expansion and, at the same  
19 time, provide suitable financial and  
20 land contributions for park purposes to  
21 balance the development proposed by the  
22 Cancer Center.

23 The bill before you today is a  
24 result of over three years of  
25 negotiation between the Cancer Center

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2 and the Commission's Burholme  
3 Committee. Under the agreement, the  
4 bill would authorize the Cancer Center  
5 will be required to contribute \$7.75  
6 million over the term of the project to  
7 support both Burholme Park and the  
8 Fairmount system. This includes a base  
9 rent of \$1.25 million paid to Fairmount  
10 Park upon the signing of the lease,  
11 half of which will be used exclusively  
12 for the maintenance, repairing and  
13 improvement of the playground, playing  
14 fields, wooded parcels, and the Ryers  
15 Museum in Burholme Park. The money  
16 would also be used to grant an  
17 endowment to support future maintenance  
18 and improvements of these facilities.

19 At the request of the  
20 Commission, the Cancer Center has  
21 reduced its original request for the  
22 use of park land by 22 percent, from 25  
23 to 19.4 acres.

24 The Commission is particularly  
25 sensitive to the needs to provide

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2 increased recreational opportunities in  
3 the area closest to Burholme Park to  
4 serve the citizens of that district.

5 And, as Councilman O'Neill has  
6 referenced, accordingly, the proposed  
7 agreement would require the Cancer  
8 Center use its best efforts to acquire  
9 land near Burholme Park lease within a  
10 year of signing the lease with the City  
11 to use as park land under the  
12 Commission's jurisdiction.

13 If the Cancer Center cannot  
14 acquire the property within the  
15 designated time, then the Cancer Center  
16 will be required to deposit a sum of  
17 money mutually agreeable to the City  
18 and the Cancer Center to the Fairmount  
19 Park Conservancy to be used for park  
20 land acquisition and improvements.

21 This funding would be used to  
22 acquire or improve park land, as  
23 directed by the Commission and approved  
24 by City Council, in areas of the City  
25 within the following order of

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 preference:

3 First, in the vicinity of Fox  
4 Chase's current campus; second, in the  
5 City north of Cottman Avenue; and  
6 third, in any other area of the City.

7 Fox Chase will also be  
8 required to deposit \$500,000 into an  
9 escrow account, which the Commission  
10 will use to identify land to acquire  
11 for park use citywide, which may also  
12 be used to improve existing Fairmount  
13 Park land.

14 Equally important, I want to  
15 make a point clear on behalf of the  
16 Commission to all members today and the  
17 public: The Commission is committed to  
18 working with earnestly and diligently  
19 with concerned community groups and the  
20 Cancer Center to acquire suitable  
21 substitute park land to serve the  
22 citizens that live near Burholme and  
23 the Fox Chase area of the City as well  
24 as the war sheds in which the Fox Chase  
25 Cancer Center operation is located.

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2           The Cancer Center is also  
3           required, at its sole cost and expense,  
4           to either relocate mature trees or  
5           replace each tree removed in connection  
6           with the expansion project with at  
7           least two new trees in Burholme Park so  
8           that the new campus buildings are  
9           shielded and beautified by a canopy of  
10          trees.

11           The Commission takes its  
12          fiduciary responsibility over the  
13          protection and preservation of park  
14          land under its jurisdiction very  
15          seriously. On very few occasions over  
16          its 140-year history has the Commission  
17          considered encroaching on park land,  
18          yet the Commission believes that just  
19          as a park is an anchor for a thriving  
20          community, so is a world-class  
21          institution and major employer such as  
22          the Fox Chase Cancer Center.

23           The Cancer Center's  
24          \$800 million expense positions the City  
25          for the creation of permanent jobs and

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2 the opportunity to generate millions in  
3 increased tax revenue for the City and  
4 the park.

5 The Cancer Center must expand  
6 its current facilities in order to  
7 maintain its high standards of service  
8 to cancer patients and to maintain its  
9 profile as one of the nation's leading  
10 cancer research and treatment centers.

11 Therefore, I appear before you  
12 today to pledge the support of the  
13 Fairmount Park Commission and staff for  
14 this legislation and respectively ask  
15 that City Council approve Bill No.  
16 070956.

17 Thank you. And I'd be pleased  
18 to answer any questions.

19 COUNCIL PRESIDENT VERNA: Thank  
20 you very much.

21 I just have one question. I  
22 believe it was stated that jobs will be  
23 expanded from the current 2500 to 6300.  
24 During what phase of development will  
25 these jobs be created? noting that it

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2 is projected that it will take 25 years  
3 to complete the project.

4 MS. NADOFF: I'm Stephanie  
5 Naidoff. I'm the Commerce Director.

6 Council President, I don't  
7 have the exact schedule on which the  
8 jobs will be created, but there are  
9 people from Fox Chase who will be  
10 testifying, and perhaps they can give  
11 you that information.

12 COUNCIL PRESIDENT VERNA: Thank  
13 you very much.

14 Councilman O'Neill?

15 COUNCILMAN O'NEILL: Yes.

16 Mr. Focht, you were mentioning financial  
17 arrangements between the Park Commission  
18 and the hospital. I don't know if  
19 you're aware of it because you were not  
20 involved in the conversations I had, nor  
21 was I solved in yours.

22 But because we were not able  
23 to find local land at reasonable prices  
24 to add to the park, the hospital has  
25 agreed to set up a trust with

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2 \$4.5 million that I'm still working on  
3 the arrangements with them between now  
4 and final passage, so I don't expect a  
5 problem.

6 But I just want the record to  
7 reflect that the agreement that I  
8 reached is above and beyond the  
9 agreement that you have.

10 MR. FOCHT: Thank you,  
11 Councilman. I am aware of that.

12 COUNCILMAN O'NEILL: Yes.

13 MR. FOCHT: And, in essence, it  
14 is the same outcome, which --

15 COUNCILMAN O'NEILL: Right.  
16 Well, hopefully, it's even additional  
17 outcome, but that's -- at least we're  
18 not doing Cheltenham Township land  
19 anymore.

20 Thank you.

21 MR. FOCHT: Thank you.

22 COUNCIL PRESIDENT VERNA: Are  
23 there any other questions from members  
24 of the committee?

25 COUNCILMAN CLARKE: Yes.

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2 COUNCIL PRESIDENT VERNA: The  
3 Chair recognizes Councilman Clarke.

4 COUNCILMAN CLARKE: Thank you,  
5 Madam President.

6 Good afternoon.

7 Council recently passed and  
8 enacted legislation that called for the  
9 submission of an equal opportunity plan  
10 based on legislation that was required  
11 by Council. And if my memory serves me  
12 correctly based on those provisions,  
13 this particular bill should qualify.

14 MS. NADOFF: Yes.

15 COUNCILMAN CLARKE: Is there an  
16 equal opportunity plan.

17 MS. NADOFF: There is, and I  
18 will be mentioning that in my testimony.

19 COUNCILMAN CLARKE: There will  
20 be? Okay, I'll wait.

21 Thank you.

22 COUNCIL PRESIDENT VERNA: Any  
23 other questions?

24 COUNCILMAN O'NEILL: I  
25 neglected to thank the Chair of the

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 Parks and Recreation Committee, who took  
3 a half a day out of her summer of '06 to  
4 tour the facility with me and the area  
5 and the potential park land acquisition  
6 spots that never materialized, but I  
7 wanted her to get a real feel for the  
8 whole project and the scope of it and  
9 the neighborhood -- or the  
10 neighborhoods, and I expected it to be  
11 sooner than 18 months later, but here we  
12 are.

13 Thank you.

14 COUNCIL PRESIDENT VERNA: Thank  
15 you.

16 COUNCILWOMAN REYNOLDS-BROWN:  
17 Thank you, Brian.

18 COUNCIL PRESIDENT VERNA:  
19 Ms. Naidoff?

20 MS. NADOFF: Good afternoon,  
21 Council President Verna and Chair  
22 Reynolds-Brown and committee members.

23 My name is Stephanie W.  
24 Naidoff, and I am Director of Commerce  
25 for the City of Philadelphia.

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2 I'm pleased to appear before  
3 you today on behalf of the City of  
4 Philadelphia in support of Council  
5 Bills No. 070955 and 070956, which  
6 collectively will allow Fox Chase  
7 Cancer Center to lease a portion of  
8 Burholme Park and will rezone that  
9 lease site, allowing for expansion of  
10 its medical campus.

11 Philadelphia's competitive  
12 advantage as a business location for  
13 the life sciences has been described as  
14 including, quote, assets other regions  
15 can only aspire to develop. This is  
16 from a 2005 million Milken Institute  
17 study, the Greater Philadelphia Life  
18 Sciences Cluster.

19 In this study, Greater  
20 Philadelphia, behind only the San  
21 Francisco Bay area and Boston, had the  
22 third-most dynamic life sciences  
23 cluster in the country. Indeed, since  
24 2001, employment in the City's life  
25 sciences sector has increased by 7.1

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2 percent, more than any other sector of  
3 the City's economy.

4 However, while Philadelphia  
5 clearly has a strong core of  
6 knowledge-based industries, we must  
7 continue to engage and support this  
8 sector of our economy to ensure future  
9 growth and dynamism.

10 Fox Chase was founded in 1904  
11 and, in the last 100 years, has become  
12 the second-largest employer in  
13 northeast Philadelphia, with over 2400  
14 employees.

15 Fox Chase has also become an  
16 internationally-recognized center for  
17 cancer treatment and prevention,  
18 attracting patients, doctors,  
19 researchers, skilled employees, and  
20 funding from around the world to  
21 Philadelphia.

22 Fox Chase researchers have  
23 been recognized for their work with  
24 numerous awards and honors, including  
25 Nobel Prizes for chemistry and

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2 medicine, a Kyoto prize, the Albert  
3 Lasker Award for Clinical Medical  
4 Researches, General Motors Cancer  
5 Research Foundation prizes, and  
6 American Cancer Society Medals of  
7 Honor.

8 To address growing patient  
9 care and research needs, Fox Chase has  
10 launched a 25-year, \$1 billion  
11 expansion program, with a fully  
12 executed, aggressive employment  
13 opportunity program that will double  
14 its clinical enterprise and  
15 significantly increase its research  
16 capabilities.

17 When the expansion is  
18 complete, Fox Chase will be one of the  
19 largest comprehensive cancer centers in  
20 the country. It will employ up to 6700  
21 people, its annual budget will exceed  
22 \$819, and it will occupy nearly  
23 2.7 million square feet of space.

24 A February 2006 economic  
25 impact report on Fox Chase by Fairmount

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2 Capital Advisors quantified the total  
3 economic impact on the City during Fox  
4 Chase's 25-year capital investment  
5 program as being almost \$2 billion.

6 Over the course of this  
7 multi-phase development, the City will  
8 directly benefit from this investment  
9 by the creation of over 4,000 jobs,  
10 wage tax collection from Fox Chase  
11 employees of over \$260 million; in  
12 fact, by 2031, when the expansion has  
13 been completed, the City of  
14 Philadelphia will receive approximately  
15 \$15.4 million annually in wage  
16 tax-revenue from Fox Chase operations;  
17 also, wage tax receipts from  
18 construction-related jobs in excess of  
19 \$25 million, and \$8.2 million in City  
20 sales tax receipts from construction  
21 sources.

22 The expansion of the Fox Chase  
23 Cancer Center has and will increasingly  
24 cause significant positive economic and  
25 fiscal impacts in the City of

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2 Philadelphia, providing the City with  
3 resources to grow and thrive on the  
4 international stage.

5 I urge you, therefore, to  
6 support these bills allowing for the  
7 expanding of Fox Chase.

8 Thank you. And I'll be glad  
9 to answer any questions.

10 COUNCIL PRESIDENT VERNA: Thank  
11 you very much.

12 Any questions from members of  
13 the committee?

14 The Chair recognizes  
15 Councilwoman Brown.

16 COUNCILWOMAN REYNOLDS-BROWN:  
17 Thank you, Madam President.

18 I, too, have the exact same  
19 question I have written down regarding  
20 an equal opportunity plan and the level  
21 of commitment for women and people of  
22 color at every phase of this, from  
23 construct to permanent jobs.

24 So did I miss it in your  
25 testimony?

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2 MS. NADOFF: No. I just was  
3 commenting on the fact that we have  
4 aggressively negotiated an economic  
5 opportunity plan with Fox Chase.

6 COUNCILWOMAN REYNOLDS-BROWN:  
7 So the specifics: What are the details?  
8 What are the agreements? What are the  
9 numbers?

10 MS. NADOFF: With respect to  
11 contracts in professional services, the  
12 minority numbers are 10 to 20 percent;  
13 female-owned businesses, 5 to 10  
14 percent; and disabled-owned businesses  
15 are encouraged.

16 These were all negotiated with  
17 Fox Chase, I might add, and reviewed by  
18 the MBEC office and approved by them.

19 Construction contract goals  
20 have been set for the combined project  
21 of 18 to 25 percent in minority-owned  
22 businesses, 15 to 20 percent in  
23 female-owned businesses, and 2 to 5  
24 percent in disabled-owned businesses.

25 Do you want me to go on?

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2 COUNCILWOMAN REYNOLDS-BROWN:

3 Is that going to be submitted in writing  
4 as part of your testimony?

5 MS. NADOFF: Yes. Well, I can  
6 certainly submit a report on the equal  
7 opportunity plan.

8 COUNCILWOMAN REYNOLDS-BROWN:

9 We would certainly welcome that.

10 Additionally, what provisions  
11 are in the text of the equal  
12 opportunity plan that ensures that  
13 women and people of color, when they  
14 negotiate at one level, that there is  
15 an honoring of whatever is negotiated  
16 at the back end once the work is  
17 completed and performed adequately?

18 MS. NADOFF: Like all equal  
19 opportunity plans that we enter into,  
20 there are compliance functions spelled  
21 out, and why don't I give you the full  
22 report on the plan, with all of the  
23 goals as well as the compliance  
24 features.

25 COUNCILWOMAN REYNOLDS-BROWN:

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2 We will welcome that and submit that to  
3 the Chair of Rules as well and this  
4 committee as well thank you.

5 COUNCIL PRESIDENT VERNA: Thank  
6 you, Commissioner.

7 The Chair recognizes  
8 Councilwoman Miller.

9 COUNCILWOMAN MILLER: Thank  
10 you. Thank you, Madam Chair.

11 I'd like to know, what are the  
12 goals of percentages for workforce  
13 diversity? And do you have that  
14 information?

15 MS. NADOFF: Well, we have the  
16 operations and maintenance, the  
17 ongoing --

18 COUNCILWOMAN MILLER: Not the  
19 firms but the employees.

20 MS. NADOFF: You're talking  
21 about the ongoing numbers?

22 COUNCILWOMAN MILLER: Yes, the  
23 daily numbers. Construction -- with the  
24 construction trades, et cetera.

25 MS. NADOFF: Well, I just

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 started with the construction contracts.

3 And construction operations and  
4 maintenance ranges are 18 to 25 percent  
5 for minority; 10 to 12 percent for  
6 female; and 2 to 4 percent for  
7 disabled-owned businesses.

8 And the final list of figures  
9 that I have here are in the employment  
10 ranges; would you like those as well?

11 COUNCILWOMAN MILLER: Yes.

12 MS. NADOFF: Employment ranges  
13 are 10 to 20 percent for local  
14 residents; 18 to 25 for minorities; 4 to  
15 6 percent on females; and 0 to 2 percent  
16 on disabled-owned businesses.

17 COUNCILWOMAN MILLER: I think  
18 my colleague asked for a written copy of  
19 the plan.

20 MS. NADOFF: Yes. We will  
21 provide that and provide you with all of  
22 the compliance information as well.

23 COUNCILWOMAN MILLER: And how  
24 will you modify the plan over the -- you  
25 said this is 25 years' worth of

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 implementation in terms of building?

3 Will the plan be modified as needed, or

4 -- I'm trying to understand, do you have

5 a goal for each year in the 25 years, or

6 is there just an overall goal?

7 MS. NADOFF: There are overall  
8 goals mostly focused on the construction  
9 period, but there will be a continuing  
10 compliance review process that goes on  
11 through the whole life of the project.

12 COUNCILWOMAN MILLER: Okay.  
13 And maybe this question is for someone  
14 from the hospital. But is there a goal  
15 for minority inclusion as it relates to  
16 the 4,000 jobs? Are they the permanent  
17 jobs, the 4,000, or --

18 MS. NADOFF: Again, I don't  
19 have that information with me, but I  
20 will provide that in a written report.

21 COUNCILWOMAN MILLER: Okay.  
22 All right. Thank you.

23 Thank you, Madam Chair.

24 COUNCIL PRESIDENT VERNA: Thank  
25 you.

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2 Are there any other questions?

3 COUNCILMAN CLARKE: Yes.

4 COUNCIL PRESIDENT VERNA: The  
5 Chair recognizes Councilman Clarke.

6 COUNCILMAN CLARKE: Thank you,  
7 Madam President.

8 Thank you for that  
9 information. Under the -- earlier you  
10 mentioned the provision, is that that  
11 EOP plan should be an attachment to the  
12 bill, and I'm assuming that between now  
13 and whenever, we can put it in written  
14 form.

15 I'm a little concerned that  
16 you -- that these ranges have been set  
17 from 18 to 25. And given the history  
18 in this particular city as it relates  
19 to our ability to have reasonable  
20 access to trades jobs, my concern is  
21 that it will tend to be in the lower  
22 range, the 18 percent.

23 My question is: If we said 25  
24 percent, why don't we just say 25  
25 percent? Why do you give people an

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 opportunity to go to 18 as opposed to  
3 simply saying 25 percent since it is,  
4 in fact, a goal. And, unfortunately,  
5 we're not required by law to require a  
6 set-aside.

7 So if you're talking about a  
8 goal, why wouldn't you just opt for the  
9 higher number?

10 MS. NADOFF: I think that's a  
11 good point, but I also think that in any  
12 document like this, we have to provide  
13 for flexibility, especially in a project  
14 that will go on for as many years as  
15 this one will.

16 COUNCILMAN CLARKE: Well, why  
17 don't we flex it upwards if that's the  
18 case?

19 The trends in this city tend  
20 to be an increasingly higher level of  
21 minorities, and I hate to keep using  
22 that term, but DBE WBE in the City of  
23 Philadelphia. So if you're going to  
24 talk about flexibility to address the  
25 changing demographics of the City, I

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 would think that you would give an  
3 opportunity to be flexible on the  
4 upside and not allow for the  
5 flexibility to downgrade the numbers.

6 I'm just -- I'm not  
7 traditionally used to feeling  
8 comfortable with these ranges,  
9 particularly when we're talking about  
10 goals.

11 MS. NADOFF: I understand your  
12 point, Councilman, but I also would say  
13 that, as you know, we have seen many  
14 EOPs in which people have exceeded their  
15 goals, so there is no ceiling. People  
16 do go above --

17 CHIEF CLERK: Well, that's also  
18 my point. Why would you put 18 percent  
19 and not just say 25 percent?

20 MS. NADOFF: I think that was  
21 the best guess of the people who had  
22 been working on this, including the  
23 Office of Minority Business Enterprise  
24 in terms of what was a reasonable number  
25 for this --

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2 COUNCILMAN CLARKE: I really --  
3 I'm going to say it again, and I'm not  
4 going to belabor the point.

5 I really would like to see you  
6 set a number, and that number should be  
7 on the high side, given the fact that  
8 these are not set-asides, these are  
9 goals. And if you believe that there's  
10 some opportunity to increase the number  
11 or exceed the goal, I'm excited about  
12 that possibility, but I really don't  
13 think you should give people an  
14 opportunity to meet the low side, given  
15 the history of the City of  
16 Philadelphia.

17 Yes, sir?

18 MR. BEAUVAIS: Darwin Beauvais.  
19 I'm here representing Fox Chase. We  
20 actually have copies of the executed  
21 agreement that we can hand out to the  
22 committee.

23 COUNCILWOMAN REYNOLDS-BROWN:  
24 You have copies of the equal opportunity  
25 plan?

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2 MR. BEAUVAIS: Yes, the equal  
3 opportunity plan. It was executed on  
4 the 21st of this month with the City,  
5 the Executive Director, Carolyn Nichols,  
6 and the Vice President Fox Chase, Tom  
7 Garvey, who's actually here.

8 To answer your question, we  
9 were looking at the long-range goals,  
10 25 years. This is a project that we  
11 realize that we couldn't do your  
12 typical 18-month construction, and so  
13 we tried to figure out with the ongoing  
14 years, with the different phases, with  
15 the ebb and flow that would probably on  
16 a bad year would try to be a low end;  
17 on a good year, we probably could  
18 exceed.

19 What we saw in the  
20 protections, in trying to protect the  
21 essence of the legislation, it's a  
22 project oversight committee. This  
23 committee, it's our understanding, will  
24 be formed and will actually involve the  
25 people with MBEC as well as with people

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2 from City Council as well as the  
3 developer and contractor to hopefully,  
4 you know, revisit these numbers on an  
5 annual basis.

6 COUNCILMAN CLARKE: All right.  
7 Maybe I'm not making myself clear.

8 You have submitted language  
9 that talks about this range of goals,  
10 18 to 25 percent, as an example.

11 MR. BEAUVAIS: Mm-hmm.

12 COUNCILMAN CLARKE: I don't  
13 understand, if your goal is 25 percent,  
14 all right, why don't you just say 25  
15 percent? If you want to allow for  
16 flexibility upward, then why don't you  
17 say a minimum of 25 percent.

18 I don't understand why you  
19 have this 18 percent, a low threshold  
20 that gives people the opportunity to go  
21 to the low side. I don't understand  
22 that.

23 I mean, you know, we've always  
24 set goals in legislation that have come  
25 before this body but we've never given

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2 flexibility like that. We always say  
3 "up to" -- or actually, we say "a  
4 minimum of ..." and that's the goal.

5 But you're allowing this 18 to  
6 25. Why can't you just accommodate  
7 this particular Councilmember -- and  
8 I'm sure there other members of the  
9 committee and this body -- that would  
10 prefer you to just simply say whatever  
11 the higher side is in your projections  
12 or your goals, to simply state that  
13 number and give it the flexibility of  
14 moving up during the course of this  
15 10-, 15-, 20-year process of  
16 construction.

17 MR. BEAUVAIS: And we did -- in  
18 our negotiations with the City, we did  
19 bring that. The executive director with  
20 MBEC did bring that up but, she also  
21 understood that --

22 COUNCILMAN CLARKE: Well,  
23 you're talking to the Council of  
24 Philadelphia right now, and I don't want  
25 to really address MBEC anymore. They're

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2 an administrative branch of the  
3 government and this is the legislative  
4 branch of government.

5 You're now before the  
6 legislative branch seeking legislation  
7 that, based on the EOP laws, require  
8 the submission of such a plan, and the  
9 legislative branch is asking you to  
10 reflect the higher number as it relates  
11 to your projections and your goal.

12 MR. BEAUVAIS: We'll do that.

13 COUNCILMAN CLARKE: Are you  
14 speaking on behalf of your client?

15 MR. BEAUVAIS: And I'm letting  
16 the Council know that we're willing to  
17 look at it, but right now, what we did  
18 do was --

19 COUNCILMAN CLARKE: You're  
20 willing to look at it?

21 MR. BEAUVAIS: Yes.

22 COUNCILMAN CLARKE: What does  
23 that mean?

24 MR. BEAUVAIS: That we will.

25 COUNCILMAN CLARKE: Can you

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2 pull that a little closer. You usually  
3 have a very strong and vigorous voice,  
4 Mr. Beauvais.

5 MR. BEAUVAIS: And put these  
6 goals in place. But right now, what we  
7 do have presented before the Council are  
8 the ranges that were executed --

9 COUNCILMAN CLARKE: So are you  
10 suggesting that we pass the legislation  
11 as presented and hope that you address  
12 our concerns at a later date, after the  
13 bill is passed?

14 MS. NADOFF: Why don't I  
15 suggest, Councilman, that we give you  
16 all a chance to look at the plan that's  
17 just been put before you, and then we'll  
18 meet with you before the Council session  
19 next week and get your comments and  
20 thoughts about it and see what we can  
21 work out in terms of reflecting your --

22 COUNCILMAN CLARKE: Well, in  
23 this whole process of brinkmanship, I  
24 have found that sometimes the public  
25 discussion tends to give you a better

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2 opportunity to get to where you need to  
3 get 'cause once we start agreeing to  
4 have different discussions with  
5 different individuals, who knows where  
6 that somehow this whole issue kind of  
7 gets translated through different  
8 sources.

9 So I'm asking you in a very  
10 public way, because this is a public  
11 hearing --

12 MS. NADOFF: I understand that.  
13 And I think the problem is that we need  
14 to have a meeting with Fox Chase and  
15 MBEC and you to try to see what we can  
16 do to satisfy your request.

17 COUNCILMAN CLARKE: Well, not  
18 just me. I mean, this is about the City  
19 of Philadelphia.

20 MS. NADOFF: Right.

21 COUNCILMAN CLARKE: And  
22 fairness.

23 I see Councilwoman Tasco is --

24 COUNCILWOMAN TASCO: Could I  
25 piggyback on that, Madam President?

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2           It would seem to me, having  
3           worked on with Fox Chase, on this whole  
4           issue of minority inclusion Fox, Chase  
5           seems to be the one that would be open  
6           to more inclusion. They've work very  
7           hard in the last couple of years to --  
8           because my district is right across the  
9           street from the hospital, and I've met  
10          the people and worked with the  
11          employees there as well as the  
12          president and administration, and they  
13          do care about inclusion. That's why  
14          they have the advisory board and also a  
15          community action advisory board.

16                 It seems to me that -- and I  
17                 don't know how you came to this, that  
18                 this is the normal language that goes  
19                 into these contracts so let's just put  
20                 'em in there.

21                 And what we're saying is:  
22                 Look, the City is probably 53 percent  
23                 minority, and when we go past these job  
24                 sites, we don't see that reflected in  
25                 the job sites. It's not reflected in

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2 this room of people holding up these  
3 signs. The diversity is not there.

4 And so the only way that we  
5 can get that diversity is that the  
6 institution demand that the contractors  
7 hiring the people require that we have  
8 a larger number of people to reflect  
9 what this city looks like.

10 And so I -- I would think that  
11 when you go back to Fox Chase, you have  
12 a serious discussion about what they  
13 would be willing to do. It seems to me  
14 that they would be willing to exceed  
15 and comply with what Councilman Clarke  
16 is talking about.

17 Because we -- I mean, that's  
18 the standard -- those are the standard  
19 numbers every contractor comes up in  
20 here with, 18 to 25 percent, and you  
21 probably get 10. So it can be more.

22 MS. NADOFF: If you will just  
23 give us a minute.

24 COUNCILWOMAN TASCO: And I  
25 think Fox Chase might be willing to do

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 that, given my relationship with them  
3 and what I saw them do a couple of years  
4 ago in a 365-degree turn in outreaching  
5 to the to the minority community and  
6 particularly in my district, which abuts  
7 the -- Councilman O'Neill's district.  
8 And I find them to be quite cooperative.

9 COUNCILWOMAN REYNOLDS-BROWN:  
10 Further reaction or comments, please.

11 MR. BEAUVAIS: Yes. Members of  
12 the committee, I just conferred with my  
13 client, and they're willing to reflect  
14 the maximum numbers on the executed  
15 agreement.

16 (Applause.)

17 COUNCILMAN CLARKE: I want the  
18 maximum number.

19 MS. NADOFF: That's the goal.

20 MR. BEAUVAIS: Yes, the maximum  
21 number.

22 COUNCILMAN CLARKE: Okay, but I  
23 just want to be clear 'cause "a maximum  
24 number" means that's all I have to do.  
25 And when you talk about "the maximum

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 number," as referenced in the range,  
3 that should be the minimum number.

4 MR. BEAUVAIS: Yes, yes.

5 MS. NADOFF: The top number  
6 that we gave you before will be the  
7 stated goal. Is that what you're  
8 looking for? Where it says 18 to 25 --

9 COUNCILMAN CLARKE: Not  
10 necessarily. I mean, it could  
11 conceivably be a request for more, but I  
12 have a question before you, and I'm no  
13 going to try to stick you up, although  
14 that's what I'm here to do.

15 When I -- first I think I took  
16 issue of was having this range, 'cause,  
17 you know, I've just been around a long  
18 time and I understand the games that  
19 are played, you know, and people tell  
20 you this and tell you that, and it's  
21 hard enough to get to the minimum let  
22 alone the maximum.

23 So if we can establish a  
24 number and then operate from that point  
25 on in terms of what we can actually

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 get, it would be very helpful to at  
3 least this member and, I'm assuming,  
4 other members of the committee and  
5 Council.

6 So when you submit whatever  
7 EOP plan that you submit, could you  
8 please just give us a set number so  
9 that we can function from that.

10 MS. NADOFF: We will revise  
11 this plan and submit it to you.

12 COUNCILMAN CLARKE: Thank you.

13 Thank you, Madam Chair.

14 COUNCILWOMAN REYNOLDS-BROWN:  
15 Councilwoman Tasco, anything additional?

16 COUNCILWOMAN TASCO: I'd like  
17 to editorialize a little bit and say  
18 that I would I hope that -- I know we're  
19 getting a new administration and I don't  
20 know who will be here and who won't be  
21 here, but it seems to me that we ought  
22 to be fighting for the people who live  
23 in Philadelphia to see that they get a  
24 fair shake.

25 The problems cited for the

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2 increasing crime is because of the lack  
3 of employment opportunities in this  
4 city. And when we don't fight for  
5 those opportunities, you know, we  
6 shouldn't in Council have to ask you,  
7 what is the economic plan? You should  
8 come in and should have executed the  
9 best plan that you could get and push  
10 for it, and not just say, Oh, by the  
11 way, we got to do an economic plan, and  
12 here are the ranges, we'll take these.

13 There's got to be a stronger  
14 fight for the people in Philadelphia  
15 and particularly of the people of  
16 color, who are not taking part in the  
17 economic development of this city.

18 Thank you.

19 COUNCILWOMAN REYNOLDS-BROWN:

20 Councilwoman Donna Reed-Miller.

21 COUNCILWOMAN MILLER: Thank  
22 you.

23 I'd also like to get  
24 information on who specifically will  
25 monitor the plan. I didn't get a

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 chance to read the plan; I just got it  
3 and I see that it says MBEC, the  
4 Minority Business Enterprise Council so  
5 who on that council -- I mean who does  
6 that, will monitor the day-to-day  
7 goals?

8 And also, you know, we can all  
9 talk about the percentage of  
10 contractors, and that's great. But,  
11 again, the percentage of who is going  
12 to be on the job daily -- workforce  
13 diversity, as people have mentioned  
14 here today.

15 And I'd also like to know,  
16 when Fox Chase comes up, of the 2400  
17 employees you have, what's the  
18 breakdown; how many are minorities and,  
19 et cetera, and is there some plan  
20 around inclusion for permanent  
21 employment? Those jobs, I think it was  
22 6,000 or more specific jobs. I would  
23 like to get that kind of information.

24 MS. NADOFF: I'll leave the  
25 latter part to the Fox Chase people to

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2 address, but I will tell you that the  
3 oversight committee is to be composed of  
4 persons selected by both Fox Chase and  
5 the District Councilperson.

6 COUNCILWOMAN MILLER: Okay.

7 All right. Thank you.

8 COUNCILWOMAN REYNOLDS-BROWN:

9 Thank you, Councilwoman Donna  
10 Reed-Miller.

11 Councilman Jim Kenney?

12 COUNCILMAN KENNEY: Thank you,

13 Madam Chair.

14 I'm sitting here watching and  
15 looking in the audience, and I can see  
16 Joe Frick from IBC there; nice to see  
17 you, Joe.

18 One of the things I would  
19 suggest maybe you guys do is talk to  
20 them, 'cause I've served on the IBC  
21 Minority Contracting Committee for the  
22 past 16 years, and I can't think of  
23 another company in the City or this  
24 region that is more diverse, more  
25 inclusive and works hard and takes it

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2 seriously. So if you're looking for a  
3 model, the IBC model is a terrific  
4 model to look at.

5 And I'm sure, they'd be  
6 happy -- as they did when our 9-1-1  
7 system failed, helped us with our call  
8 operators, our call-takers. They're  
9 very willing to help and they have a  
10 terrific program that really, really  
11 works.

12 So my suggestion is that you  
13 avail yourself of that resource.

14 MS. NADOFF: Thank you very  
15 much.

16 COUNCILWOMAN REYNOLDS-BROWN:  
17 Thank you very much, Councilman.

18 Any other members of this  
19 committee care to pose questions to  
20 this particular panel at this time?

21 (No further questions.)

22 MS. NADOFF: Mr. Kramer still  
23 has to testify.

24 MR. BEAUVAIS: If I can just  
25 add one thing. We would like to submit

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 this as an exhibit to show what we  
3 will -- in substantial form of what  
4 we're submitting later.

5 COUNCILWOMAN REYNOLDS-BROWN:

6 I need to ask you to please repeat that  
7 and speak directly into the mic.

8 MR. BEAUVAIS: We would like to  
9 submit this as an exhibit in an effort  
10 to show what we will submit later.

11 MS. NADOFF: It will be  
12 revised.

13 MR. BEAUVAIS: With the new  
14 numbers. I just edited it.

15 COUNCILWOMAN REYNOLDS-BROWN:  
16 Now I don't understand what we're doing.

17 Currently, we have an equal  
18 opportunity plan that reflects the  
19 initial numbers given by the Commerce  
20 Director?

21 MR. BEAUVAIS: Yes. And based  
22 on the comments, I've just edited this  
23 plan. Under the legislation, I  
24 understand we have to submit it as an  
25 exhibit.

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2 COUNCILWOMAN REYNOLDS-BROWN:

3 Yes.

4 MR. BEAUVAIS: And I would like  
5 to submit this as an exhibit.

6 COUNCILWOMAN REYNOLDS-BROWN:

7 With the understanding that we will get  
8 a subsequent document which reflects the  
9 new numbers, as agreed upon during these  
10 proceedings.

11 MR. BEAUVAIS: Yes, exactly.

12 COUNCILWOMAN REYNOLDS-BROWN:

13 Very well. Thank you very much.

14 With that said we will now ask  
15 our we.

16 MS. NADOFF: We still have

17 Mr. Kramer.

18 COUNCILMAN CLARKE: One other

19 question.

20 During the testimony, in terms  
21 of the -- and I know this is a  
22 multi-year proposal. In terms of the  
23 operations -- and I just don't -- thank  
24 God I don't know much about Fox Chase  
25 Cancer Center in one respect, but I'm

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2 glad that they're doing -- willing to  
3 build this wonderful facility.

4 In terms of participation and  
5 full-time opportunities, what's the  
6 current employee --

7 COUNCILWOMAN REYNOLDS-BROWN:  
8 I do believe that we're going to allow  
9 Fox Chase Cancer Center to --

10 (Indiscernible; parties  
11 talking over each other.)

12 MS. NADOFF: Councilwoman  
13 Miller asked that.

14 COUNCILMAN CLARKE: Thank you.

15 COUNCILWOMAN REYNOLDS-BROWN:  
16 Yes. Our planning commissioner,  
17 Mr. Bill Kramer. Thank you.

18 MR. KRAMER: Good afternoon,  
19 Madam Chairman and members of the joint  
20 committee, I am William Kramer, Acting  
21 Division Director of the Development  
22 Planning Division of the Philadelphia  
23 City Planning Commission.

24 I am here today to testify on  
25 Bill No. 070955, which was introduced

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56  
2 by Councilmember O'Neill on November 1,  
3 2007. Bill No. 070955 amends the  
4 zoning maps of the City of Philadelphia  
5 by changing the zoning designation of a  
6 19-acre portion of land currently used  
7 as park land, adjacent to the Fox Chase  
8 Cancer Center from a destination of  
9 recreational to a destination of IDD,  
10 institutional development district.

11 The proposed rezoning would  
12 permit a much-needed expansion of the  
13 current Fox Chase Cancer Center. The  
14 Center is located in the block bounded  
15 by Napfle Avenue, Burholme Avenue,  
16 Hartel Avenue, Hasbrook Avenue, Central  
17 Avenue, and Shelmire Avenue, and  
18 encompasses 20.5 acres of land. The  
19 expansion includes an adjacent area  
20 between Shelmire and Cottman Avenue,  
21 raising the total area to 39.9 acres.

22 The expansion of the campus is  
23 expected to occur in five phases over a  
24 25-year period, with employment to  
25 increase from its current level of 2500

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2 jobs to approximately 6300 permanent  
3 jobs.

4 Bill No. 070955 not only  
5 changes the zoning of the property but  
6 also requires an amendment to the IDD  
7 Master Plan for the Fox Chase Cancer  
8 Center.

9 The amendment proposes a 15  
10 new structures containing 1.9 million  
11 square feet of building area. The  
12 structures will contain the assorted  
13 uses associated with the cancer  
14 treatment facility that is involved in  
15 continuing research, including  
16 patient-care facilities, research  
17 facilities, offices and parking.

18 Currently the district  
19 provides 1993 parking spaces on the  
20 campus, and in full development of the  
21 plan, 37068 spaces will be provided.

22 Bill No. 070955 was considered  
23 and approved by the Planning Commission  
24 at its meeting of November 20, 2007.  
25 At the same meeting, an amendment to

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2 the Master Plan for the institution was  
3 also adopted.

4 At the request of the Law  
5 Department, we request the bill be  
6 amended to include some technical  
7 corrections, and further would like to  
8 replace the Master Plan provided with a  
9 more detailed version of the same. I  
10 have copies of the amendments and  
11 Master Plan that I had submitted to the  
12 Clerk prior to my testimony.

13 This concludes my testimony.  
14 I would be pleased to answer any  
15 questions you may have.

16 COUNCIL PRESIDENT VERNA: The  
17 Chair recognizes Councilwoman Brown.

18 COUNCILWOMAN REYNOLDS-BROWN:  
19 Thank you, Madam Chair.

20 Mr. Kramer, Councilman Brian  
21 O'Neill spoke to the half-day tour we  
22 took many, many months ago so that I  
23 could have a scope and big-picture view  
24 of this. And he was objective in  
25 sharing that there were many points of

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2 view.

3 What type of steps did the  
4 Planning Commission take -- just speak  
5 briefly to the type of steps the  
6 Planning Commission took in its  
7 outreach to the community to hear those  
8 varying perspectives.

9 MR. KRAMER: At the Planning  
10 Commission meeting on the 20th, which  
11 was a public meeting, just as this is,  
12 we allow anyone to testify, and there  
13 were three individuals who did testify  
14 in opposition to the passage of this  
15 bill and adoption of the Master Plan.

16 We were understanding -- or we  
17 had been aware that the community  
18 meetings had occurred in the community,  
19 and this is something that has been  
20 going on for quite some time.

21 If I'm not mistaken, it was  
22 two or three years ago that the  
23 institution came in and gave us, as an  
24 informational item, the run-through of  
25 what their proposed Master Plan was,

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2 again, three or four years ago, and it  
3 has been working through and meeting  
4 with the community and presenting it  
5 over time.

6 And our meetings are publicly  
7 notified, and there were people there  
8 in opposition, and the Commission  
9 decided to vote in support of this  
10 bill.

11 COUNCILWOMAN REYNOLDS-BROWN:

12 Thank you very much. Thank you for your  
13 testimony.

14 COUNCIL PRESIDENT VERNA: Thank  
15 you.

16 Mr. Kramer, with the  
17 amendments that you are proposing, were  
18 copies given to members of the  
19 committee?

20 MR. KRAMER: Yes, ma'am.

21 COUNCIL PRESIDENT VERNA: Thank  
22 you.

23 Any questions of Mr. Kramer?

24 Any comments?

25 Councilman O'Neill?

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2 COUNCILMAN O'NEILL: I'm just  
3 wondering why we don't have our visual  
4 here for everyone to be able to see the  
5 existing hospital, the expansion area,  
6 the park, and surrounding streets.

7 COUNCIL PRESIDENT VERNA: Are  
8 you setting that up now?

9 COUNCILMAN O'NEILL: Is that  
10 what's coming over? I just want to make  
11 sure -- I think it's a lot easier for  
12 everyone to understand, I think.

13 MR. PRIMAVERA: Just for the  
14 record, Carl Primavera.

15 I hope you're not distracted,  
16 but we have Ewing Cole in the process  
17 of setting up what we hope to be very  
18 informative presentation boards/we also  
19 have handouts that we will be giving  
20 when it's our turn to testify.

21 COUNCIL PRESIDENT VERNA: Thank  
22 you.

23 Mr. McPherson, is Mr. Denny  
24 our next witness?

25 MR. MCPHERSON: Yes.

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2 COUNCIL PRESIDENT VERNA:

3 Mr. Denny?

4 MR. DENNY: Yes. Good  
5 afternoon, Madam Chair and members of  
6 the committee. Thank you for the  
7 opportunity to appear before you today.  
8 My name is Charles Denny and I am the  
9 Acting Chief Traffic Engineer for the  
10 Department of Streets, and I'm here to  
11 offer testimony on Bill No. 070956.

12 On August 20, 2007, the  
13 Traffic Engineering Unit of the Streets  
14 Department met were Mr. Thomas Garvey,  
15 Vice President of Community and  
16 Government Relations at Fox Chase  
17 Cancer Center in the presence of  
18 designated -- or neighborhood  
19 consultant, Mr. Charles Trainor III,  
20 the former, the former Chief Traffic  
21 Engineer with the Department of  
22 Streets.

23 The following points were  
24 discussed and agreed to regarding the  
25 Fox Chase expansion project into

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2 Burholme Park:

3 The expansion will spread over  
4 several phases and years. Under the  
5 initial phase, traffic impact will be  
6 comprehensively studied, and a full  
7 mitigation measure recommended in  
8 consultation with the community and the  
9 Streets Department. A few of these  
10 measures identified at the meeting are:

11 All signalization along  
12 Cottman Avenue between Oxford Avenue  
13 and Central will be fully upgraded with  
14 appropriate designs, will be developed  
15 by the Fox Chase consultants for the  
16 City's review and approval. This will  
17 assure a safe and efficient flow of  
18 traffic on this major material street.

19 The Streets Department and Fox  
20 Chase are in agreement to install new  
21 traffic signals at the intersection of  
22 Cottman Avenue and Park Drive and also  
23 at Central Avenue and Shelmire. The  
24 Fox Chase Cancer Center will be  
25 responsible for all of the costs

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2 pertaining to the design and  
3 construction of the signals.

4 Fox Chase Cancer Center will  
5 work with Joseph Scofield of the Jeanes  
6 Hospital to reroute their main driveway  
7 so as to share the main entrance at the  
8 intersection of Central Avenue and  
9 Shelmire. The new signal will be  
10 installed here.

11 Fox Chase Cancer Center agrees  
12 to bear all costs pertaining to the new  
13 driveway design, construction, and  
14 signalization.

15 Fox Chase Cancer Center will  
16 obtain written commitment from Jeanes  
17 Hospital pertaining to this subject  
18 matter.

19 Under Phase 2, the Fox Chase  
20 consultant will study Oxford Avenue and  
21 its impact on traffic circulation.

22 These are just some of the  
23 mitigation measures discussed and  
24 agreed upon as of now. The Streets  
25 Department or Fox Chase Cancer Center

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2 reserves the right to identify other  
3 measures as this project moves forward.

4 The Streets Department will  
5 work with Cheltenham Township to ensure  
6 that the effects of the expansion are  
7 coordinated and mitigated, and will  
8 also work with PennDOT as well since  
9 Cottman Avenue is a state highway as  
10 well as Oxford Avenue.

11 Fox Chase Cancer Center will  
12 bear all of the costs pertaining to the  
13 design and construction of all  
14 mitigation measured agreed to now and  
15 in the future.

16 Thank you for the opportunity  
17 to appear before you today, and I  
18 welcome any questions.

19 COUNCILMAN O'NEILL: Madam  
20 Chair?

21 COUNCIL PRESIDENT VERNA: The  
22 Chair recognizes Councilman O'Neill.

23 COUNCILMAN O'NEILL: Mr. Denny,  
24 how are you?

25 MR. DENNY: Fine.

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2 COUNCILMAN O'NEILL: You  
3 mentioned initially the existing signals  
4 on Cottman Avenue between -- I don't  
5 know if you actually said the words  
6 "Five Points" but between Five Points  
7 and Central Avenue.

8 And my understanding, a little  
9 more specifically than you put on the  
10 record, was that the hospital, with the  
11 City's approval, will be replacing  
12 those signals with more modern  
13 technology and also installing fiber  
14 optics connecting those signals so we'd  
15 get maximum flexibility and traffic  
16 movement out of that.

17 Is that correct?

18 MR. DENNY: Most of the work  
19 will be with modern controllers and  
20 fiber optic cable.

21 COUNCILMAN O'NEILL: Okay.  
22 Thank you.

23 And when you say "most of the  
24 work," does that mean that some of the  
25 work won't?

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2 MR. DENNY: Most of the  
3 hardware is not that old there, the  
4 signal posts and the signals, so they  
5 may not need to be changed, but there  
6 may be a change here and there.

7 COUNCILMAN O'NEILL: To the  
8 extent necessary.

9 MR. DENNY: Yes.

10 COUNCILMAN O'NEILL: Fiber  
11 optics needs to be installed, number  
12 one.

13 MR. DENNY: Yes.

14 COUNCILMAN O'NEILL: And to the  
15 extent necessary, the signals will be  
16 replaced to be able to operate most  
17 efficiently with the fiber optic  
18 connections.

19 MR. DENNY: Fiber optics and  
20 new controllers.

21 COUNCILMAN O'NEILL: Okay. The  
22 last thing: You didn't mention it and  
23 it's something really from PennDOT. The  
24 Governor's Office actually got involved  
25 in this. Are you aware of PennDOT's

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 agreement to remove parking off of the  
3 south side of Cottman Avenue?

4 MR. DENNY: Yes, I heard that.

5 COUNCILMAN O'NEILL: Okay.

6 Have you seep the letter from Deputy  
7 Secretary Rhina Cutler?

8 MR. DENNY: Not yet.

9 COUNCILMAN O'NEILL: Okay.

10 Well, I'm going to make sure you see it  
11 right now, and I'm going to ask you to  
12 just read the second paragraph. I'm  
13 going to submit the whole letter but the  
14 second paragraph, I believe, is the key  
15 part, and if you could read that.

16 I don't think there's anybody  
17 here from PennDOT; otherwise, I'd give  
18 them the honor.

19 This was sort of the third leg  
20 of the traffic agreement. You  
21 mentioned the two new driveway signals  
22 and the wider driveways. You didn't  
23 mention the driveways specifically as  
24 being wider but I know they are. And  
25 having new traffic signals.

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2 The second was what I just  
3 discussed with you about the fiber  
4 optics and improving the physical  
5 signals that are there now on Cottman  
6 Avenue.

7 And the last one was being  
8 able to put a turn lane in the center  
9 of Cottman Avenue between Park Lane and  
10 Central Avenue to facilitate better  
11 movement there and requiring taking  
12 parking off of the south side.

13 And could you read that second  
14 paragraph. I'll make sure everybody on  
15 the committee has a copy of it and will  
16 also submit it for the record.

17 But I don't know if the Chair  
18 wants the whole letter. This was  
19 little the last stumbling block in the  
20 negotiations with the hospital.

21 MR. DENNY: All right. The  
22 second paragraph of the letter from  
23 Rhina Cutler, Deputy Secretary for  
24 Administration for PennDOT to the  
25 Councilman Brian O'Neill.

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2                   The initial phase of the  
3                   buildout directly impacts operation of  
4                   Cottman Avenue, Central Avenue  
5                   intersection. PennDOT owns the  
6                   right-of-way on Cottman Avenue and  
7                   agrees to remove the current parking  
8                   within the right-of-way. The  
9                   stopping/parking prohibition is needed  
10                  to accommodate the additional lane for  
11                  current and projected eastbound traffic  
12                  volumes.

13                  Fox Chase Cancer Center will  
14                  be responsible for the cost and  
15                  implementation of stopping parking  
16                  prohibitions and lane markings.

17                  COUNCILMAN O'NEILL: Okay,  
18                  thank you.

19                  Are there any questions from  
20                  the committee -- Jimmy, did you get a  
21                  copy?

22                  And I just want to say, is it  
23                  your understanding, as it is mine and  
24                  hopefully the record will reflect when  
25                  future witnesses appear here, that all

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 traffic improvements will be in place  
3 as part of Phase 1 of this project, the  
4 ones we're talking about now, not  
5 something that may come up later, but  
6 things that we know about today.

7 MR. DENNY: The ones along  
8 Cottman Avenue and the two new signals,  
9 yes.

10 COUNCILMAN O'NEILL: All right.  
11 Thank you.

12 COUNCIL PRESIDENT VERNA: Thank  
13 you.

14 Any other questions or  
15 comments from members of the committee?

16 (No further questions.)

17 COUNCIL PRESIDENT VERNA: Thank  
18 you very much.

19 MR. PRIMAVERA: Madam Chair, if  
20 I may. Our partners from the Chamber  
21 have a timing problem. Can we have  
22 their panel called next? It would  
23 basically be Mark Schweiker, Joe Frick,  
24 Bill Sasso, and Miss Earley.

25 COUNCIL PRESIDENT VERNA: That

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2 will be fine.

3 MR. PRIMAVERA: And Al

4 Taubenberger.

5 Thank you very much.

6 (Witnesses come forward.)

7 COUNCIL PRESIDENT VERNA: Thank

8 you so much for your patience. Please

9 identify yourself for the record.

10 MR. SCHWEIKER: I'm Mark

11 Schweiker. I'm President and CEO of the

12 Greater Philadelphia Chamber of

13 Commerce. And to my left is Al

14 Taubenberger; you probably know who Al

15 is.

16 MR. FRICK: Joe Frick,

17 President and CEO of Independence Blue

18 Cross, and current Chair of the Greater

19 Philadelphia Chamber of Commerce.

20 COUNCIL PRESIDENT VERNA:

21 Welcome.

22 MR. SASSO: Bill Sasso, former

23 Chairman of the Greater Chamber of

24 Commerce, and Chairman of Holy Redeemer

25 Health System, a community hospital

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 located just north of Fox Chase.

3 COUNCIL PRESIDENT VERNA: Thank  
4 you.

5 MR. SCHWEIKER: Madam Chair,  
6 just for the sake of brevity -- and I  
7 know you've got other aspects of the  
8 presentation and plan to examine. I  
9 will mention for the record our comments  
10 are available to each of you and to each  
11 member of the Council.

12 Thank you so much for the  
13 opportunity to provide our feelings. I  
14 think the folks to my left and right  
15 perhaps will add some additional  
16 commentary, but just as an overview,  
17 I'll offer just a couple of broad  
18 thoughts.

19 We're happy that this day has  
20 arrived. I know I've had extensive  
21 conversations with Councilman O'Neill,  
22 and we're happy the day has arrived  
23 because of -- take a look at the  
24 docket. We probably go back to 2005,  
25 when we had discussions about what was

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2 best for Fox Chase and certainly for  
3 the residents, which should be  
4 underscored here.

5 So I -- I'm sure we can hold  
6 this up as an example of an exchange  
7 and an arrangement that was made  
8 possible because of the regular  
9 exchange of views and trying to find a  
10 common approach here.

11 So with that, let me just say  
12 that as a Chamber president, there are  
13 few institutions that bring renown and  
14 fame to a place, a city, a region like  
15 a medical institution generally and  
16 specifically Fox Chase.

17 As someone, like you, born and  
18 raised here, we've all heard our  
19 parents talk about how unique this  
20 place is. One doesn't have to go  
21 anywhere for the latest in medical  
22 compare. And Fox Chase -- if there  
23 were such a list of accomplished  
24 institutions, Fox Chase would be at the  
25 top of that list. And, no doubt, when

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2 it comes to, you know, lifesaving  
3 cancer research and life-enhancing  
4 cancer methodologies, Fox Chase is  
5 quite a place, and it's an accomplished  
6 place.

7 So I'll not go on too much,  
8 but I know Joe Frick would probably add  
9 to that.

10 Secondly, for the sake of  
11 brevity, and not to review the numbers,  
12 but there are very few endeavors and  
13 projects that can present themselves in  
14 such a way that they can talk about  
15 going from 2400 jobs to well over 6,000  
16 in a span of perhaps 20 to 25 years.  
17 No question it's a step in the right  
18 direction.

19 And also let it be said that  
20 these are jobs that regions covet. Any  
21 chamber president, any business leader,  
22 any entrepreneur, and, I would think,  
23 any government leader would say that  
24 these are wonderful, family-sustaining  
25 jobs.

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2                   And so, on behalf of the  
3           Greater Philadelphia Chamber of  
4           Commerce, we would ask you to you take  
5           a good, long, hard, and encouraging  
6           look at what those jobs represent --  
7           not just to the Fox Chase area in  
8           northeast Philadelphia but to an entire  
9           region.

10                   And finally, it's important to  
11           know that Fox Chase, I think, is  
12           holding to their word that they want to  
13           continue to provide their important  
14           care here. There are plenty of places  
15           that probably would do their best to  
16           romance Fox Chase and say, "Bring your  
17           operation here." You know, bring --

18                   And if you remember an  
19           historical note. At one time, there  
20           was talk about 35 acres originally,  
21           then it dropped to 25, and now it's  
22           19.4.

23                   The point I'm making there is,  
24           I think all of us who care about having  
25           a healthy, attractive, and resurgent

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2 economy know that certain institutions  
3 lead the way. Certainly, in our areas,  
4 as the Commerce Department Director had  
5 noted, when it comes to the life  
6 sciences realm, that particular cluster  
7 of Fox Chase is a unique place and home  
8 literally to trendsetters and  
9 remarkable people who earn Nobel Prizes  
10 in medicine. There are few  
11 institutions in the world that match  
12 what Fox Chase does.

13 So from my standpoint -- and I  
14 do represent a constituency with  
15 thousands of members both in the City  
16 and around the region -- we are  
17 delighted to be here and to offer our  
18 support for this endeavor and certainly  
19 to encourage passage of the two bills  
20 at play today here in this committee  
21 hearing.

22 Thank you.

23 COUNCIL PRESIDENT VERNA: Thank  
24 you very much.

25 MR. FRICK: Councilwoman Verna

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2 and members of the committee, I'm  
3 pleased to be here today in my dual  
4 capacity, representing both the Chamber  
5 of Commerce and Independence Blue Cross.

6 And I don't think it's any  
7 secret in this room that health care is  
8 the number-one issue both nationally  
9 and locally, the number-one polling  
10 issue in our country and in our region,  
11 'cause folks are worried about the  
12 future of health care access, quality  
13 can, and affordability.

14 It's also no secret that  
15 health care is a huge economic driver  
16 nationally and for our region. Today,  
17 16 percent of our gross domestic  
18 product in this country is spent on  
19 health care and health care-related  
20 services, two trillion dollars, and it  
21 is expected to rise to four trillion  
22 dollars, or 20 percent of our gross  
23 domestic product by 2015.

24 And we are fortunate that a  
25 big part of our regional economy is

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2 health care, and we are also fortunate  
3 that in Philadelphia and in this region  
4 to possess an abundance of  
5 world-renowned, high-quality  
6 health-care institutions in  
7 Southeastern Pennsylvania. These  
8 institutions not only provide  
9 much-needed high-quality care to our  
10 residents, but they also provide, as  
11 was mentioned before, progressive,  
12 meaningful, high-paying jobs in our  
13 region.

14 Fox Chase, 25 years ago,  
15 treated 740 new patients a year. By  
16 2010, they expect to treat as many as  
17 15,000 new people each year.

18 What you may also know is that  
19 80 cents of every health-care dollar is  
20 spent on 20 percent of the people who  
21 are dealing with or managing chronic  
22 diseases. And as you're also aware,  
23 cancer is at the top of the list.

24 And cancer is Fox Chase's one  
25 and only business. And their focus on

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2 innovative research, progressive  
3 treatment, the best in class technology  
4 ensures that our region and the City of  
5 Philadelphia continue to benefit on the  
6 fruits of their labor. And this  
7 institution will continue to be  
8 well-positioned now and into the future  
9 to help folks in our region and beyond  
10 who are battling this disease. And Fox  
11 Chase reflects well on both our city  
12 and our region.

13 And projects like this remind  
14 us all of the importance of having  
15 public and private partnerships not  
16 only to deal with this issue of  
17 addressing the future needs of health  
18 care in this region, but also to  
19 continue to build our regional economy  
20 so that we all can continue to grow and  
21 prosper.

22 So I'm here today to support  
23 passage of both of these bills so that  
24 health care can continue to be  
25 delivered in a most progressive

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2 environment as it is today at Fox Chase  
3 for another hundred years.

4 Thank you very much happy for  
5 having me here today.

6 COUNCIL PRESIDENT VERNA: Thank  
7 you.

8 Mr. Sasso?

9 MR. SASSO: Thank you, Council  
10 President Verna and the chairpersons of  
11 the joints committees.

12 I always tell the young  
13 lawyers in my office that it's probably  
14 more important to know when to keep  
15 quiet than it is to know when to say  
16 something. And given the eloquence of  
17 those that have preceded me, I will be  
18 brief.

19 As I indicated, I am here in a  
20 number of different capacities, but I  
21 think probably the most important  
22 capacity is as Chairman of Holy  
23 Redeemer Health System, a neighboring  
24 health-care organization.

25 We at Holy Redeemer, being a

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2 community hospital, know firsthand the  
3 importance of an organization like Fox  
4 Chase Cancer Treatment Center. It is  
5 absolutely in the vanguard of cancer  
6 treatment and in the vanguard of cancer  
7 research.

8 It is essential for them to  
9 accomplish their mission of caring and  
10 curing cancer patients, that they be  
11 permitted to go through this expansion  
12 program.

13 That is why I'm here that in  
14 addition to my capacity as former  
15 Chairman of the Chamber of Commerce, a  
16 businessman, and, I'd like to think, a  
17 lifelong supporter of projects that are  
18 important to the City of Philadelphia.

19 I think some very good  
20 questions have been put forward by the  
21 Councilmembers here today. I know you  
22 will get answers to your satisfaction,  
23 especially when it comes to the issues  
24 about diversity, not just in the  
25 construction projects that are going to

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2 be happening at Fox Chase but also in  
3 their own workforce over which they  
4 have direct control.

5 They have one of the most  
6 innovative advance programs in place,  
7 and they have people helping them to  
8 achieve their objectives in increasing  
9 diversity, from the medical staff right  
10 on down to the nurses to the  
11 administrative people who present a  
12 face to the people that need their help  
13 and caring.

14 So I would strongly endorse  
15 these two bills and ask you to support  
16 them.

17 Thank you.

18 COUNCIL PRESIDENT VERNA: Thank  
19 you.

20 Al?

21 MR. TAUBENBERGER: Madam  
22 President and chairs of the committees  
23 and members of the committees, I am here  
24 today as a lifelong resident of the  
25 Burholme-Fox Chase area of the City of

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2 Philadelphia and as president of the  
3 Greater Northeast Philadelphia Chamber  
4 of Commerce. Both I and the Chamber  
5 offer support for these two bills you  
6 have before you today.

7 Fox Chase is not only one of  
8 the top three employers of Northeast  
9 Philadelphia; they are also the only  
10 scientific and medical institution  
11 dedicated solely to advance cancer care,  
12 combined with world-class scientific  
13 research.

14 The importance of these types  
15 of jobs to our city and region cannot  
16 be overstated. The importance to the  
17 strength and stability of our local  
18 communities also cannot be emphasized  
19 enough.

20 While they are certainly an  
21 important employer, they are also a  
22 long-standing member of our community.  
23 They have always demonstrated their  
24 interest and support for both  
25 businesses and neighborhood interests.

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2                   As their planning process has  
3 moved forward over the past several  
4 years, they've held many, many public  
5 meetings to receive input and, they  
6 have, in fact, incorporated many good  
7 ideas as a result of these meetings.  
8 They have a long history of working  
9 with the community, with the park as a  
10 good neighbor.

11                   I am pleased to encourage your  
12 support for these bills and hope that  
13 Fox Chase will soon be able to begin  
14 detailed planning for their patients  
15 and our community.

16                   I would also like to add  
17 personally -- I would be remiss if I  
18 didn't -- that my neighbor, who lived  
19 across the street for many, many years,  
20 was diagnosed with bladder cancer. And  
21 he said, "Al, I am so glad that I only  
22 have to travel minutes for treatment as  
23 opposed to hours." It's very important  
24 to our community.

25                   Thank you very much.

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2 COUNCIL PRESIDENT VERNA: Thank  
3 you. I thank all of you.

4 Councilman O'Neill, I see your  
5 light's on. Did you want to be  
6 recognized?

7 COUNCILMAN O'NEILL: No, thank  
8 you.

9 COUNCIL PRESIDENT VERNA: Are  
10 there any questions from members of the  
11 committee?

12 The Chair recognizes  
13 Councilwoman Brown.

14 COUNCILWOMAN REYNOLDS-BROWN:  
15 Thank you, Madam President.

16 Good afternoon, gentlemen.  
17 Let me first thank all of you for your  
18 testimony; and, in particular,  
19 Mr. Sasso, for the acknowledgment of  
20 concerns raised by Councilmembers here  
21 when it comes to the issues of equal  
22 employment opportunity from  
23 construction to permanent jobs. That  
24 needs to be acknowledged.

25 And let me commend the Chamber

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2 for this past summer, for the first  
3 time in seven years I've been in the  
4 City Council, for stepping up in a  
5 magnificent way and putting as a  
6 priority giving young people in this  
7 city work and actually bumping your  
8 numbers up to address this issue of  
9 crime and violence.

10 And with that said, I need to  
11 ask to our leader of the chamber here:  
12 When corporate civic giants like Fox  
13 Chase come to you, seeking support,  
14 where on the radar screen or the ladder  
15 do issues like diversity and equal  
16 opportunity for women and people of  
17 color fall? Where's that stack in  
18 terms of priority and importance?

19 MR. SCHWEIKER: At the top of  
20 the figurative list. It's -- you know,  
21 how can we help. You know, I can  
22 probably give a long response to our  
23 buildup efforts for last year's Working  
24 Solutions effort. You indirectly  
25 referenced Working Solutions, and I

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2 couldn't adequately talk about its  
3 origin and its growth without  
4 acknowledging Joe Frick, the chairman,  
5 who certainly was earnest. And, as an  
6 aside, I heard Councilman Kenney  
7 appropriately so talk about what IBC has  
8 done as far as being really day-to-day  
9 advocate for this.

10 But most organizations, large  
11 or small, I think, in their own way  
12 wish to help and pull the proverbial  
13 wagon and help us find opportunities  
14 for young adults. So it's right at the  
15 top of the list, and it's not going to  
16 stop with one summer's effort.

17 COUNCILWOMAN REYNOLDS-BROWN:

18 That's for certain.

19 MR. SCHWEIKER: I can tell you  
20 that we've had deep conversations as far  
21 as approach and mechanics with  
22 Mayor-elect Nutter about what can be  
23 done.

24 So I would -- and more to the  
25 matter at hand, Councilwoman, I know

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2 how Fox Chase feels about their role  
3 not just as a cancer researcher or as a  
4 provider of clinicians. They know that  
5 they are a very significant corporate  
6 citizen, so they're going to -- my  
7 sense is, they're prepared to do  
8 plenty.

9 MR. FRICK: Councilwoman, thank  
10 you for both your question but also for  
11 your recognition of the meaningful  
12 effort that we collaborated on this  
13 summer -- 1,029 youth from economically-  
14 disadvantaged neighborhoods in our city  
15 worked in companies large and small  
16 around the region, and the feedback that  
17 I have received, and I've gotten  
18 involved personally, is that they did a  
19 great job and there's a tremendous  
20 amount of interest to take this  
21 initiative to the next level.

22 COUNCILWOMAN REYNOLDS-BROWN:  
23 Very good.

24 MR. FRICK: Let me just add a  
25 personal perspective.

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2 I've always believed that the  
3 best way to achieve meaningful and  
4 appropriate goals and objectives, as it  
5 relates to minority employment or  
6 minority contracting, is to make sure  
7 that the decision-makers of any given  
8 organization reflect the rich diversity  
9 of the region, because if we have  
10 diverse leaders, then it's going to be  
11 much easier to do good things as it  
12 relates to diversity.

13 And I'm very proud of the fact  
14 if you come to an executive committee  
15 meeting of the board of directors of  
16 the Chamber of Commerce, you won't see  
17 a more diverse group talented, capable  
18 leadership individuals working on  
19 behalf of the Chamber in this region as  
20 you will see today. And I'm very proud  
21 of that and it's something we've worked  
22 hard on.

23 And so, by having a very  
24 diverse leadership group in the  
25 Chamber, it also helps us to make sure

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2 that diversity and inclusion and  
3 community involvement will continue to  
4 be a key tenet of the Chamber's work  
5 now and in the future.

6 COUNCILWOMAN REYNOLDS-BROWN:  
7 Excellent, excellent. And in your  
8 comments, you're saying, A, it's  
9 possible, once the leadership makes it a  
10 priority; and B, your organization has  
11 lead by example, as Councilman Jim  
12 Kenney has already indicated.

13 Thank you very much,  
14 gentlemen.

15 COUNCIL PRESIDENT VERNA: Thank  
16 you.

17 Are there any other commence  
18 or questions from members of the  
19 committee?

20 (No further questions.)

21 COUNCIL PRESIDENT VERNA:  
22 Gentlemen, thank you so much. You've  
23 been extremely patient.

24 MR. MCPHERSON: Our next panel  
25 consists of Dr. Robert Young, Tom

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2 Garvey, and Tom Leedy.

3 (Witnesses come forward.)

4 MR. PRIMAVERA: As they're  
5 being seated, I'm going to ask my  
6 colleague, Darwin Beauvais, to make  
7 available a series of exhibits. One is  
8 the economic report that was testified  
9 to by prior witnesses; another is a  
10 reduced version of the exhibits, some of  
11 which are already mounted, showing the  
12 expansion plan. A third exhibit is what  
13 we call "park-friendly revisions" to our  
14 original plan, all of which were  
15 designed to make any expansion to be  
16 consistent with preserving and  
17 maintaining the park. So we'll have  
18 those passed to you as well.

19 I also would like to say that  
20 great minds think alike. We have  
21 already started our own recruitment  
22 effort for a Diversity Recruitment  
23 Officer at Fox Chase. So if we hadn't  
24 thought of it, we would have thought of  
25 it today. But I've been speaking with

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2 the leadership at Fox Chase, and  
3 they're already working earnestly in  
4 anticipation of growth to have a  
5 diversity officer specifically assigned  
6 to this program. So we think that the  
7 time has come to redouble our efforts,  
8 and we're proud to be a part of that.

9 With that, I'd like to  
10 introduce Dr. Young, who many of you  
11 know from his prior participation,  
12 talking about the expansion effort.

13 DR. YOUNG: Honorable committee  
14 chairs members and of the committee, I'm  
15 Dr. Robert Young, Chancellor of Fox  
16 Chase Cancer Center.

17 In the three-and-a-half years  
18 since we began this effort, we've had  
19 over 80 meetings with representatives  
20 of the City, the Fairmount Park  
21 Commission, our City Councilman Brian  
22 O'Neill, our two homeowners  
23 association, the Commonwealth of  
24 Pennsylvania, PennDOT, and our  
25 neighbors. We have had two open houses

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2 at Fox Chase, where neighbors come and  
3 see, hear, and comment on our expansion  
4 plans. And representatives of Fox  
5 Chase Cancer Center have attended every  
6 homeowners association meeting held in  
7 the past three years.

8 During this complex process,  
9 the representatives of each of these  
10 groups have sought to balance the  
11 interests of the various constituencies  
12 with the overall goal of the project.  
13 Through their hard work dedication,  
14 this has been accomplished.

15 The product of this  
16 three-and-a-half year effort is  
17 reflected in the bills proposed today.  
18 Their passage will result in a safer  
19 Burholme Park, funding for appropriate  
20 additional park land, traffic-  
21 improvement measures linked to the  
22 expansion, the creation of 4,000 new  
23 non-outsourcable jobs for the City, and  
24 the opportunity for Fox Chase Cancer  
25 Center to fulfill its mission of

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2 scientific discovery, and the delivery  
3 of state-of-the-art cancer care to  
4 those who need it. We urge its  
5 passage.

6 Thanks again to the City, the  
7 Fairmount Park Commission, and the City  
8 Councilmembers for all of their help  
9 and guidance through this process.

10 Those are my prepared words.

11 On the basis of the questions  
12 that arose earlier, I would like to  
13 speak to several things.

14 I don't consider myself an  
15 authority on construction jobs. We  
16 have worked closely with the City of  
17 Philadelphia in drafting the document  
18 that you have before us. Certainly, we  
19 have no objection -- indeed, we have  
20 enthusiasm -- for trying to reach the  
21 optimum figures there to the extent  
22 that that's feasible.

23 I can certainly, however,  
24 speak to the issue of diversity and  
25 minority recruitment inside the

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2 institution. This is not something we  
3 have come upon just lately; it's  
4 something that we have worked  
5 diligently on for decades.

6 Presently, about 54 to 56  
7 percent of all of our employees are  
8 women. About 20 percent of our  
9 employees are minorities. And we have  
10 at multiple levels within the  
11 institution strategies for increasing  
12 the minority representation -- not just  
13 of hospital employees but scientists  
14 and physicians.

15 We have just in the last two  
16 years recruited five new minority  
17 cancer research physicians, which, as  
18 you probably can imagine, are  
19 nationally, if not internationally,  
20 sought after. So we're very pleased  
21 with those recruitment.

22 We've had in place for at  
23 least fifteen years two parallel  
24 systems of reaching out to young people  
25 -- young minority populations in two

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2 different categories: One, people who  
3 are interested in careers  
4 administratively. We bring these  
5 people in the summer, work with them,  
6 they get a chance to see what the  
7 institution does and how it works.  
8 And, indeed, a number of our subsequent  
9 employees have been recruited out of  
10 that pool.

11 More challenging, but in a, in  
12 a scientific sense, more rewarding, are  
13 the group that we have put in place to  
14 recruit young people from minority  
15 groups who feel that they might have an  
16 interest in a career in science. And  
17 we bring those individuals in to get an  
18 opportunity to work in the laboratories  
19 to see how science is actually done.  
20 And these, too, have resulted in a  
21 number of employees on the technical  
22 side, and they've also resulted in a  
23 number of people who have made plans to  
24 go on in an academic careers for MD's  
25 and PhDs, which is an enormous sense of

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2 pleasure for the institution.

3 We're deeply committed to  
4 addressing the need for more minority  
5 involvement in the practice of  
6 medicine. It impacts on the way  
7 patients see their care, it impacts on  
8 the way they feel about access. And it  
9 is certainly our goal to improve the  
10 participation of minorities in all  
11 aspects of our enterprise.

12 This is also important from  
13 the vantage point of the National  
14 Cancer Institute, who has five-year  
15 reviews of our program. And when they  
16 do that, they review minority  
17 participation in clinical trials to see  
18 that the number of patients being  
19 involved in research programs mirrors  
20 the population and mirrors the  
21 population that we see in the  
22 institution.

23 One of the things that we have  
24 done in the last five years or more is  
25 set up a very comprehensive program,

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2 which Councilwoman Tasco mentioned  
3 earlier, addressing the various needs  
4 that we hope to be able to address  
5 through this multi-pronged strategy.

6 So I hope that clarifies some  
7 of the things that were raised earlier.

8 I think one of the other  
9 issues that was raised was how were  
10 these 4,000 jobs over 25 years likely  
11 to appear? The construction is being  
12 done in phases, as you know. The first  
13 phase is actually underway on property  
14 that we currently own, and that will  
15 bring about 400 new jobs into the  
16 institution.

17 Phase 2, or Phase 1 in the  
18 park, is the biggest initial phase.  
19 And that will probably bring in about  
20 1500 new employees, so that the second  
21 phase is the biggest phase, and the  
22 rest will come in increments over  
23 Phases 3, 4, and 5.

24 COUNCIL PRESIDENT VERNA: Thank  
25 you. Thank you very much, Doctor.

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2 MR. PRIMAVERA: At this point,  
3 maybe it's best that what we do is very  
4 briefly show you the boards and have you  
5 go through the materials at hand.

6 Tom, do you want to just  
7 briefly talk about the concept. We'll  
8 have the architects from Ewing Cole  
9 point to the particular boards. We'll  
10 briefly go through what really is an  
11 expense of the IDD, which we currently  
12 have, and then talk about the different  
13 phases and then maybe show you some of  
14 the boards that really talk about the  
15 preservation of the park and what the  
16 park will look like even at the end of  
17 our expansion.

18 I think you'll be impressed  
19 that there's really more park that's  
20 going to be visible and maintained  
21 because the building that will be  
22 developed will be interior and  
23 surrounded by park. So I think you'll  
24 find I it very interesting.

25 Tom?

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2 MR. GARVEY: John, the first  
3 board, which is the zoning board, I  
4 think you can just acknowledge to the  
5 Councilmembers that this is the  
6 technical drawing associated with the  
7 IDD and the zoning requirements, and so  
8 it's rather flat and it gives an awful  
9 lot of detail. We can come back to that  
10 if there are questions.

11 The next board is a  
12 demonstration of the expansion. In the  
13 background, you can see the existing  
14 Fox Chase Cancer Center buildings. And  
15 then as you move into the foreground --  
16 and John, perhaps you can show where  
17 Cottman Avenue is and Central. Cottman  
18 running west-east and thens Central  
19 running south to north.

20 And so in what I call "the  
21 Campbell Soup phase" is the expansion  
22 Dr. Young was just talking about, which  
23 is the first piece of expansion into  
24 the Burholme Park area.

25 And I want to come back to

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2 note -- John, if you could, could you  
3 just scum circumscribe the area that is  
4 now for the golf range and show how  
5 that -- essentially that square of  
6 space moves out over time and moves  
7 back into the other areas of the park.

8 COUNCILMAN O'NEILL: Talking in  
9 terms of general phase timetables would  
10 probably be helpful.

11 MR. GARVEY: Right. I'll do  
12 this without benefit of a note,  
13 Councilman O'Neill.

14 The first phase of the  
15 expansion of the park, demonstrated on  
16 the drawings of Phase 2, would begin  
17 somewhere in the neighborhood of 2011,  
18 2013, not later than 2015, in that  
19 range. And, that's -- as you know,  
20 when we first put this out, we were  
21 looking at ranges of '08 and '09, but  
22 we've since moved from our first  
23 discussions in calendar year '04 until  
24 now. So I would say 2011, in that  
25 range, and maybe a little bit later.

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2                   And then each additional  
3 phase, 3, 4, and 5, we had always  
4 envisioned as being somewhere in the  
5 range of five to seven years, following  
6 completion of the next.

7                   And so if you do that,  
8 altogether, you're looking at a 20- to  
9 a 25-year period. It depends certainly  
10 on -- it doesn't depend on demand; I  
11 think we've established that. I think  
12 it depends an awful lot on our ability  
13 to do the fundraising and to secure the  
14 kinds of funds we need.

15                   But our plan is reasonable; it  
16 is not pie in the sky.

17                   So I don't know if I've  
18 answered your question, Brian, or not.

19                   COUNCILMAN O'NEILL: That's  
20 fine.

21                   And just to reiterate, I will  
22 say that the traffic improvements that  
23 were discussed with Mr. Denny and  
24 placed on the record are all going to  
25 be a part of the Phase 1 of the project

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2 so they won't be waiting for later  
3 phases.

4 MR. GARVEY: And, I think, to  
5 respond to Councilman's O'Neill's  
6 question, what we tried to do is to do  
7 some immediate improvements today that  
8 affect safety, and then prior to opening  
9 the Phase 1 in the park, we would have  
10 completed a whole variety of new  
11 improvements having to do with removal  
12 of parking, working with PennDOT. So  
13 we're committed to doing some right now  
14 and the rest before it gets finished up.

15 COUNCILMAN O'NEILL: Thank you.

16 MR. PRIMAVERA: And,  
17 interestingly, we have our traffic  
18 engineer here, but some of the  
19 strategies that we've already been using  
20 and we hope to expand upon are  
21 maximizing car pools. We have three  
22 shifts, so we have shift dispersion. We  
23 also have the ability to have public  
24 transportation, with vans picking up.

25 So given the cost of public

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2 transportation, given the comparative  
3 benefit compared to using cars and gas,  
4 we think that a transit-oriented  
5 approach to our expanded employee  
6 population will be very helpful. And  
7 already been something that's been  
8 successful.

9 So with regard to not only  
10 engineering a solution and mitigating a  
11 problem or mitigating the problem less  
12 by having fewer cars and then also what  
13 we've been able to do is, we've put  
14 together a system where we're going to  
15 constantly monitor the process as we  
16 move forward that. And that way, as we  
17 experience the growth, which will be  
18 subtle but important, we're going to be  
19 able to arrive upon things that will  
20 make each step easier.

21 And you'll see in our report,  
22 and we've worked with the Councilman on  
23 this, that the planning happens first,  
24 unlike being reactionary in a lot of  
25 situations. So this will be a smooth

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2 transition with regard to both traffic  
3 and also parking.

4 One of things we're doing now  
5 on our own property is the new parking  
6 garage, which is something that  
7 everyone's has encouraged us to do.

8 And then also, Phase 1  
9 includes a significant expansion of our  
10 hospital. We have people who have been  
11 literally waiting to be treated,  
12 standing in line in the halls; it's  
13 been a very difficult situation.

14 So with the expectation that  
15 we would be here and have the support  
16 of Council, we've already committed to  
17 a serious expansion effort on our own  
18 property. It's the last piece of  
19 property available that we own, so we  
20 did it with the expectation that all  
21 future expansion would be as part of  
22 this sublease.

23 Also, what I would like to do  
24 is just show you the nature of our  
25 current campus in photographs so you

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2 will see the high level of design and  
3 then give you an idea of the type --  
4 maybe the photographs show it better --  
5 the kind of development that we do.

6 It's very clean,  
7 state-of-the-art. Ewing Cole has been  
8 doing work all over the world, and they  
9 basically have a tremendous expertise  
10 in health-care architecture and design.  
11 So we really are proud of what will be  
12 very attractive buildings.

13 We also, as I said, have this  
14 park-friendly criteria. We have design  
15 controls with the Fairmount Park  
16 Commission, we have landscape controls.

17 So basically, a lot of what's  
18 happening will really be invisible as  
19 you go by. And unlike turning the  
20 lights on and turning them off, this  
21 expansion will be years in the making,  
22 so it will be very subtle, and people  
23 won't see an immediate change in their  
24 life because that's obviously something  
25 that we're concerned about.

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2 Also, I did introduce Don  
3 Leedy, who's the COO, who's been  
4 instrumental in this process.

5 Don, I don't know if you have  
6 anything further to state.

7 MR. LEEDY: No, other than I  
8 think that this has been a very open  
9 process, that I think the participation  
10 and the input that we got back from the  
11 community allowed us to create a tighter  
12 design that has allowed us to bring this  
13 down the to a 19.4 acre, and that I  
14 think we're quite anxious to get on with  
15 the project.

16 MR. PRIMAVERA: Interestingly,  
17 it would have been easier to go higher,  
18 but people in Fox Chase and at Burholme  
19 have a certain sense that the water  
20 tower's kind of like the high point. So  
21 we tried to keep our height, you know,  
22 around that area, so we couldn't go as  
23 high as perhaps other people would like.

24 And other people said, Well,  
25 minimize the amount of park area. Most

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2 of what we're taking is an area that's  
3 now a commercial golf driving range, so  
4 it's already -- even though it's  
5 recreational use, it's not open and  
6 available unless you want to pay for  
7 it.

8 So we think that the  
9 combination of keeping the height at a  
10 certain level is very helpful to  
11 keeping the communities feeling good.  
12 But also the ability to put the  
13 buildings in a dense package will  
14 minimize the intrusion into the park.

15 You will also see the  
16 surrounding ball fields. They are in  
17 use, they're going to continue to be in  
18 use. They're going to be upgraded  
19 through this process. So the things  
20 that people are actively using will be,  
21 in effect, maintained and approved.  
22 You will also see the buffer area on  
23 the other side, which is a real  
24 environmental area.

25 So, in effect, we have a

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2 perfect placement of our development  
3 zone in a way that really is the least  
4 annoyance and the least inconvenience  
5 to anyone.

6 So we're excited that we've  
7 been able to engineer this and, through  
8 cooperate prodding by the Councilman  
9 and Fairmount Park Commission, minimize  
10 the impact in terms of the amount of  
11 land.

12 I have no further comments or  
13 questions with this panel, if the  
14 committee would like to either ask  
15 questions or move on to the next panel.

16 COUNCILMAN O'NEILL: Tom, just  
17 a follow-up on the -- this is actually  
18 Phase 2 because Phase 1 is going to  
19 become what we did back in June, the  
20 parking lot and the parking garage and  
21 the building.

22 But you mentioned that some of  
23 the traffic improvement won't wait for a  
24 Phase 2, and I'm using the old Phase 1  
25 as Phase 2.

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2                   Could you mention a little bit  
3                   about that, what you're doing prior to  
4                   Phase 2?

5                   MR. GARVEY: Absolutely. Yeah,  
6                   prior to Phase 2 -- and I don't think --  
7                   do we have a plan up there John? I  
8                   should introduce John Gerdner, President  
9                   of Ewing Cole. Do we have the same view  
10                  in plan or not? If you could just --  
11                  since it's easier over here.

12                  In working with the traffic  
13                  engineer retained by the community,  
14                  there are on Central Avenue and Shelmire  
15                  Drive, which is -- do you know where  
16                  that is, John? Right.

17                  There are three entrances there  
18                  right now. One of them is a secondary  
19                  entrance for Fox Chase Cancer Center.  
20                  Immediately next to that is one for  
21                  Jeanes Hospital. And immediately next  
22                  to that is one of three for the Burholme  
23                  Park.

24                  It was recommended for line of  
25                  site and safety that those three be

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2 combined, that they handled with new  
3 signalization, which does not exist, and  
4 we're committed to doing that  
5 immediately. We want to begin to design  
6 that right now with the community  
7 engineer with Jeanes Hospital and with  
8 the design help of the individuals in  
9 the Fairmount Park system.

10 Also at Fox Chase Drive, if you  
11 will, as it comes down along and it  
12 comes to Central, a signalization there  
13 is needed also for safety and to, most  
14 importantly -- and, Brian, I think this  
15 is what you're getting at -- is to take  
16 the signalization that runs from Cottman  
17 Avenue all the way down through to Five  
18 Points and have that all re-coordinated,  
19 and to work with PennDOT and Cheltenham  
20 to get a signal to be able to improve  
21 that flow. And we've made commitments  
22 to doing that.

23 COUNCILMAN O'NEILL: Some of  
24 those will be later than others?

25 MR. GARVEY: Yes, sir.

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2 COUNCILMAN O'NEILL: Yes.

3 MR. GARVEY: And then, as Carl  
4 was getting at -- and, again, we've had  
5 an awful lot of discussion about  
6 traffic. Our projections with Shore  
7 DePalma, the traffic engineering firm,  
8 looked out through to completion of  
9 Phase 2, or Phase 1 in the park, where  
10 the hospital building is, to mitigate  
11 all of that prior to that opening and  
12 then come back and take a look at that  
13 again, after that up is and in  
14 operation. And that would probably be  
15 2017.

16 COUNCILMAN O'NEILL: Well, I  
17 want to state -- and I'm glad Dr. Young  
18 is here because he's got sort of the  
19 sweat equity in this, in a manner of  
20 speaking. Between the meetings you had  
21 with the community which caused you to  
22 change the design in many ways,  
23 listening to my heartfelt plea to put a  
24 parking garage on your own property --  
25 prior to that, it wasn't in the original

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2 plan. And while things took long, much  
3 of it was figuring out what to do with  
4 traffic and also getting all of the  
5 governmental approvals.

6 But I want the record to  
7 reflect that I never heard "no." There  
8 was never a "no" to a request that  
9 would benefit the community that came  
10 from Dr. Young or anyone at Fox Chase.  
11 It was a matter of trying to figure out  
12 how to make this a win/win and get to  
13 where we are today.

14 And I just want to thank you  
15 and the entire institution for that.

16 DR. YOUNG: Thank you,  
17 Councilman.

18 We've been right there since  
19 about 1948, and our desire is to  
20 continue to be there and to serve the  
21 community and the rest of the country  
22 that requires more and more innovative  
23 cancer care and discoveries which will  
24 change the course of cancer. That's  
25 what we're all about.

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2 COUNCILMAN O'NEILL: Thank you.

3 COUNCIL PRESIDENT VERNA: Any

4 other questions of this panel?

5 The Chair recognizes

6 Councilman Greenlee.

7 COUNCILMAN GREENLEE: Thank

8 you, Madam President.

9 Mr. Primavera talked about how

10 sometimes, in the present state, you

11 get a little backed up in trying to

12 take care of patients. Is there any

13 estimate on, with this proposed

14 expansion, either how many more people

15 you can serve or in how quicker a

16 fashion you can?

17 DR. YOUNG: Yeah. I mean, the

18 whole impetus to doing this expansion

19 was based on taking a look at the last

20 decade of growth in patient population

21 that we are taking care of at Fox Chase

22 and a careful look at the demographics

23 of the region that we serve.

24 And, indeed, the region that

25 we serve is getting older. And as a

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2 function of that, there is more cancer  
3 care required by that population.

4 We looked at expansion that  
5 would be somewhere in the range of 5 to  
6 7 percent per year increase in new  
7 patient volume.

8 And if we just prorate,  
9 project that out, we're looking at  
10 something in the range of 12,000 new  
11 patients a year as compared to the  
12 7,500 that we serve now.

13 And we realized back in --  
14 this is now back in 2002, that we  
15 simply did not have either the hospital  
16 facilities or the outpatient facilities  
17 to deliver state-of-the-art care in  
18 that kind of volume.

19 And so this expansion will  
20 include a 200-bed hospital to replace  
21 the 100-bed hospital we have now. And  
22 the major part of the early expansion,  
23 the building that we're building right  
24 now, will be chiefly devoted to  
25 outpatient care.

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2 In the present state of cancer  
3 care, about 85 percent of all of the  
4 cancer care is given on an outpatient  
5 basis. But in order to do that, you  
6 need a space so that people can sit  
7 down, and you need enough space so that  
8 you can hire enough employees so that  
9 they can rapidly respond to the needs  
10 of the patients that are trying to get  
11 care.

12 And that's what we're  
13 committed to with this expansion.

14 COUNCILMAN GREENLEE: So just  
15 so I'm clear on the real number, you  
16 said 12,000 new as opposed to now 7,000  
17 --

18 DR. YOUNG: Yeah. We look at  
19 two figures basically. The number of  
20 new patients, we see each year we  
21 currently see about 7,000 new patients  
22 is year, and we anticipate seeing about  
23 12,000 new patients a year. That  
24 translate now into 70,000 outpatient  
25 visits.

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2 So that we will probably be in  
3 2012, 2015 taking care of 120,000  
4 outpatient visits.

5 COUNCILMAN GREENLEE: That's a  
6 lot of people.

7 Thank you very much, Madam  
8 President. Madam Chair, thank you.

9 COUNCIL PRESIDENT VERNA: Thank  
10 you.

11 Any other comments or  
12 questions from members of the  
13 committee?

14 (No further questions.)

15 COUNCIL PRESIDENT VERNA:  
16 Gentlemen, thank you very much.

17 MR. McPHERSON: Our next panel  
18 consists of David Marshall and William  
19 Avery, Board of Directors of Fox Chase  
20 Cancer Center.

21 (Witnesses come forward.)

22 MR. PRIMAVERA: I know many of  
23 you know Mr. Avery and Mr. Marshall from  
24 many other civic, philanthropic, and  
25 opportunities and things that they have

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2 done for our great city. I think I  
3 really want them not only to thank you  
4 for being here today and hearing these  
5 bills but also to tell you a little bit  
6 about the search that they did and why  
7 they were so excited about trying to  
8 maintain Fox Chase in Philadelphia.

9 So, with that, Mr. Avery and  
10 Mr. Marshall.

11 MR. AVERY: President Verna and  
12 Madam Chair --

13 COUNCIL PRESIDENT VERNA: Good  
14 afternoon.

15 MR. AVERY: -- good afternoon.  
16 My name is William Avery, and as you've  
17 been told, I'm the retired Chairman and  
18 CEO of Crown, Cork & Seal. I think I  
19 established at that time my love for the  
20 City by keeping one of the major  
21 corporations here in the City, with the  
22 help of Councilman O'Neill.

23 And I've been the chair now  
24 for a little over five years at Fox  
25 Chase. So during this period of time,

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2 I've been involved directly with what's  
3 going on. And as Councilman O'Neill  
4 said, if this had been just strictly a  
5 business function, it would have  
6 happened three years ago, two-and-a-  
7 half years ago, realizing that when you  
8 try to expand a park and you're also  
9 dealing with neighbors, it was going to  
10 be a problem.

11 And so many of the things that  
12 I had prepared have already been  
13 stated, so I'm just going to make a few  
14 comments.

15 As has also been stated, the  
16 major area that we're going to be using  
17 is a golf course. And when you stop  
18 and think of what we have going forward  
19 for all of our community here, at Fox  
20 Chase, one of the leading Cancer Center  
21 City centers in the world, with two  
22 Nobel Prize winners -- there's only one  
23 other of the 63 cancer centers in the  
24 country that have two Nobel Prize  
25 winners.

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2 I've been a patient at Fox  
3 Chase, I'm a cancer survivor, and so I  
4 know firsthand the kind of care that  
5 you can get at Fox Chase.

6 We have, in the last two-and-  
7 a-half years, three years, in  
8 anticipation of this project being  
9 approved, we have gone out and searched  
10 the country for the best surgeons, the  
11 best researchers, the best oncologists,  
12 and we have many of those on our staff.

13 But we've made promises to  
14 those individuals about additional  
15 building space, where they could have  
16 additional people and a research  
17 center, additional facilities,  
18 operating rooms, hospitals equipment.

19 And we're here today -- or I'm  
20 here today, and David going to give you  
21 his ideas and thoughts, but I'm here to  
22 ask you to move us forward. We are  
23 ready. The Board of Directors is  
24 behind us.

25 But I have to be honest and

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2 say that after three years, it's  
3 getting hard to keep them together,  
4 that we're getting close, and to try to  
5 explain that when you're in a major  
6 city, there are things that you have to  
7 put together; it's not like being out  
8 in the country somewhere.

9 So we're delighted that we're  
10 here today, and we ask you for your  
11 approval of these two bills.

12 David?

13 MR. MARSHALL: Thank you very  
14 much, Bill. Councilwoman Verna and  
15 members of City Council, thank you very  
16 much for having us here today.

17 The benefit of going last is  
18 that everything else has been said  
19 already.

20 I'm a local businessperson  
21 having, having spent basically my  
22 entire business career in Philadelphia,  
23 and I've been very active in the  
24 community in a number of areas.

25 I'm most proud of my

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2 affiliation with Fox Chase. I'm a  
3 member of the board, I'm a member of a  
4 number of their key committees, and it  
5 is the most satisfying board that I  
6 have ever been involved with.

7 A couple of questions were  
8 asked about the growth of Fox Chase,  
9 and I think that they were already  
10 covered, but just to reiterate, because  
11 it really is important: The number of  
12 new patients that Fox Chase saw in 1980  
13 was 739. By '96, 1996, it was 3,736.  
14 By 2005, it was 6,644. It's already  
15 over 7,000.

16 The outpatients in the same  
17 periods of time were 29,000, 45,000,  
18 70,000, and our anticipation by 2010 is  
19 135,000. We're a victim of our own  
20 success, in effect.

21 And one of the problems that  
22 it's created with this success is the  
23 fact that we have to have people who  
24 are literally suffering from cancer  
25 waiting in the halls, waiting for

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2 employment, and this is intolerable and  
3 unacceptable as far as the board is  
4 concerned. Se we'd like to move this  
5 process along as quickly as possible

6 We have people in our cancer  
7 dermatology that are waiting for a  
8 month for an appointment. And in our  
9 breast cancer clinics, it's two to  
10 three weeks to get an appointment. And  
11 invariably, these create the backlogs  
12 where people that come in for treatment  
13 have to wait two to four hours. And,  
14 believe me, as members of the Board of  
15 Directors, we hear these complaints of  
16 "How come you can't treat us faster?"

17 We would love to do it. We  
18 are ready, willing and able to do it.  
19 So we're asking your indulgence to move  
20 this as quickly as possible.

21 And I thank you very much for  
22 your time.

23 COUNCIL PRESIDENT VERNA: We  
24 thank you for your involvement, and  
25 you've been extremely patient here

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2 today. And, again, I want to thank you  
3 for coming to testify; it's been very  
4 important.

5 And, I'll tell you, I never  
6 realized that the hospital would be  
7 handling so many patients. It's  
8 incredible. It's frightening. It's  
9 frightening.

10 Thank you again. Thank you.

11 MR. MCPHERSON: Our next panel  
12 consists of Bernard Griggs and Michael  
13 Nakowski.

14 (Witnesses come forward.)

15 MR. PRIMAVERA: Mr. Griggs is  
16 here on behalf of Mr. Gillespie.

17 And Mr. Nakowski wears several  
18 hats, but I will say this: He's been  
19 with us every step of the way. We had  
20 many meetings in the Northeast. He  
21 lives in Fox Chase, and I don't think  
22 he missed a meeting of the Fairmount  
23 Park Commission in the Northeast. He's  
24 been one of the most loyal people we've  
25 had, and we appreciate him taking off

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2 the day to come down here to testify.

3 Thank you.

4 COUNCIL PRESIDENT VERNA:

5 Please identify yourself for the record.

6 MR. NAKOWSKI: My name is Mike  
7 Nakowski, a lifelong resident of  
8 Philadelphia, over a 20-year resident in  
9 the Fox Chase area.

10 I want to, first of all, thank  
11 Councilman O'Neill who put all these  
12 pieces together.

13 All right, as a person who  
14 raises his family in the Fox Chase  
15 area, whose sister is a cancer patient  
16 treated at Fox Chase Cancer Center;  
17 she's been cancer-free for quite a few  
18 years now. My kids sled and play  
19 organized sports on Burholme Field, so  
20 I know the area very well.

21 It's a grates place to live.  
22 And we're very blessed that we have  
23 such a good organization like Fox Chase  
24 Cancer Center in that neighborhood,  
25 okay, for quality care and what it does

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2 to the neighborhood.

3 I could be redundant with  
4 everything that was said here. It is  
5 an economic engine, it's a great  
6 quality care. Look at the 120,000  
7 patients. I mean, at the end of the  
8 day, okay, it's to cure cancer, in my  
9 opinion only. But at the end of the  
10 day, it's to get a cure for that  
11 horrible, horrible disease. Until your  
12 family's ever been affected by it, all  
13 right, then you'll understand. And I  
14 hope nobody's family ever gets affected  
15 by that horrible disease 'cause it  
16 doesn't look at race, color, creed,  
17 religion or anything else. All's it  
18 does is tear your family apart and  
19 watch a person -- it's just a horrible,  
20 horrible thing.

21 So I want to thank the  
22 Councilman. I strongly urge your  
23 committee to come out with a strong  
24 recommendation 'cause this is good for  
25 the -- it's a win/win, as the

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2 Councilman said for the City. It's an  
3 economic engine.

4 And at the end of the day, as  
5 someone had said there's two Nobel  
6 Peace Prizes for guys who work at Fox  
7 Chase Cancer Center. I mean, to let  
8 something like this slip through our  
9 fingers, as a life long resident, I  
10 pray to God it doesn't happen.

11 Again, I want to thank you for  
12 your time, Fox Chase, Councilman, and  
13 everybody else.

14 Thank you.

15 COUNCIL PRESIDENT VERNA: Thank  
16 you.

17 Good afternoon.

18 MR. GRIGGS: Good afternoon.

19 My name is Bernard Griggs, and I'm here  
20 to testify today on behalf of Pat  
21 Gillespie and the Philadelphia Building  
22 and Construction Trades Council.

23 The Building Trades Council is  
24 the umbrella organization that  
25 represents all of the building trade

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2 unions for the Philadelphia and  
3 five-county area.

4 As many of you know, I've  
5 testified in front of this committee  
6 before, that the Building Trades  
7 Council fully supports Fox Chase. We  
8 have in the past, we have in the  
9 future, and we continue to support them  
10 in all of their endeavors to, you know,  
11 complete the expansion of the Fox Chase  
12 Cancer Center.

13 And I got to tell you, you  
14 know, I've heard a lot of wonderful  
15 things here today, and we support them  
16 for all pf these reasons. You know, I  
17 heard things like, you know,  
18 particularly for the first-class cancer  
19 research and treatment that they have  
20 provided over the years and that they  
21 will continue to provide in the future,  
22 the fact that they've been a great  
23 neighbor in the community. And I know,  
24 with this expansion, they'll only be a  
25 better neighbor.

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2                   But most importantly, for the  
3 Building Trades Council, we support  
4 this expansion for the many, many  
5 construction jobs that it will provide  
6 for our members. You know, anytime you  
7 talk about putting our members to work,  
8 that's a win/win for us, and we hope,  
9 you know, that you will really support  
10 this and can move forward with this  
11 probably.

12                   Thank you.

13                   COUNCIL PRESIDENT VERNA: Thank  
14 you very much.

15                   The Chair recognizes  
16 Councilwoman Brown.

17                   COUNCILWOMAN REYNOLDS-BROWN:  
18 Good afternoon, Mr. Griggs.

19                   MR. GRIGGS: Good afternoon.

20                   COUNCILWOMAN REYNOLDS-BROWN:  
21 At the risk of sounding like a broken  
22 record, I would be remiss again not to  
23 do what is always necessary in major  
24 efforts like this that come before us,  
25 and that's to seize the moment and put

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2 on the record the commitment or not when  
3 it comes to equal opportunity across the  
4 board from construction -- in your case,  
5 through permanent opportunities for  
6 local citizens first, 'cause there are  
7 many times here when we've seen  
8 construction projects and there's been  
9 no commitment to Philadelphians, which  
10 is completely unacceptable.

11 So speak to, if you will, the  
12 building trades' commitment to ensuring  
13 that goals established and that have  
14 actually been tweaked and amended up at  
15 the request of Councilman Clarke, speak  
16 to your organization's commitment to  
17 ensuring that this project indeed meets  
18 those expectations.

19 MR. GRIGGS: You know, our  
20 commit was not only to meet the  
21 aspirations and goals that were once  
22 mentioned, but, you know, the numbers  
23 have risen, and we still plan to meet  
24 those numbers.

25 And I can tell you firsthand

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2 that when it comes to any type of  
3 affirmative action program, I mean,  
4 I've been involved from the grassroots  
5 level. We've always, in my opinion,  
6 always either exceeded or met those  
7 goals, and we continue to do that with  
8 Fox Chase.

9 COUNCILWOMAN REYNOLDS-BROWN:

10 Now, we know that there would be many,  
11 including some of us in this body,  
12 who would respectfully disagree, with  
13 very tangible evidence and documentation  
14 that at times, your organization has not  
15 been able to meet those goals.

16 So assuming that what you're  
17 saying is true, what strategies or new  
18 efforts do you have in place that  
19 substantiate what you've just  
20 mentioned?

21 MR. GRIGGS: Just to continue  
22 to look at the community and just to do  
23 what we've always did in the past, and  
24 that is, meet those goals. We will meet  
25 the goals.

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2 COUNCILWOMAN REYNOLDS-BROWN:

3 And in the past, you've done what with  
4 regards to recruitment and training and  
5 then ultimate employment opportunity in  
6 the trades?

7 MR. GRIGGS: Well, it comes  
8 down to, you know, when our  
9 apprenticeship programs open up, you  
10 know, many, many people from the  
11 community apply within, and they get  
12 into the program just like anybody else  
13 would.

14 But, you know, it always seems  
15 to be a particular amount of people  
16 from the community, and so that's how  
17 we're able to meet and exceed those  
18 goals.

19 COUNCILWOMAN REYNOLDS-BROWN:

20 And you will be using that process for  
21 this project as well that folks in the  
22 immediate area of Fox Chase will have  
23 first chance at recruitment, training,  
24 et cetera?

25 MR. GRIGGS: Yes.

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2 COUNCIL PRESIDENT VERNA:

3 Councilwoman Miller.

4 COUNCILWOMAN MILLER: What are  
5 the demographics of the -- what's the  
6 racial makeup of people -- I go to that  
7 area all the time. I use a cleaners up  
8 there, and my campaign posters are made  
9 right in that area, at Cheltenham  
10 Printing.

11 What would be the demographics  
12 of the zip codes that are in that  
13 immediate vicinity?

14 MR. GRIGGS: I'm not sure.

15 COUNCILWOMAN MILLER: Would you  
16 know that? I'm sorry, I don't even know  
17 who you are. I just came in from  
18 another meeting. You know, maybe I  
19 shouldn't be asking you that question.

20 But if you happen to know it,  
21 you can answer it anyway.

22 MR. GRIGGS: Okay. I don't  
23 have the breakdown with me.

24 COUNCILWOMAN MILLER: Okay.  
25 We'll find it out from someone else,

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2 because the demographics of that area,  
3 as I see it, probably does not include a  
4 lot of minorities. I see some, but --  
5 so I think what you're looking for you  
6 won't get if you're talking about  
7 diverse workforce. I'm not really sure.

8 COUNCILWOMAN REYNOLDS-BROWN:

9 One of my issues is making sure that  
10 local residents from the community get  
11 the opportunity. So in that case, it's  
12 those who live in and around Fox Chase.  
13 That's part A of my angst. The second  
14 part is making sure that the workforce  
15 looks like Philadelphia.

16 MR. GRIGGS: Yes.

17 COUNCILWOMAN REYNOLDS-BROWN:

18 Okay, then. Thank you.

19 COUNCIL PRESIDENT VERNA: Any  
20 other questions or comments from members  
21 of the committee?

22 (No further questions.)

23 COUNCIL PRESIDENT VERNA: Thank  
24 you very much.

25 MR. GRIGGS: Thank you for your

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2 time.

3 MR. MCPHERSON: Our next panel  
4 consists of Nancy Ostroff.

5 COUNCIL PRESIDENT VERNA:  
6 Mr. Primavera, do you have anybody else?

7 MR. PRIMAVERA: Yes. We have  
8 one other person who has asked to speak.

9 And while she's getting  
10 situated, there's one issue that we're  
11 not going to pursue; we're going to  
12 hold that for rebuttal. It was a panel  
13 of lawyers from Pepper Hamilton.

14 It hasn't been mentioned but  
15 I'm sure you may know that because part  
16 of the area in question was the result  
17 of a bequest by a Mr. Ryers, that we  
18 need Orphans Court approval in order to  
19 complete, and that's envisioned after,  
20 hopefully, City Council approval.

21 And the Orphans Court judge  
22 has said that the case will be ready  
23 for adjudication if, in fact, you were  
24 to authorize a lease. And we will be  
25 responding to some questions about the

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2 process, but we wanted to let you know  
3 and to remind you that there will be  
4 Orphans Court approval necessary  
5 involved in this process, and we don't  
6 believe that that will be a problem,  
7 and it's just another step.

8 Thank you.

9 COUNCIL PRESIDENT VERNA: Thank  
10 you.

11 (Witness comes forward.)

12 COUNCIL PRESIDENT VERNA: Good  
13 afternoon. Please identify yourself for  
14 the record.

15 MS. CARASELLA: My name is  
16 Maria Carasella, and I am a patient at  
17 Fox Chase Cancer Center.

18 COUNCIL PRESIDENT VERNA:  
19 Welcome.

20 MS. CARASELLA: Thank you. I'm  
21 not as eloquent as some of the people  
22 who have been here, so I've written some  
23 things down.

24 COUNCIL PRESIDENT VERNA: Just  
25 be yourself.

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2 MS. CARASELLA: My name is  
3 Maria Carasella. I am a four-year,  
4 four-month metastatic-colon-cancer  
5 survivor and a patient at Fox Chase  
6 Cancer Center.

7 I came to Fox Chase as a  
8 patient in 2002. I was 37 years old, a  
9 wife and mother of two-year-old twins,  
10 and I had just learned that my cancer  
11 had spread to my lung. Fox Chase is  
12 close to my home, so my going to Fox  
13 Chase was obvious.

14 However, once there and in the  
15 hands of such wonderful and caring  
16 individuals, it became clear that I was  
17 the luckiest unluckiest person in the  
18 world. At the scariest point of my  
19 life, I felt so safe and cared for, all  
20 of this so close to home, making it  
21 possible for family and friends to join  
22 the Fox Chase team in nursing me back  
23 to health.

24 I could go on and on about the  
25 level of care that I received at Fox

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2 Chase. There is an entire team who  
3 watched over me then and continues to  
4 watch over me today. I have a surgeon,  
5 an oncologist, a nurse practitioner, a  
6 social worker, a genetics doctor, and a  
7 genetics counselor, and I also have --  
8 oh, I mentioned her, my most wonderful  
9 social worker.

10 In addition, there are other  
11 members of the Fox Chase family that  
12 have cared for me, people who put my  
13 port in and took my port out; members  
14 of diagnostic imaging, who have seen  
15 firsthand the internal damage done by  
16 my cancer.

17 All of these individuals who  
18 have taken care of me worked at Fox  
19 Chase's main campus. I can seamlessly  
20 and effortlessly go from one  
21 appointment to another. I cannot tell  
22 you how comforting it is for a cancer  
23 patient to be able to stay in one  
24 location and see all of your doctors in  
25 one day. Cancer is overwhelming enough

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2 without needing to navigate multiple  
3 locations or multiple appointments on  
4 multiple days, especially when you're a  
5 mother.

6 I feel so fortunate to have  
7 such a wonderful institution so close  
8 to home.

9 I believe with all my heart  
10 that the Fox Chase family saved me.  
11 But more importantly, I believe that  
12 Fox Chase will save my children, who  
13 have an elevated risk of getting my  
14 cancer at an even earlier age.

15 Please give Fox Chase the  
16 space that they need to do the work and  
17 the research necessary to help save me  
18 in the future and to help save my  
19 children.

20 Thank you.

21 COUNCIL PRESIDENT VERNA: Thank  
22 you very much. We appreciate your  
23 testifying.

24 MS. CARASELLA: Thank you.

25 COUNCIL PRESIDENT VERNA: We

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2 certainly all wish you the best of luck,  
3 hon.

4 MR. PRIMAVERA: And we have  
5 nothing to say, especially after those  
6 statements. Nothing more needs to be  
7 said. So thank you for your time.

8 COUNCIL PRESIDENT VERNA:  
9 You're welcome.

10 Mr. McPherson?

11 MR. MCPHERSON: The next panel  
12 consists of Nancy Ostroff, Gerry Waln,  
13 Fred Maurer, Paul Canty.

14 COUNCIL PRESIDENT VERNA: Just  
15 a minute, Mr. McPherson.

16 Are any of the witnesses that  
17 have been called here? If you are,  
18 please approach the witness table.

19 (Witnesses come forward.)

20 COUNCIL PRESIDENT VERNA: Good  
21 afternoon. Please identify yourself for  
22 the record.

23 MR. MAURER: Let me start first  
24 so I can get some (indiscernible). Fred  
25 Maurer, and I have two testimonies

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2 because this was supposed to be  
3 testimony on law and testimony about  
4 parks. I came prepared for those  
5 committee hearings today.

6 Before I start, there was a  
7 man here who was scheduled to testify  
8 who had to leave at 3 o'clock. His  
9 name was Tim Kearney, and he left his  
10 testimony here with me.

11 COUNCIL PRESIDENT VERNA:

12 Excuse me, sir, if you have his  
13 testimony --

14 MR. MAURER: Yes. And it's all  
15 copied for everybody.

16 COUNCIL PRESIDENT VERNA:

17 Excuse me, please. We will provide that  
18 to the stenographer, and it will be  
19 transcribed in full.

20 Thank you.

21 MR. MAURER: Okay, thank you.

22 This is on Bill No. 070955.

23 My name is Fred Maurer, and I'll give  
24 my copy to the clerk so that she will  
25 have a copy.

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2                   This ordinance aims to  
3           dividing and placing an IDD zone in  
4           Burholme Park. It is an illegal act  
5           and its companion action to amend an  
6           existing IDD zone in Jeanes Hospital is  
7           also wrong.

8                   Burholme Park is a dedicated  
9           and federal WPA project developed in  
10          1939 as a landscaped, open-space public  
11          land -- park land and it is not fee  
12          simple for vacant land for non-park  
13          uses or abandoned and placed out for  
14          competitive bidding, which is a  
15          municipal mandate.

16                  Both actions are sponsored by  
17          Councilman O'Neill to destroy Burholme  
18          Park and give its heartland to a  
19          private institution, Fox Chase Cancer  
20          Center, as his private motive.

21                  Good public planning placed  
22          since Burholme Park inside of  
23          (indiscernible) since 1910 to isolate  
24          it from the land uses with a public  
25          street named Shelmire. There was no

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2 public claims to justify a missing or  
3 urgent need. This is an outrage  
4 demonstrated that was demonstrated in  
5 local newspaper of his betrayal after  
6 election.

7 The code for other buildings  
8 in rec zones are for recreation uses,  
9 and it does not include permitted-use  
10 certificates for hospitals or parking  
11 garages in the REC code. The  
12 Councilman's interests to use the IDD  
13 zoning as his means to override park  
14 zoning is a violation of the City  
15 Planning Commission mission for good  
16 planning, and it has many flaws.

17 The IDD code requires an  
18 approved Master Plan, but it has six  
19 limitations to satisfy -- gross floor  
20 area, percentage of land covered,  
21 setbacks, off-street parking,  
22 off-street loading, and signs. There  
23 is no report that all of these  
24 limitations were studied and approved.

25 The Planning Commission has

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2 not produced its environmental  
3 assessment and development division to  
4 report for a factual analysis. The  
5 City code for a storm-water plan was  
6 not addressed.

7 With 17 acres of land to be  
8 covered in an IDD zone by buildings and  
9 address, there is a one hundred percent  
10 volume increase to flow across the park  
11 land and to erode Burholme Creek.

12 The unique value of Burholme  
13 Park as the highest northeast place  
14 with a vista to the river and the  
15 skyline will be obscured by high  
16 institutional buildings. Our park  
17 vista is a valuable and protected  
18 right. The residential building height  
19 caps of buildings is the an art code  
20 for protection of good city planning,  
21 and this will be lost as tall IDD  
22 buildings interfere with the light and  
23 fresh air to sustain our quality of  
24 life.

25 Public policy to create an IDD

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2 zone for hospitals are supposed to be  
3 contained inside its own parcel, and no  
4 spill-overs.

5 Code 14-1103 regulations  
6 require that boundaries shall be  
7 designated to afford a reasonable line  
8 of division between the district and  
9 abutting non-institutional development  
10 area. The reasonable line of division  
11 is a public street where a park setback  
12 or a vacant right-of-way.

13 This ordinance does not  
14 conform to the City streets plan. The  
15 IDD plan to build over Shelmire Avenue  
16 violates the City street plan because  
17 Shelmire was not actually vacated, and  
18 it has existed as a public way and a  
19 legal easement, and it is a public fire  
20 street for both sides, and it has over  
21 21 years of public uses to serve as a  
22 dead-end from Central Avenue. And it  
23 has heavy traffic, including cars,  
24 service vans, and trucks.

25 There wasn't a Streets

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2 Department or a certification, and  
3 PennDOT has not given approval to the  
4 proposals, and there was no community  
5 involvement in the City Code mandatory  
6 practices for an IDD zone over extended  
7 Shelmire.

8 I think the information of  
9 PennDOT is very misleading. We talked  
10 to PennDOT, and they told us much  
11 differently.

12 The state municipal code  
13 defines any zoning change as a  
14 subdivision. And no subdivision  
15 ordinance was made to divide or remove  
16 the park REC code.

17 Public planning for an IDD  
18 zone requires an approved Master Plan  
19 after a 45-day notice and community  
20 input and satisfactory certifications  
21 before presenting it to City Council  
22 for a first reading.

23 None of these IDD mandates was  
24 satisfied before the Planning  
25 Commission. They acted within one week

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2 before the introduction, and it was not  
3 acted before the City Commission before  
4 City Council for the Commission made  
5 its public notice. This rush was not  
6 done for pure justice.

7 The advocates praise is not  
8 unique. The advocate here is all these  
9 people from the Chamber of Commerce and  
10 the Council.

11 The same statement can be said  
12 from several other cancer centers who  
13 have not asked to encroach on park  
14 lands.

15 We have no good reason to  
16 ordain bragging rights to one  
17 councilman's district. Burholme Park  
18 has been there for over 100 years, and  
19 it is the single and main public  
20 amenity to enhance a desirable  
21 residential community that was planned  
22 on the City borders and is its  
23 namesake. This park was here long  
24 before any Cancer Center, because Fox  
25 Chase Cancer Center did not exist until

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2 much later, when Jeanes Hospital --  
3 after Jeanes Hospital sponsored  
4 treatments, and in 1929, as the  
5 American Oncologic Hospital.

6 Burholme Park began and is  
7 this vital, economical benefit with  
8 City taxpayers who pay high taxes and  
9 still need this public park.  
10 Councilman O'Neill has misused this  
11 park to fluster his private relations,  
12 and he wants to transfer our wealth of  
13 a public park into someone else's plan  
14 and their private wealth.

15 It is wrong to measure a  
16 public park with private economic  
17 schemes. The flimsy economics as  
18 justification show an arrogance and  
19 misquotation of truths -- boy, there  
20 was plenty of that here tonight.

21 Do we base public policy on  
22 temporary jobs and nonresident workers?  
23 How much do we gain when Fox Chase paid  
24 staff has two-thirds residency in the  
25 suburbs, and professional staff are not

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2 taxed, and they are not integrated into  
3 local commerce and part of the City  
4 population.

5 As a tax-free institution, why  
6 should we not tax Fox Chase for  
7 services that we provide, including  
8 streets and school taxes. Jonathan  
9 Saidel, the former City Controller,  
10 warned us that we subsidize  
11 institutions too much, and we lose our  
12 tax ratables. The so-called City  
13 economic benefits are false. All those  
14 tax abatements punish us by rewarding  
15 the wealthy and make residents pay too  
16 much.

17 Councilman made a statement  
18 that it's no longer practical to use  
19 all of as a public-service park; it's  
20 is his fantasy and an insane falsehood.  
21 His promise that Fox Chase will provide  
22 funds for the mansion and grounds deny  
23 the fact that Fox Chase Cancer Center  
24 has been here since 1949 and has not  
25 provided any benefits. The fiction

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2 they gain -- they use the same fiction  
3 to gain a driveway across park land.

4 The \$33,000 they donated to  
5 the city for six years on a 99-year  
6 lease to consume 1.4 acres of land was  
7 not for Burholme Park. Meanwhile, they  
8 violate the gate rules and misuse the  
9 policy on the driveway easement, and  
10 they place overflow parking on the park  
11 premises for free use. I think City  
12 Council needs to terminate this  
13 giveaway lease and get its true value  
14 of 99 years.

15 I think the Councilman's new  
16 statement of funding is an attempted  
17 bribe to mislead us. Councilman  
18 O'Neill's scare word that Fox Chase may  
19 locate new facilities outside the City  
20 is farcical. There is no need to go  
21 because Fox Chase Cancer Center has  
22 already insides its 48 acres plot with  
23 inside land managed by Temple  
24 University with vacant land available.  
25 Or just go 1,000 feet, and you will be

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 in Fox Chase in Cheltenham. Or go a

3 bit --

4 COUNCIL PRESIDENT VERNA:

5 Excuse me, Mr. Maurer, excuse me. Do

6 you still have much?

7 MR. MAURER: I'm almost

8 finished with this page, and I would

9 also like to testify about the Fairmount

10 Park ordinance.

11 COUNCIL PRESIDENT VERNA: If

12 you have written testimony for the

13 Fairmount Park issue, we will give that

14 copy to the stenographer to be

15 transcribed in full.

16 MR. MAURER: Well, I think you

17 gave the advocates about two hours of

18 speech.

19 COUNCIL PRESIDENT VERNA: I

20 don't think it was quite that long.

21 MR. MAURER: Well, we started

22 at --

23 COUNCIL PRESIDENT VERNA: We're

24 not going to debate the issue. I

25 suggest you complete the testimony that

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2 you're giving now. And if you will  
3 abbreviate the one about the Fairmount  
4 Park, we'll be happy to listen to it.  
5 And if you don't want to do that, we'll  
6 give the testimony to the stenographer,  
7 and it will be transcribed in full.

8 MR. MAURER: Well, let me read  
9 a little bit more.

10 COUNCIL PRESIDENT VERNA: Well,  
11 finish what you were --

12 MR. MAURER: Let me transfer  
13 into the Fairmount Park.

14 COUNCIL PRESIDENT VERNA: Thank  
15 you.

16 MR. MAURER: And I will  
17 abbreviate. I will just give you a  
18 little summary.

19 COUNCIL PRESIDENT VERNA:  
20 That's great.

21 MR. MAURER: I attend the  
22 Fairmount Park Commission meetings. I  
23 follow their rules, and I know what  
24 happened at the Commission meetings.

25 Mr. Focht, who just testified

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2 here today, misrepresented what  
3 happened. They do not have a  
4 committee. That committee terminated  
5 in -- two years ago. They have not  
6 made any decisions. So they have an  
7 agreement that is terminated because  
8 they cannot enforce it, and they know  
9 it.

10 Unfortunately, this is a  
11 public park. And as a public park,  
12 there are revisionary rights. If  
13 you're not going to use it as a public  
14 park, it's not land to give away; it  
15 goes back to other people, and it  
16 cannot be used for anyone else except  
17 back to the heirs, so we have a major  
18 problem. I think there's falsity of  
19 Fairmount Park.

20 I will submit my Fairmount  
21 Park testimony for the record so you  
22 will have my words there, and I will  
23 defer to the next speaker.

24 COUNCIL PRESIDENT VERNA: Thank  
25 you very much.

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2 Do we have any questions or  
3 comments?

4 The Chair recognizes  
5 Councilwoman Brown.

6 COUNCILWOMAN REYNOLDS-BROWN:  
7 Good day, Mr. Maurer. Are you a  
8 resident of the Burholme Park community?

9 MR. MAURER: I'm a member of  
10 the Ryers -- Friends of Ryers, which is  
11 the park. Burholme Park is a regional  
12 park, and I am a member of their  
13 organization, which, one time, had the  
14 name Friends of Burholme Park and Ryers.

15 COUNCIL PRESIDENT VERNA: I  
16 think the question was, Mr. Maurer, are  
17 you a resident of that area?

18 MR. MAURER: I'm a resident of  
19 the City.

20 COUNCIL PRESIDENT VERNA: Are  
21 you a resident of the area in question?

22 MR. MAURER: Well, that  
23 question was not asked of Mr. --

24 COUNCIL PRESIDENT VERNA: I  
25 think Councilwoman Brown just asked the

1 11/26/07 RULES/PARKS and REC - BILLS 070955, 56

2 question. Is it yes or no?

3 MR. MAURER: I'm a resident of  
4 the City.

5 COUNCIL PRESIDENT VERNA: You  
6 said that. And you're not answering --

7 MR. MAURER: Well, no one else  
8 is a resident that testified. Why am I  
9 getting a residency question that no one  
10 else did?

11 COUNCILWOMAN REYNOLDS-BROWN:  
12 Typically, when we are considering  
13 measures of this scale, we are keenly  
14 interested in residents who are  
15 intimately involved and who will be  
16 ultimately --

17 MR. MAURER: I'm very  
18 intimately involved. I have what's  
19 called substantial interests.

20 COUNCILWOMAN REYNOLDS-BROWN:  
21 Very well.

22 MR. MAURER: I live closer to  
23 the park than Councilman does.

24 COUNCILWOMAN REYNOLDS-BROWN:  
25 Very well. You've answered the --

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2 MR. MAURER: So I have a  
3 wide -- just like he has a wide  
4 district, I have a wide interest too.

5 COUNCILWOMAN REYNOLDS-BROWN:  
6 We thank you for the answer to the  
7 question, sir.

8 COUNCIL PRESIDENT VERNA:  
9 Mr. Maurer, I know you do come in to  
10 Council to testify quite frequently, and  
11 we're very grateful to you. Thank you  
12 very much, sir.

13 MR. WALN: I'm Gerald, and  
14 that's spelled W-A-L-N. And I have come  
15 today on behalf of the family of Robert  
16 Waln Ryerss, who, in the will of 1902,  
17 gave his dwelling house and 80-some  
18 acres to the people of Philadelphia; the  
19 house to be fitted out as a library,  
20 reading room, and museum, to be free for  
21 the community; the grounds to be used as  
22 a park and to be free for the use and  
23 enjoyment of the people of Philadelphia  
24 forever.

25 The park and library is

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2 steeped in my family history, my family  
3 heritage, from the name Burholme, which  
4 comes from our ancestral home in  
5 Yorkshire, England, to all of the  
6 various activities that take place in  
7 the park.

8 For clarification on the  
9 relationship here, Robert Waln Ryers'  
10 paternal grandmother was a Waln, and  
11 his maternal grandfather was  
12 Congressman Waln, who served in the  
13 United States Congress.

14 I come here today on behalf of  
15 the family that live throughout  
16 Pennsylvania and throughout the  
17 country. For me and for the family, we  
18 have many happy memories there from  
19 family reunions to all kinds of family  
20 gatherings. But probably even more  
21 importantly is the place, the park, and  
22 the library have had for thousands of  
23 people living in Philadelphia.

24 I know on snowy, cold days,  
25 I've watched hundred of children and

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2 parents with happy faces sledding down  
3 the hills of Burholme Park. I've  
4 watched participants in many different  
5 activities participate in those  
6 activities provided for children there  
7 at the library.

8 By the way, our Victorian  
9 Christmas Bazaar is coming up on  
10 December 1st, and I'd like to invite  
11 each one of you to attend that and have  
12 a sample of the Wassail. It's an old  
13 family recipe; I think you'll like  
14 it --

15 I've listened to lots of  
16 people tell me how they've grown up in  
17 the park as, their parents, their  
18 grandparents and their great-  
19 grandparents. And just two years ago,  
20 I had the honor to cut the cake for the  
21 celebration of the 100th birthday of  
22 Burholme Park.

23 I sometimes joke with the  
24 family and some of my friends and say,  
25 "Why didn't Robert give the money to

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2 the family? Why didn't he give us the  
3 fortune?" Instead, he gave it to the  
4 people of Philadelphia.

5 Robert was an individual who  
6 was very much interested in community.  
7 He had a number of different things he  
8 did in the Philadelphia community --  
9 providing shelters for animals, he  
10 worked for crippled children, and the  
11 list of activities could go on and on.

12 And he, in his will, provided  
13 that his fortune, instead of going to  
14 the family, would go to the people of  
15 Philadelphia so that they could enjoy  
16 it as a park and as a library forever.

17 Our concern as a family is:  
18 Can wills be broken, wishes disregarded  
19 when something better comes along?  
20 It's true that we are looking at a very  
21 lofty goal here, a very lofty thing  
22 that can be accomplished, but how about  
23 the wishes that were set forth in the  
24 will?

25 If wills can be broken, if

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2 wishes disregarded, why would I or  
3 other members of the family or others  
4 in the community wish to leave things  
5 to the City for the betterment of the  
6 community?

7 I think it was the benevolence  
8 of Robert Waln Ryerss who helped to  
9 better our community here. I think  
10 this kind of benevolence that we have  
11 seen is what has made our community,  
12 our city, a great city.

13 So on behalf of the family  
14 president Verna and members of Council  
15 and the committee, it really is within  
16 your power today to save our park. And  
17 as we prepare to celebrate the 103rd  
18 anniversary or birthday of Burholme  
19 Park and the Robert Waln Ryerss Library  
20 and Museum, I would like to ask you, on  
21 behalf of the family, that you preserve  
22 it in its entirety for the good of the  
23 people of Philadelphia forever.

24 I want to thank you for this  
25 opportunity to speak to the Council.

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2 COUNCIL PRESIDENT VERNA: Thank  
3 you very much.

4 Do you mind coming over to the  
5 map -- I'm not familiar with this  
6 area -- and point out where the area of  
7 the museum is located, please. I think  
8 the map here would indicate exactly  
9 where it's located, the map. Can  
10 anybody indicate where it is on the  
11 map?

12 Okay. So the baseball field  
13 is being saved.

14 MR. BEAUVAIS: It remains.

15 COUNCIL PRESIDENT VERNA: Oh,  
16 it's going to remain; that's what I  
17 thought.

18 How about the library?  
19 Where's the library?

20 MR. BEAUVAIS: Right there  
21 (indicating).

22 COUNCIL PRESIDENT VERNA: Is  
23 that remaining?

24 MR. PRIMAVERA: President  
25 Verna, Tom Garvey can speak to it.

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2                   Part of the arrangement is not  
3                   only to maintain the museum but to  
4                   provide an endowment. Fox Chase has  
5                   really treated it with a lot of  
6                   dignity, and you will see from the  
7                   document -- and, Tom, you should be  
8                   pointing as I speak -- that we're  
9                   really far off in the development from  
10                  where the mansion is. And we look  
11                  forward to the continued availability  
12                  of the mansion for everyone.

13                  The collection, the --  
14                  basically, the most important part of  
15                  the bequest will remain intact and  
16                  preserve, which is a wonderful thing.

17                  So Tom, could you just  
18                  describe that.

19                  COUNCIL PRESIDENT VERNA:  
20                  Excuse me, sir. Were you aware of that?

21                  MR. WALN: I knew that the  
22                  mansion was staying, yes.

23                  COUNCIL PRESIDENT VERNA: Oh.  
24                  So your concern is about the park as a  
25                  whole?

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2 MR. WALN: The park as a whole,  
3 but also the breaking of the will. Can  
4 wills be broken like that, which is  
5 disregarded.

6 COUNCILMAN KELLY: For the good  
7 of the people, they can be.

8 COUNCIL PRESIDENT VERNA: The  
9 Chair recognizes Councilman Kelly.

10 COUNCILMAN KELLY: Yes. Thank  
11 you, Madam Chair.

12 I just wanted to make it  
13 crystal-clear here that as far as the  
14 construction -- or the new construction  
15 of Fox Chase, it would have no bearing,  
16 then, on your museum or the library; is  
17 that true?

18 MR. WALN: Correct.

19 COUNCILMAN KELLY: The only  
20 thing you're saying is just the area in  
21 the -- that's currently being used, I  
22 believe, as a driving range for golf; is  
23 that true?

24 MR. WALN: Correct.

25 COUNCILMAN KELLY: Okay. So

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2 you're saying it's more important to  
3 have somebody hit out a golf ball rather  
4 than expanding a tremendous and, I  
5 think, one of first-class institution  
6 that we have in this country.

7 MR. WALN: No, that's not  
8 really what I said.

9 COUNCILMAN KELLY: Well, I  
10 think that's the indication that I get.  
11 I just wanted to be crystal-clear that  
12 that's what you're arguing about.

13 Thank you.

14 Thank you, Madam President.

15 COUNCIL PRESIDENT VERNA: All  
16 right. Any other questions or comments  
17 from the committee?

18 (No further questions.)

19 COUNCIL PRESIDENT VERNA: Thank  
20 you very much, sir.

21 Please identify yourself for  
22 the record.

23 MR. CANTY: I'm Paul Canty. I  
24 live in Northeast Philadelphia. I live  
25 within three or four blocks of the park.

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2 I'm a Burholme resident. And I've gone  
3 up to the park as a kid and played over  
4 in the park, the sledding hill. I and  
5 my kids play baseball up there. My son  
6 uses the driving range; he belongs to  
7 the Cardinal Dougherty golf team, and  
8 the golf team uses the driving range at  
9 the park. And when my son was playing  
10 baseball, when he was a little bit  
11 younger, he was using the batting cages  
12 of the park.

13 But what I came up here for  
14 is, I'm a lifelong member of the city.  
15 And according to this last election, it  
16 seems like all of the deals are over;  
17 in other words, everything was going to  
18 be on the up and up. And it seems like  
19 everybody running for office has a  
20 green plan running for the City -- I  
21 mean, there's a green plan going with  
22 the City now; you know, more park area  
23 and everybody's going to plant a tree,  
24 which is happening right now. And the  
25 greening of Philadelphia, and they're

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2 talking about the waterfront and all.

3 But now that everybody is back  
4 in office, it seems like the deal is  
5 on, and Burholme Park is going down the  
6 tubes, I mean, from being at this  
7 meeting for the last couple hours, and  
8 Fox Chase Cancer Center is going to get  
9 it, and they're going to put their  
10 industrial complex medical monstrosity  
11 right down the center of the park, 20  
12 acres of park land. And the rest of  
13 the park will basically be their  
14 campus.

15 Let me see. Is this the right  
16 way to celebrate the 103rd anniversary  
17 of the park? And how could this happen  
18 in Northeast Philadelphia? This is  
19 Northeast Philadelphia's Belmont  
20 Plateau, RFD Park, and Rittenhouse  
21 Square. In other words, how could this  
22 be taking off of us.

23 During this last campaign,  
24 during which I got plenty of campaign  
25 literature from Mr. Kelly and

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2 Mr. O'Neill, who don't live anywhere  
3 near the park, they didn't mention that  
4 they were going to give any park land  
5 away.

6 COUNCILMAN KELLY: Excuse me,  
7 sir. I lived in Burholme for 27 years.

8 MR. CANTY: You live in  
9 Somerdale, don't you?

10 COUNCILMAN KELLY: Somerton,  
11 but I lived in Burholme for 27 years.

12 MR. CANTY: Well, good. I live  
13 there now. And the thing is, everybody  
14 that used to live in my neighborhood  
15 have moved out because of the way things  
16 are going with the City.

17 And the thing is, if you take  
18 the park away, I mean, that is it. The  
19 thing is that people that use the park  
20 are not just from Burholme; they're  
21 from all over the City -- from Olney,  
22 from all over Kensington. When we were  
23 going around in the park, having people  
24 sign petitions, people were from all  
25 over the City, checking out the park.

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2 COUNCIL PRESIDENT VERNA:

3 Excuse me. If this ordinance were  
4 approved, how much park land would  
5 remain?

6 MR. CANTY: How much park land?

7 Well, let's say there's an average of,  
8 say, 60 acres to the park.

9 COUNCIL PRESIDENT VERNA: I'm  
10 sorry? 60?

11 MR. CANTY: Right. And these  
12 guys are going to take 20 right down the  
13 middle. They're going to divide the  
14 park, and basically the rest of the park  
15 is going to be their campus.

16 The thing is, the City right  
17 now has all of these brown fields all  
18 throughout the City -- in Kensington,  
19 North Philly, West Philly, along the  
20 river; everything doesn't have to be  
21 right on their -- doesn't have to go  
22 into the park.

23 When Dr. Young testified to  
24 the community, he was saying, "We don't  
25 want to build on our property too much

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2 'cause it would mess up the esthetics,"  
3 so he's worried about the esthetics on  
4 his own property but wants to take our  
5 park land, and he said it at a  
6 community meeting.

7 So the thing is, we don't want  
8 any of the park to be destroyed. In  
9 other words, the City has all kinds of  
10 property. I work in Center City, I  
11 take the el to work every day. And as  
12 I'm on the el in Center City, there's  
13 all these vacant fields and this, that,  
14 and every other thing. And you mean to  
15 tell me instead of --

16 I mean, the way the park is  
17 now and the way the traffic is so bad  
18 now, you ought to go there around 4, 5  
19 o'clock, 6 o'clock, it's like a moving  
20 parking lot. The thing is -- and  
21 they're going to talk about all of  
22 these thousands of more employees and  
23 tens of thousands of patients. Where  
24 is everybody going to go?

25 If you wanted to do something

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2 like this, it ought to be right off of  
3 95, next to all of these abandoned  
4 buildings or just in straight-up open  
5 land that the City has, you know, right  
6 in the City north of the Tacony Palmyra  
7 Bridge or wherever you want to go.  
8 There's all kinds of land that the City  
9 has. I looked it up on the City  
10 website. There's about 30 acres in the  
11 City with 20 acres or more that the  
12 City can give to the cancer --

13 In other words, I have nothing  
14 against the Cancer Center, but they can  
15 build on their own property; I just  
16 don't want them expanding into the  
17 park, that's all.

18 The City has land they can  
19 give them; I have nothing against that.  
20 If they want to give them a ten-year  
21 abatement for building there, that's  
22 fine. We just don't want them taking  
23 our park land.

24 And let me see. Almost done.  
25 And, basically, all I have to say in

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2 conclusion is, I don't want this. In  
3 other words, I don't think it should be  
4 voted on at the last second of the  
5 Street Administration. In other words,  
6 I think Mayor Nutter should have more  
7 to say on this -- I mean, have more  
8 input so we can work something out so  
9 the Fox Chase Cancer Center can expand  
10 on property the City can give them.  
11 They can take their tax abatement,  
12 whatever.

13 I don't think there should be  
14 rush to judgment and to vote on this  
15 before the end of the year because I  
16 know that John Street's law firm  
17 represents the Cancer Center.

18 COUNCIL PRESIDENT VERNA: I'm  
19 sorry. I didn't hear.

20 MR. CANTY: John Street is  
21 associated with the Fox Chase Cancer  
22 Center. And if you pass this, he's  
23 going to sign this in two seconds flat.

24 And the thing is, all I'm  
25 saying is, the thing is let Mayor

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2 Nutter have negotiations on this and  
3 take care of this.

4 MR. PRIMAVERA: As a point of  
5 order: The Mayor is not affiliated in  
6 any way with our law firm; I just want  
7 to put that on the record. I was  
8 reluctant to do that because by  
9 rebutting that one bold misinformed  
10 statement, I didn't want to suggest that  
11 I agreed with any of the other  
12 fallacious and irresponsible statements.

13 Thank you.

14 MR. CANTY: In conclusion, the  
15 people of City Council should do the  
16 right thing. Let Mayor Nutter discuss  
17 this with City Council in the next -- in  
18 '08.

19 COUNCIL PRESIDENT VERNA: Thank  
20 you. Just a moment, please.

21 The Chair recognizes  
22 Councilwoman Brown.

23 Just a moment, sir. Please --

24 COUNCILWOMAN REYNOLDS-BROWN: I  
25 would not want you to leave here with

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2 you believing we have not heard your  
3 concerns. You've raised a couple that  
4 are a trigger for me.

5 Did you have the opportunity  
6 to hear the testimony of our Fairmount  
7 Park Commissioner, wherein he spoke to  
8 the enormous amount of work that's been  
9 done over the past months, Mr. Focht?  
10 Did you have an opportunity to hear his  
11 testimony?

12 MR. CANTY: Okay.

13 COUNCILWOMAN REYNOLDS-BROWN:  
14 Okay.

15 MR. CANTY: No. Earlier today?

16 COUNCILWOMAN REYNOLDS-BROWN:

17 MR. CANTY: Yeah, I did.

18 Wasn't he talking about giving 39 acres  
19 of the park away?

20 COUNCILWOMAN REYNOLDS-BROWN: I  
21 don't remember the details, but  
22 reviewing his testimony will clarify and  
23 clear up a number of concerns you've  
24 raised.

25 The second is Charles Denny,

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2 who's our acting Chief Traffic  
3 Engineer, spoke around how a number of  
4 the traffic-related issues have been  
5 resolved, again, as a result of many  
6 weeks of work. Did you hear the  
7 testimony?

8 MR. CANTY: Yes, I did, but the  
9 things is, the people in Cheltenham who  
10 live right across the street Burholme  
11 Park on Cottman Avenue -- in other  
12 words, according to him, they're going  
13 to take away the parking, and the people  
14 in Cheltenham and the city commissioners  
15 in Cheltenham say no, that's not going  
16 away right now; they're all against it.

17 In other words, they want to  
18 make on the Philadelphia side just two  
19 lanes of traffic going west, but on the  
20 Cheltenham, it's only one lane of  
21 traffic going east, and they want to  
22 keep it the way it is. The city  
23 commissioners in Cheltenham don't want  
24 to change it.

25 COUNCILWOMAN REYNOLDS-BROWN:

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2 Does the park continue over across  
3 Cheltenham Avenue?

4 MR. CANTY: No. It's Cottman  
5 Avenue.

6 COUNCILWOMAN REYNOLDS-BROWN:  
7 So then that answers the question  
8 ultimately.

9 MR. CANTY: It's only going to  
10 be one lane going eastbound.

11 COUNCILWOMAN REYNOLDS-BROWN:  
12 I would encourage you, if you would, to  
13 please pick up the testimony of  
14 Mr. Denny because I believe it fairly  
15 addressed your issues raised around  
16 parking and traffic.

17 MR. CANTY: Well, if you went  
18 to the park, say, right about now, the  
19 thing is, you would be one moving  
20 parking lot going five miles an hour.

21 COUNCILWOMAN REYNOLDS-BROWN:  
22 Thank you for your testimony.

23 MR. CANTY: Okay, thank you.

24 COUNCIL PRESIDENT VERNA: Thank  
25 you very much.

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2 Any other questions for this  
3 witness from members of the committee?

4 (No further questions.)

5 MR. McPHERSON: Our next panel  
6 consists of Mary Tracy, Doris Simon,  
7 Jean Gavin.

8 (Witnesses come forward.)

9 COUNCIL PRESIDENT VERNA:

10 Ms. Tracy, I believe you were called  
11 first, so please identify yourself for  
12 the record and proceed with your  
13 testimony.

14 MS. TRACY: Good afternoon,  
15 President Verna and honorable members of  
16 City Council. My name is Mary Tracy,  
17 and I'm the Executive Director of SCRUB,  
18 the public's voice for public space.

19 And that's one reason why I'm  
20 here today, to testify, because as  
21 SCRUB, we have been involved with this  
22 community who are most concerned about  
23 losing their public space. And also,  
24 as President of the Fairmount Park  
25 Commission's Advisory Council, I was

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2 actively involved with this from the  
3 very beginning, having attended all of  
4 the hearings in Fox Chase and Burholme,  
5 and even when the commissioners came to  
6 the neighborhood to hear the voices of  
7 the people.

8           And I find -- I mean, I think  
9 it would be really wonderful if this  
10 committee could actually relocate up to  
11 Burholme to have these hearings, and  
12 you would have a, you know, I think a  
13 -- a better representation from the  
14 people who live there.

15           In fact, I'd ask your  
16 permission to hand up some testimony  
17 'cause several people who were here all  
18 afternoon had to leave. And if you  
19 know the community of Burholme at all,  
20 many are retired and have jobs that  
21 they really can't be here during the  
22 day; they can't afford to lose that  
23 time.

24           So one neighbor -- and also,  
25 many of the people in Burholme Park

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2 have become members of SCRUB as well,  
3 so I'm really here on their behalf as  
4 well.

5 But if I can hand up some of  
6 the letters and the testimony to go on  
7 the record, I'd be most grateful.  
8 Thank you.

9 I think we've heard a lot  
10 already about the will and the donated  
11 land and how lucky we are in  
12 Philadelphia to have civic-minded  
13 philanthropists leave their land and  
14 their assets of art and buildings and  
15 sculpture. It has enriched our city  
16 immeasurably and actually has enabled  
17 us to prosper as a cultural place for  
18 people to live and visit.

19 And I think that Robert Ryerss  
20 has been an especially generous donor  
21 in giving his farm and his mansion to  
22 the citizens of Philadelphia to be used  
23 forever. And I think in turning this  
24 land over for private use -- not for a  
25 public use, but private use --

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2 Philadelphia is entering into a new  
3 realm and one that I think that will  
4 put them as a subject of great  
5 criticism on a national basis.

6 Because park land for over a  
7 hundred years in Pennsylvania, park  
8 land is protected. Once land is  
9 dedicated as public land, it belongs to  
10 the public. And you can't -- a  
11 municipality just can't give it away or  
12 even lease it is for use other than the  
13 public use.

14 Now, the -- there's been  
15 reference to the golf course. And, of  
16 course, no one could compare the  
17 importance of the work that Fox Chase  
18 does to a golf course. And yet,  
19 according to the law, a golf course is  
20 an allowable use because it is a public  
21 use, even if they have to pay, because  
22 it's -- it's a recreational use, and  
23 that's what parks are. You can fish,  
24 you can run, you can jog.

25 And I think in a lot of the

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2 descriptions, the focus in being on the  
3 mansion -- I mean, it's a wonderful  
4 mansion, and I really would encourage  
5 you all to go there; it has wonderful  
6 Asian artifacts there and is a very  
7 quirky kind of a museum and really  
8 lovely.

9 But a park is more than a ball  
10 field and more than a building, and  
11 this particular park is really a gem in  
12 Philadelphia. There are paths for  
13 walking, there are benches where church  
14 groups come in in the summer and have  
15 lunch and just picnic. Families come  
16 there, children play, and senior  
17 citizens just come to enjoy communing  
18 with nature. And that is the essence  
19 of a park.

20 And that will be destroyed  
21 forever if this Council allows the park  
22 to be turned over for private use.

23 And the courts have said that  
24 no matter what the benefits is -- I  
25 mean, there are institutions throughout

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2 this city that all do good work, and  
3 they all would look at this land and  
4 say, Wouldn't we love to put a building  
5 here? But the law is so clear on this.  
6 The law is saying that once dedicated  
7 to public space, it must remain part of  
8 the public realm.

9 And in addition to it being  
10 dedicated as a public space, you have  
11 the other huge piece, which is that  
12 Robert Ryerss donated it to the  
13 citizens of Philadelphia to be used  
14 forever.

15 So we have Judge Herron, who  
16 has already made one comment on this,  
17 when he -- when this whole idea was --  
18 you know, when the Fairmount Park  
19 Commission first approved this and it  
20 went before Judge Herron, he said,  
21 We'll wait and see what City Council  
22 say, but know this: It doesn't matter  
23 what the Fairmount Park Commission, it  
24 doesn't matter what City Council does;  
25 what matters is this court. And this

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2 is a will, and it's the job of our  
3 lawmakers and our judicial system to  
4 protect the wills of those who have  
5 died.

6 And by agreeing to this lease  
7 today, you are opening up the City to a  
8 very expensive round of legal battles.  
9 Just look at what happened -- and is  
10 still going on with the museum, but the  
11 museum could at least -- the Barnes  
12 Museum could at least say that it's  
13 still going to the public use.

14 The buildings that are going  
15 up on this acreage are privately held,  
16 owned, and used, no longer access to  
17 the public.

18 So I would ask you to strongly  
19 consider tabling this until you can  
20 look at it more thoroughly.

21 Thank you.

22 COUNCILWOMAN REYNOLDS-BROWN:

23 We thank you for your testimony,  
24 Miss Mary Tracy, and members of this  
25 body would like to pose questions;

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2 first, my colleague Councilman Jim  
3 Kenney.

4 COUNCILMAN KENNEY: Thank you  
5 very much.

6 We had a lot discussion  
7 recently about wills. Should the  
8 Stephen Girard will have not been  
9 broken?

10 MS. TRACY: Well, I think with  
11 the Stephen Girard will, there was a  
12 special reason why that could be built,  
13 because there was really discrimination  
14 at the time of that will. There were  
15 children --

16 COUNCILMAN KENNEY: So wills in  
17 general are not as sacred as --

18 MS. TRACY: Well, there has to  
19 be very good reasons to break a will.  
20 And there's already a hundred years of  
21 court law saying that letting somebody  
22 build on it is not one of them. So I am  
23 just saying, you know, there's some  
24 flexibility there, but I'm not sure that  
25 this would make --

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2 COUNCILMAN KENNEY: Okay, but  
3 the Stephen Girard will should have been  
4 broken; do you agree?

5 MS. TRACY: The steven Girard  
6 will -- the will is there, he's still  
7 educating children; it's just that he's  
8 educating children of all colors.

9 COUNCILMAN KENNEY: I  
10 understand, but that's not what the will  
11 said. The will said "white boys."

12 MS. TRACY: But the will is  
13 still basically doing what he wanted to  
14 do, and that's educating. It's not  
15 changed, it's not a hospital now.

16 COUNCILMAN KENNEY: I  
17 understand, but it --

18 MS. TRACY: It's not an  
19 industrial park.

20 COUNCILMAN KENNEY: That's it's  
21 a will that's been --

22 MS. TRACY: It's a school --

23 COUNCILMAN KENNEY: But it's a  
24 will that was broken for the common  
25 good.

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2 MS. TRACY: But there was a  
3 very narrow piece that they expanded.

4 COUNCILMAN KENNEY: I  
5 understand, but the will was broken for  
6 the common good.

7 MS. TRACY: The will was  
8 expanded to allow those who were being  
9 --

10 COUNCILMAN KENNEY: The will  
11 was broken, the will was changed for the  
12 common good.

13 Okay, thank you.

14 COUNCILWOMAN REYNOLDS-BROWN:  
15 And You said it was for a very narrow  
16 reason?

17 MS. TRACY: Well, it was narrow  
18 because it was still keeping, you know,  
19 the education of orphan children. And  
20 it just -- you know, what it just  
21 expanded that education to include, as  
22 it should, all children. At the time of  
23 the will, there was a different, I  
24 guess, mindset about who could be  
25 educated and who could not. And, you

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2 know, this goes back to -- Stephen  
3 Girard goes back to the Revolutionary  
4 times.

5 COUNCILWOMAN REYNOLDS-BROWN:

6 And so, again, to Councilman Jim  
7 Kenney's, the will was broken.

8 MS. TRACY: I don't know that  
9 we would say it was broken; I would say  
10 it was interpreted to include -- it was  
11 amended. I think the will was amended.

12 COUNCILWOMAN REYNOLDS-BROWN:

13 Councilman Bill Greenlee and then  
14 Councilman Jack Kelly, please.

15 COUNCILMAN KELLY: I just want  
16 to follow up on the one thing you just  
17 said. Wasn't it the will that said  
18 males, and now you can have females or  
19 girls?

20 COUNCILWOMAN REYNOLDS-BROWN:

21 People of color, more specifically.

22 MS. TRACY: People of color and  
23 I think --

24 COUNCILMAN KELLY:

25 (Indiscernible.)

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2 MS. TRACY: And I think it's  
3 also been amended to include girls --  
4 are there as well now?

5 COUNCILMAN KELLY: Yes.

6 COUNCILWOMAN REYNOLDS-BROWN:  
7 It is coed, yes.

8 COUNCILMAN KELLY: So they  
9 actually changed it from all males to  
10 now girls and boys.

11 Thank you.

12 So there are changes, and they  
13 have changed it.

14 Thank you.

15 COUNCILWOMAN REYNOLDS-BROWN:  
16 Thank you, Councilman Jack Kelly.

17 Councilman Bill Greenlee?

18 COUNCILMAN GREENLEE: Thank  
19 you, Madam Chair.

20 I was actually going to ask a  
21 question along the same lines, but just  
22 a couple other quick ones, if I could.

23 Miss Tracy, isn't it true --  
24 you say destroy the park, but most of  
25 the park is still going to remain, is

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2 it not?

3 MS. TRACY: No, not really. I  
4 would say half of the usable space is  
5 taken away.

6 COUNCILMAN GREENLEE: I --  
7 that's not my understanding, and I have  
8 looked at this --

9 MS. TRACY: Well, I have looked  
10 at it pretty closely too, Councilman.  
11 You know, because 20 acres of it is  
12 going down the creek, it's covered with  
13 water, it's got trees. I mean, no one  
14 can really walk and recreate on that  
15 area.

16 So -- and the 20 acres are  
17 prime land that's now --

18 COUNCILMAN GREENLEE: That's  
19 used for the golf range now, right?

20 MS. TRACY: Well, some of it  
21 is; I don't know that all of it is. I'd  
22 have to look at the map though. I think  
23 --

24 COUNCILMAN GREENLEE: But on  
25 another line, you --

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2 MS. TRACY: But the City also  
3 gets 200 to 250,000, or 150 to 200,000  
4 dollars a year to lease that park --  
5 that golf range. So the City actually  
6 does receive income from that  
7 concession.

8 COUNCILMAN O'NEILL: I think,  
9 historically, the numbers have been in  
10 the 20,000 range.

11 MS. TRACY: Well, that's not my  
12 understanding from the park staff, but  
13 perhaps you have better knowledge than  
14 me.

15 COUNCILMAN GREENLEE: But along  
16 the line of when you say "public use,  
17 private use," obviously Fox Chase Cancer  
18 Center is private, but doesn't it come  
19 into play that at some point what they  
20 do? We're talking about trying to cure  
21 cancer, we're talking about saving  
22 lives. It's not Wal-Mart, it's not  
23 Appleby's. I mean, doesn't reality come  
24 here somewhere?

25 I mean, I know the law of

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2 reality sometimes does the same thing,  
3 but when I hear the arguments against  
4 this bill, it doesn't seem -- and you  
5 did say it for a second there -- that  
6 there's a recognition of what this is.

7 This is a world-renowned  
8 cancer center. I mean, that one  
9 individual that came up here to  
10 testify -- I'm sure there could be  
11 thousands of those who could command  
12 testify. Doesn't that come into play  
13 somewhere, what it is, what we're doing  
14 here?

15 MS. TRACY: It's really an  
16 excellent question and I'm sure it's the  
17 one that everyone who's sitting before  
18 me is grappling, because no one can deny  
19 how proud we are, as Philadelphians, of  
20 this institution. And I think no one in  
21 this room that isn't grappling with  
22 cancer of a loved one, whether it's at  
23 Fox Chase or at Philadelphia --  
24 Jefferson Hospital or Children's  
25 Hospital. I mean people are sick, and

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2 we need to find ways to take care of  
3 them.

4 But there is nothing that says  
5 it has to be done on park land. And  
6 there are other acres and other land  
7 around. And even on Fox Chase's own  
8 property, there is land that they could  
9 build on. They could go higher, they  
10 could go deeper. They're now building  
11 a parking garage that's above ground.  
12 Wouldn't that have been smarter to put  
13 that below ground and then put the  
14 building on top of it?

15 So, I mean, we don't have to  
16 take away park land because, remember,  
17 Councilman, that park land is what  
18 keeps us all sane and healthy. And  
19 we're learning that municipalities --

20 COUNCILMAN GREENLEE: Excuse  
21 me, but if you treat cancer, you're  
22 getting healthier too, you know. So  
23 come on. I mean, really...

24 MS. TRACY: Well, we're not  
25 going to deny that, Councilman, that

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2 you're going to get healthy, but having  
3 parks for future generations is  
4 something that we're -- but your basic  
5 was: If it's a good enough reason, do  
6 we not have to follow the law? If there  
7 are enough jobs that we can promise  
8 people, then we don't have to follow the  
9 law.

10 COUNCILMAN GREENLEE: Well, as  
11 a --

12 MS. TRACY: Listen to this:  
13 Under Pennsylvania law, the obligation  
14 to uphold the dedication is absolute,  
15 not discretionary. A political  
16 subdivision lacks the authority to  
17 assent to the use of public land for any  
18 purpose, even --

19 MR. PRIMAVERA: I have to  
20 interrupt.

21 MS. TRACY: If I could just  
22 finish --

23 (Indiscernible; parties  
24 talking over each other.)

25 MR. PRIMAVERA: I don't want to

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2 suggest that Miss Tracy is practicing  
3 law without a license, but I just want  
4 to state for the record that she's not a  
5 lawyer and she's quoting the law, and  
6 she shouldn't be practice the law  
7 without a license. We do have lawyers  
8 here from Pepper Hamilton who are  
9 experts in trusts and estates and City  
10 lawyers who say what we're doing is  
11 actually fine. The Orphans Court is  
12 routinely asked to improve these types  
13 of things, so I don't like to be  
14 lectured on the law by someone who's not  
15 a lawyer.

16 COUNCIL PRESIDENT VERNA:  
17 Excuse me, Mr. Primavera, Mr. Primavera,  
18 and Miss Tracy, I think that we're  
19 arguing a legal issue here that will be  
20 addressed in the courts.

21 COUNCILMAN O'NEILL: We have  
22 enough trouble with zoning issues let  
23 alone becoming Orphans Court and making  
24 --

25 COUNCIL PRESIDENT VERNA: And I

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2 think that's where it belongs. So if  
3 you don't mind, Miss Tracy.

4 MS. TRACY: I don't mind at  
5 all.

6 COUNCILMAN GREENLEE: Madam  
7 president, that's what I was going to  
8 say. I mean, I think we have to do what  
9 we think is right here, and the courts  
10 will make the decision.

11 COUNCIL PRESIDENT VERNA:  
12 Exactly, exactly.

13 COUNCILMAN GREENLEE: But I  
14 just wanted to bring out that I think it  
15 has to be considered on the record what  
16 we're talking about here. We're talking  
17 about a cancer center and, I think, not  
18 just an institution, not just a  
19 health-care institution, but a cancer  
20 center that's world-renowned.

21 And I just -- I had to get  
22 that on the record.

23 Thank you, Madam Chair.

24 COUNCIL PRESIDENT VERNA: Thank  
25 you.

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2 MS. SIMON: My name is Doris  
3 Simon. I live one block east of  
4 Burholme Park and have been a resident  
5 there for over 30 years.

6 As has already been said, no  
7 one in this room disputes the  
8 importance of the Fox Chase Cancer  
9 Center to our community and the  
10 valuable work it performs.

11 Having said this, I oppose the  
12 expansion of the Fox Chase Cancer  
13 Center into Burholme Park for three  
14 primary reasons.

15 It is important to honor and  
16 preserve the will of Robert Ryerss, who  
17 bequeathed this land to the City of  
18 Philadelphia to be used as a public  
19 park for the use and enjoyment of the  
20 people forever.

21 Second, the loss of precious  
22 park land and green space used and  
23 enjoyed by so many in the nearby  
24 communities is a vital quality-of-life  
25 issue.

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2                   Number three, this is  
3                   essentially a residential area. There  
4                   are no major thoroughfares in the  
5                   vicinity. I know a traffic study has  
6                   been done; however, the planned  
7                   addition of some 4,000 employees would  
8                   create major traffic problems and  
9                   result in increased traffic flow  
10                  through mostly residential streets.  
11                  Traffic congestion during rush hour is  
12                  already problematic today.

13                  In my opinion, eliminating  
14                  parking lanes and improving traffic  
15                  signals will do little to alleviate  
16                  this congestion.

17                  Sometimes there can be a big  
18                  difference between the right to do and  
19                  doing the right thing. I urge City  
20                  Council to do the right thing:  
21                  Preserve the will. Don't replace green  
22                  space with concrete.

23                  Thank you.

24                  COUNCIL PRESIDENT VERNA: Thank  
25                  you very much.

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2 Are there any questions or  
3 comments from members of the committee?

4 (No further questions.)

5 COUNCIL PRESIDENT VERNA: Thank  
6 you.

7 MS. GAVIN: My name is Jean  
8 Gavin. I'm a resident of Fox Chase and  
9 a cancer survivor, and I was cured by  
10 Old Pennsylvania Hospital in '89.

11 There are two things that  
12 Councilman O'Neill said are important,  
13 and that's why he approved what is  
14 happening, or going to happen.

15 One was the traffic report by  
16 Charlie Trainor. We have never seen  
17 that, and when I called PennDOT to get  
18 a copy of this new traffic report,  
19 there is no new traffic report.

20 And when I was reading the  
21 Inquirer at the beginning of September,  
22 on a Sunday morning, the most dangerous  
23 bridge in southeastern Pennsylvania is  
24 on Cottman Avenue, right at the  
25 Pathmark's store -- the CSX bridge,

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2 which the CSX railroad goes under that  
3 bridge. It is exactly the same kind of  
4 bridge built at the same time as the  
5 Rhawn Street bridge that we had  
6 replaced about five years ago, and it  
7 was necessary to do that.

8 Everything was -- and when  
9 that was done, the traffic was so  
10 horrendous. Everyone remembers what  
11 that was.

12 Now, when this Cottman Street  
13 Bridge goes, that's the way it's going  
14 to be on Rhawn Street, and we can't get  
15 a left arrow at the end of Rhawn on  
16 Oxford Avenue. So, I'll tell you,  
17 having a traffic report, we never had  
18 it.

19 And the next thing is the  
20 park. He's going to purchase park  
21 land: There is nothing available,  
22 nothing. So why would you get rid of  
23 something you have nothing to replace  
24 it with.

25 And the only thing -- the only

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2 idea I've heard from Councilman O'Neill  
3 is that he would buy little pieces of  
4 land and we would have dog parks in  
5 Northeast Philadelphia. Give me a  
6 break.

7 Now, let me tell you, how I  
8 found out about this meeting was -- and  
9 what was happening on our park, that  
10 there was going to be three- and  
11 four-lane highways all around the park,  
12 was by reading the Northeast Times on  
13 November the 8th, and Tom Waring wrote  
14 about how Councilman O'Neill is finally  
15 satisfied with the Fox Chase Cancer  
16 Center expansion because it can handle  
17 the additional traffic.

18 I'd like to see that traffic  
19 report. I am at that park almost every  
20 day with my dog, and we walk, and the  
21 traffic there is horrendous. We can  
22 never go out on the Cottman side 'cause  
23 I'd be sitting there all evening,  
24 trying to get home. So I go through  
25 the park and you'd be surprised what a

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2 time I have to get out onto the side  
3 road to get into the park because the  
4 traffic is using that 333 Cottman  
5 Avenue address as a thoroughfare.

6 Now, when that was opened for  
7 the Cancer Center years ago, they  
8 signed an agreement, and in that  
9 agreement, they said -- one of the  
10 things they said was that they would  
11 close gates. Now, those gates are --  
12 half of them are there now, and they  
13 have never been closed that I can see,  
14 and they were supposed to be closed  
15 every night at 6 p.m. They have never  
16 been closed.

17 If the Cancer Center can't  
18 follow agreements that they've made  
19 before with the Park Commission, what  
20 makes the Park Commission and the City  
21 think that they're going to follow any  
22 agreements that they sign today?  
23 Because they won't. They pick and  
24 choose what they want.

25 And what they're taking out of

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2 the park is not just 19 acres; it's the  
3 guts of the park. What we're going to  
4 have is a horse shoe, and that horse  
5 shoe, to get from one side of the park  
6 to another, when they build their  
7 beautiful buildings in the middle, that  
8 horse shoe is going to be the sidewalk  
9 down on Cottman Avenue to get to the  
10 other side.

11 And this map up here that we  
12 were trying to figure out what it is, I  
13 have yet to figure it out. And I sent  
14 for it. And here it is, this is the  
15 size of it. I can only read numbers; I  
16 don't know where Cottman Avenue is.  
17 I've used my best magnifying glass.

18 Could I get up there and show  
19 you where these things are?

20 COUNCIL PRESIDENT VERNA:

21 Please do.

22 MS. GAVIN: 'Cause I'd like to  
23 find 'em.

24 Now, where is Cottman here?

25 This is Cottman Avenue and this is

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2 (inaudible - off mic).

3 COUNCIL PRESIDENT VERNA: If  
4 you don't mind, I think someone who's  
5 very familiar with the map can show you.

6 COUNCILMAN O'NEILL: Mr. Garvey  
7 here.

8 COUNCIL PRESIDENT VERNA:  
9 Mr. Garvey can show you exactly what it  
10 is you would like to see.

11 (Mr. Garvey approaches map on  
12 display.)

13 MS. GAVIN: This here presently  
14 is park land and this is the woods and  
15 this is a little stream, and I walk my  
16 little dog right here every day and  
17 around the mansion every other day. But  
18 we walk through that park; that will not  
19 be open to us.

20 I suppose we'll have another  
21 dog park somewhere in Northeast  
22 Philadelphia.

23 Where is the golf course  
24 today? Here is the golf course. And  
25 there's a road that goes across here

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2 that the Cancer Center uses regularly  
3 as a parking lot.

4 And over here is a playground,  
5 and they say they're going to keep that  
6 (inaudible). They wanted to put it  
7 down on Cottman Avenue because the air  
8 was so much better, they died. I'll  
9 bet that will change here.

10 This is high land. This part  
11 of this park is the highest park in  
12 Philadelphia, and it goes down to a  
13 stream. So you know the height -- the  
14 change in height is tremendous. It's a  
15 marvelous place to walk because you can  
16 really make your legs work and your  
17 lungs.

18 This is a very healthy place  
19 as it is, but when you have all of this  
20 concrete, it's not healthy. Right now,  
21 they're building around this water  
22 tower. I don't know why that water  
23 tower is standing 'cause they're  
24 digging in where they took -- there's a  
25 protection fence around the water

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2 tower. They had moved that from the  
3 side of their building.

4 And they get away with that  
5 from the -- this city is letting this  
6 group work like they're God and they do  
7 nothing wrong. They're taking  
8 everything that we have.

9 THE WITNESS: And you can't  
10 find park land. This is not a safe  
11 area. And when you have four lanes here  
12 and four lanes here and three lanes here  
13 and three lanes here, and this is our  
14 park? That's the plan. And it was  
15 written about and in the Northeast  
16 Times, and nobody wrote a letter and  
17 said it was wrong.

18 COUNCIL PRESIDENT VERNA: Thank  
19 you very much.

20 Any questions or comments from  
21 members of the committee?

22 (No questions.)

23 COUNCIL PRESIDENT VERNA: Thank  
24 you all very much for coming in to  
25 testify.

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2 Our next witnesses?

3 MR. MCPHERSON: Kate Friend,  
4 Fred Gauss, Dr. Katherine Canty.

5 (Witnesses come forward.)

6 COUNCIL PRESIDENT VERNA:

7 Please identify yourself for the record  
8 and proceed with your testimony.

9 MS. FRIEND: Good afternoon.

10 My name is Kate Friend. I'm a resident  
11 of Fox Chase for the past 22 years, and  
12 I've been a resident of Philadelphia my  
13 entire life.

14 I have been a user of the  
15 park, my children have been a user. We  
16 have used the playground. I.

17 Was active in campaigning for  
18 a better facility at the playground  
19 approximately 13 years ago. At that  
20 time, we met with Fox Chase Cancer  
21 Center to ask for assistance, and we  
22 were basically told at the meeting that  
23 they would look into it. And then I  
24 received a phone call a few days later  
25 from Mr. Garvey, telling me that, you

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2 know, they had other ideas for the use  
3 of that area. And at the time, I  
4 really was very naive and didn't think  
5 any more about it.

6 But three years ago, when I,  
7 you know, learned of the news that they  
8 already had this, you know, plan  
9 developed and they were going to  
10 present it to the community, I had this  
11 flashback. And I felt that the  
12 community should have been involved,  
13 you know, prior to three years ago,  
14 because it's obvious they've been very  
15 busy, making all of their connections,  
16 okay, for at least the past dozen  
17 years.

18 So the community was left in  
19 the dark up until three years ago. And  
20 at that community meeting, it was  
21 basically a presentation by Fox Chase  
22 Cancer. And the community responded,  
23 and we asked -- we said, you know,  
24 could you just, you know, take a few  
25 steps backwards. We made some

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2 excellent, excellent suggestions.

3 We said, could you, instead of  
4 a 20-year plan, maybe come up with a  
5 10-year plan? Could you, you know,  
6 think of different ways that you could  
7 maybe build up on your existing  
8 property?

9 So what Fox Chase Cancer did  
10 was, they went back to the community,  
11 they did take some acreage off, they  
12 did, you know, revamp their plan  
13 slightly, but it was always from the  
14 perspective that this development was  
15 going to take place, and the community  
16 was powerless to stop it.

17 I can tell you, to try to  
18 visualize what's going to happen to the  
19 park, all I can say to you is: Picture  
20 a rectangle divided into three  
21 sections.

22 The left-most section is the  
23 wooded area, it's a natural area. The  
24 middle section is this driving range,  
25 this golf course and a wooded picnic

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2 roof; that's the section they're going  
3 to develop. The right-most section are  
4 the ball fields. And then sitting at  
5 the top of the ball fields is the  
6 Ryerss Museum.

7 Now, where they're going to  
8 put their buildings, okay, is going to  
9 be the central focus of the park. And  
10 you can see they're several stories  
11 high. I mean, they look like they're  
12 maybe five, six stories high, so they  
13 will be visible from every area in the  
14 park. This is going to eliminate the  
15 feeling of open space.

16 Now, my children have flown  
17 kites at that park, they've sledded on  
18 the hill. I mean, that hill is going  
19 to stay, and they're still going to be  
20 able to fly their kites, but they're  
21 not going to be doing it with a feeling  
22 of open space; they're going to be  
23 doing it with a feeling of being in the  
24 shadow, okay, of a development.

25 As far as the natural part of

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2 the park, that is basically cut off  
3 from the community because the highway  
4 that's going to come in from Cottman  
5 Avenue, that's going to take you to the  
6 facility, is going to divide that --  
7 the natural part of the park, and  
8 you're not going to be able to cross  
9 the street, you're not going be able to  
10 use it; you're going to have to come in  
11 from a different angle.

12 It's going to change the way  
13 people in this community have used this  
14 park for at least the last 50 years. I  
15 mean, that's going through my lifetime.

16 And, you know, like everybody  
17 pooh-poohs this golf driving range, but  
18 if you live in that area, you know that  
19 there is nothing else like it around;  
20 it cannot be duplicated, okay?

21 And I'm a cancer -- I am  
22 currently a cancer patient, and I can  
23 tell that you my treatment, okay, in  
24 the world of medicine is going to offer  
25 me no guarantees of my survival. And I

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2 can also tell you that the treatment  
3 that you have to go through is so  
4 barbaric that you have to question,  
5 what are they doing? And you know this  
6 with your own families. I mean, the  
7 options that are available to us are  
8 not acceptable.

9 And, you know, I'm going in  
10 mid-life, but I can't bear the thought  
11 that a five-year-old child has to go  
12 through what I actually have to go  
13 through.

14 And, you know, I certainly  
15 appreciate and I applaud Fox Chase  
16 Cancer on their work as far as the  
17 research goes, but there's another side  
18 to the cure for cancer, and that is in  
19 our environment, that is in how we live  
20 our life.

21 There is, you know, a proven  
22 connection between diet, exercise,  
23 stress, and toxins in our environment.  
24 Now, there's a movement within this  
25 city to plant trees, there's a movement

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2 within this city to green it up. The  
3 resurgence and interest in people that  
4 are coming back to areas of this city  
5 that are being revitalized, those  
6 people want a walkable city, they want  
7 green areas.

8 In Fox Chase, we already have  
9 that, and now we're being asked to give  
10 that up. What is that going to do to  
11 our property values? What does that do  
12 to the psyche of a community where you  
13 have people who invest countless areas  
14 of volunteer time and effort? And  
15 we're basically put in a position where  
16 we have very little say about what's  
17 going to take place in our community.

18 As far as hearings on this  
19 went, they've never been publicized.  
20 As far as the Planning Commission  
21 hearing, I never knew about it. This  
22 hearing I found out through the  
23 Northeast Times. There's been no  
24 effort to have a true hearing and to  
25 have true input from the citizens of

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2 Northeast Philadelphia on this issue.

3 Now, I can certainly  
4 appreciate your perspective, okay.  
5 Sitting at your place, you certainly  
6 want Fox Chase Cancer to stay, okay,  
7 and we all know they've threatened to  
8 leave to go to Bucks County if they  
9 don't get their way, all right? I  
10 think that's a bullying tactic, and I  
11 can tell you right now that I think  
12 they need us more than we need them.  
13 They've put a tremendous amount of  
14 finances into that site; they're not  
15 going anywhere.

16 The other thing is on the long  
17 term, okay, the long term is when you  
18 want people to stay, okay. You want  
19 families. You may have these sections  
20 of the City where are coming in and are  
21 not married yet, they don't have kids;  
22 they're going to want to settle in a  
23 good, solid community. And that's what  
24 Fox Chase offers people, okay. If  
25 anything, it detracts from that

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2 feeling, and it really has to be  
3 scrutinized, because you need to  
4 balance the health of your community.  
5 Okay?

6 Sure, you want some business,  
7 okay? But once that gets out of  
8 balance, okay, and once you have people  
9 that are unhappy, you're also going to  
10 have people who are not going to want  
11 to stay. Okay, you have people looking  
12 at this situation, saying -- you know,  
13 and Fox Chase Cancer, we know that the  
14 facility is going to go in, we know  
15 it's a done deal.

16 But I just want to tell you  
17 when it's done and people see that  
18 sitting there, okay, they're not going  
19 to be happy all right?

20 A lot of people, you know,  
21 couldn't come today because they work,  
22 all right? I had to take a half a day  
23 off, okay? I come down and then I  
24 don't even know what time it is. I've  
25 been here since 1 o'clock, okay?

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2                   So I'm discouraged because I  
3 saw everyone go before us and all the  
4 park people were left to the very end,  
5 and that's the way it's been through  
6 the whole process.

7                   So my request is that -- and  
8 I've also heard that this is going to  
9 get pushed through next week at City  
10 Council. My request is that if you  
11 really want to be fair about this, come  
12 to the community. Take a field trip,  
13 look at the park, see what's going on  
14 there. Come to a community meeting,  
15 listen to what people have to say,  
16 okay? Because that's really what the  
17 new Philadelphia is about, okay?

18                   This deal that's been  
19 proposed, that's the old Philadelphia,  
20 okay? People don't want any parts of  
21 that, okay? You have a new  
22 administration, you have a new  
23 opportunity. I urge you to take full  
24 advantage of it.

25                   Thank you.

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2 COUNCIL PRESIDENT VERNA: Thank  
3 you very much.

4 I guess I ought to say "good  
5 evening." Thank you for your patience.  
6 Please identify yourself for the  
7 record.

8 MR. GAUSS: Council President  
9 Verna, thank you very much. My name is  
10 Fred Gauss, and I live with my family --  
11 or I have lived with my family for over  
12 40 years in Fox Chase, and I live  
13 directly across the street from the  
14 park.

15 I'm also a member of the  
16 Friends of the Ryerss Museum, the Fox  
17 Chase and Burholme Civic Association,  
18 and the Friends of Fox Chase Farm. So  
19 I'm active in the community and I know  
20 there was mention about people liking  
21 to hear people that are kind of  
22 involved.

23 My dad passed away two years  
24 ago from pancreatic cancer. And one of  
25 the things that I must thank him for is

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2 my appreciation for nature. I've  
3 traveled around the country and the  
4 world, and one of things that always  
5 draws me is natural settings. I want  
6 to thank him for that.

7 It's difficult to listen to  
8 testimonies regarding cancer 'cause  
9 I've been through it myself with my  
10 dad.

11 During the past 25 years,  
12 Councilman O'Neill and I, we know each  
13 other. We've been at opposite ends of  
14 the park, and I think I can honestly  
15 say that I have probably have been in  
16 contact with him more than any other  
17 individual in this room when it comes  
18 to the Burholme Park.

19 And I think there have been  
20 very few situations where, I guess,  
21 we've been on the same page because I  
22 dislike some of the things that have  
23 gone on there, and I've voiced opinion.  
24 I'm, I guess, very, very nature-related  
25 when it comes to that.

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2           As crazy as it was, or as it  
3 is, I was out in the park at 5:30  
4 today, walking through the rain,  
5 because I knew the issue of usable land  
6 was going to be coming up, and I paced  
7 it today again, and I don't buy the  
8 fact that there's going to be a better  
9 or more usable space.

10           I paced off the bottom part of  
11 the park as well as the upper portion  
12 in the rain, so you know I must be a  
13 little nuts.

14           Councilman Kelly mentions  
15 about the golf range. I don't like  
16 that golf range there, either,  
17 especially if it's going to be used as  
18 the reason for giving it to the Cancer  
19 Center. That thing should have never  
20 happened 50 years ago, when they put it  
21 in, but somewhere along the line, it  
22 just keeps continuing, and everybody  
23 just keeps putting the stamp of  
24 approval on it. I testified against  
25 that years ago at the Fairmount Park

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2 Commission, but money ruled.

3 I think that's one of the  
4 things that's happening now is that the  
5 money will rule when it comes to the  
6 jobs. I heard about MBEC, union labor,  
7 et cetera, et cetera, et cetera.

8 I don't like the idea that my  
9 rights are going to be trampled on to  
10 use the park. Whose right is greater;  
11 is it Fox Chase's or is it mine, or is  
12 it the people of Philadelphia? I guess  
13 that will be decided in the courts.

14 I personally don't like the  
15 idea of giving the land to Fox Chase  
16 Cancer; not that I -- trust me, I love  
17 the Cancer Center. Do I think that's  
18 what's being offered here -- hey,  
19 that's great. I still don't understand  
20 why there's a Jeanes Hospital when I  
21 think, eventually, the Cancer Center  
22 will probably get that as well. So  
23 they're going to have an enormous  
24 campus there.

25 Will it happen tomorrow? No.

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2 Will it eventually? I think it will.

3 When maternity wards get thrown out of  
4 the City, sometimes you start thinking  
5 about what's going on in the community.

6 Traffic problems. I've been  
7 in that mess for the last number of  
8 years. I can show you on there, at the  
9 top of that map, where it goes to Rhawn  
10 and Oxford and then comes all the way  
11 down to the entrance of Jeanes  
12 Hospital. I've been in that traffic  
13 jam, and that's along Central Avenue  
14 and Hasbrook and Oxford.

15 We've been talking about  
16 Cottman. Go along Oxford Avenue and  
17 the Huntington Pike. Fox Chase Cancer  
18 Center can tell you the difficulties on  
19 Huntington Pike or 232, because they  
20 have a facility that is right there,  
21 about directly on the boundary line.  
22 It is horrendous.

23 And I don't think that all  
24 this new engineering is going to make  
25 the difference. I would appreciate

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2 being able to call some people on  
3 Council as I'm sitting there, waiting  
4 for the traffic to subside. It's  
5 really bad.

6 I guess last, but not least,  
7 is the idea of "forever." You could  
8 take down that fence around the golf  
9 range in a day. And, trust me, I know  
10 that the picnickers will go in there, I  
11 know that the NEO will go in there and  
12 use it for park purposes.

13 When you put up 20 acres worth  
14 of buildings, that's not -- you can't  
15 take that down. It's over, it's gone.

16 There is nothing in the area.  
17 I've used Pennypack. I can recall when  
18 there were options where there was talk  
19 about turning the Fox Chase farm into  
20 condominiums back in the '80s. I  
21 remember stopping by Councilman  
22 O'Neill's office, law office, at that  
23 time, identifying my opposition to  
24 that. I'm grateful that the City was  
25 smart enough to get the land and to

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2 turn it into something that's great for  
3 the community.

4 There's only one parcel of  
5 land available in that area. I don't  
6 know how much it would cost to get, but  
7 I don't think it's for sale. The  
8 only other one was the (indiscernible)  
9 site that's currently owned by -- or  
10 being developed by Holy Redeemer, the  
11 gentleman that was here today. That  
12 was a phenomenal piece of property that  
13 was now developed, senior citizen  
14 housing, 55 and older. Is it a good  
15 thing or a bad thing? Again, from my  
16 perspective, looking at it from  
17 nature's point of view, it's hard to  
18 take when you drive by there now, when  
19 you realize how close it is to  
20 Pennypack. And really, Pennypack is  
21 the only thing there that could satisfy  
22 individuals.

23 I thank you for your time. I  
24 hope I've given you a little bit of the  
25 perspective of an individual who lives

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2 across the street and loves the park.

3 I think I've probably been in  
4 the area longer than most people around  
5 here. And, Councilmen, all of you, I  
6 hope you make the right decision. This  
7 is not a simple decision, trust me,  
8 'cause you have a lot of things to  
9 balance. You're getting paid, you were  
10 elected to do the right job.

11 I, however, wish to thank the  
12 Waln family for their past generosity in  
13 giving the park to us, to all of us.  
14 However, I regret, and hopefully will  
15 not regret, it being taken away.

16 Thank you.

17 COUNCIL PRESIDENT VERNA: Thank  
18 you very much.

19 MR. McPHERSON: The last two  
20 witnesses that I have are Mary Wytessol  
21 and Tim Kearney.

22 COUNCIL PRESIDENT VERNA: I  
23 believe Tim Kearney's testimony was  
24 given to the stenographer.

25 MR. McPHERSON: I have no other

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2 names.

3 COUNCIL PRESIDENT VERNA: What  
4 was the other name?

5 MR. MCPHERSON: Mary Wytesol.

6 COUNCIL PRESIDENT VERNA: Is  
7 she here?

8 MR. MAURER: She left. She had  
9 to leave.

10 COUNCIL PRESIDENT VERNA: Okay.

11 Very well. Do we have anyone else to  
12 testify?

13 MR. BEAUVAIS: Yes, Madam  
14 President, Madam Chair.

15 At the request of Councilman  
16 Clarke, we are looking to not amend the  
17 two ordinances with adding the  
18 exhibits, but we're going to take a  
19 moment to reexecute a fully and  
20 completely new EOP. And, hopefully, we  
21 can actually request that the rules be  
22 suspended at the time that the reports  
23 for committee happen this Thursday in  
24 order to allow for the amendments;  
25 i.e., the exhibits to be attached at

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2 that moment.

3 COUNCIL PRESIDENT VERNA: Are  
4 these the exhibits that we were told  
5 were given to the Chief Clerk's Office?

6 MR. BEAUVAIS: These are the  
7 exhibits for the equal opportunity plan.

8 COUNCIL PRESIDENT VERNA: Oh,  
9 very well, very well.

10 MR. BEAUVAIS: But with that,  
11 we will also request that the rules be  
12 suspended for these two bills here today  
13 in order to allow for first reading this  
14 Thursday.

15 COUNCIL PRESIDENT VERNA: Thank  
16 you.

17 MR. BEAUVAIS: Thank you.

18 COUNCIL PRESIDENT VERNA: Do we  
19 have anyone else to testify on the two  
20 bills that have just been heard?

21 (No response.)

22 COUNCIL PRESIDENT VERNA: And,  
23 Councilman O'Neill, I can see that you  
24 really had quite a job on your hands.

25 COUNCILMAN O'NEILL: I would

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2 just like to hand up to the clerk and  
3 the stenographer both the letter that  
4 was partially read into the record from  
5 Rhina Cutler, Deputy-Secretary for  
6 Administration for PennDOT, and also  
7 copies of the parking -- the resident --  
8 the student prohibition of parking in  
9 residential areas around Holy Family  
10 University, which affects both my  
11 district and Joan Krajewski's.

12 COUNCIL PRESIDENT VERNA: Sure.

13 (Proceedings end at 5:30 p.m)

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## C E R T I F I C A T E

I HEREBY CERTIFY that the proceedings of the City of Philadelphia Council Committee on Joint Committees on Rules and Parks, Recreation & Cultural Affairs are contained fully and accurately in the stenographic notes taken by me on Monday, November 26, 2007, and that this is a true and correct statement of same.

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JOSEPHINE CARDILLO  
Registered Professional Reporter

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