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COUNCIL OF THE CITY OF PHILADELPHIA  
PUBLIC HEARING  
COMMITTEE ON RULES

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Room 696, City Hall  
Philadelphia, Pennsylvania  
September 18, 2002  
10:25 a.m.

- - -

BILL 020431 - An ordinance establishing a neighborhood improvement district in an area that generally includes both sides of East Passyunk Avenue from the south side of Federal Street to the east side of South Broad Street...

- - -

PRESENT:

- COUNCIL PRESIDENT ANNA C. VERNA, Chair
- COUNCILMAN JAMES KENNEY
- COUNCILWOMAN JANNIE BLACKWELL
- COUNCILMAN DARRELL CLARKE
- COUNCILMAN FRANK DICICCO
- COUNCILMAN MICHAEL NUTTER
- COUNCILMAN BRIAN O'NEILL

- - -

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1                   9/18/02 - RULES - BILL 020438

2                   COUNCILMAN KENNEY: Good morning, ladies

3                   and gentlemen. The Council Committee on Rules is

4                   now in session to consider Bill 020431, which is an

5                   ordinance establishing a neighborhood improvement

6                   district in an area that generally includes both

7                   side of East Passyunk Avenue from the south side of

8                   Federal Street to the east side of South Broad

9                   Street, certain blocks of streets that intersect

10                  that portion of East Passyunk Avenue, both sides of

11                  South Broad Street from the south side of McKean

12                  Street to the north side of Snyder Avenue, and the

13                  west side of South Broad Street from the south side

14                  of Mifflin Street to the north side of McKean

15                  Street, to be known as the East Passyunk Avenue

16                  Business Improvement District; designating East

17                  Passyunk Avenue Business Improvement District, Inc.,

18                  a Pennsylvania nonprofit corporation, as the

19                  Neighborhood Improvement District Management

20                  Association for the District; approving a final plan

21                  for the District, including a list of proposed

22                  improvements and their estimated cost, and providing

23                  for assessment fees to be levied on property owners

24                  within the District; authorizing the Director of

25                  Commerce, on behalf of the City, to execute an

1 9/18/02 - RULES - BILL 020438

2 agreement with East Passyunk Avenue Business  
3 Improvement District, Inc., relating to the  
4 District; authorizing the Director of Commerce, on  
5 behalf of the City, to execute an agreement with  
6 East Passyunk Avenue Business Improvement District,  
7 Inc., relating to the District; and authorizing East  
8 Passyunk Avenue Business Improvement District to  
9 assess property owners within the District a special  
10 property assessment fee to be used in accordance  
11 with the approved final plan; all in accordance with  
12 the provisions of the Community and Economic  
13 Improvement Act, and under certain terms and  
14 conditions.

15 The Chair recognizes Councilmember  
16 DiCicco for an announcement prior to our testimony.

17 COUNCILMAN DICICCO: Thank you, Mr.  
18 Chairman. I would like for this committee, on  
19 behalf of myself, I would like to withdraw Bill No.  
20 010350 for consideration -- excuse me. I apologize.  
21 Bill No. 010305, I'm asking that to be withdrawn.

22 COUNCILMAN KENNEY: The Chair will ask  
23 that that be made part of the record and the request  
24 withdrawing Bill No. 010305. Thank you very much.

25 Prior to hearing witnesses, I would like

1 9/18/02 - RULES - BILL 020438

2 to read into the record a letter dated September 12,  
3 2002, addressed to Honorable Anna Verna, Chair of  
4 the Committee on Rules.

5 "Dear President Verna: On behalf of the  
6 Department of Commerce, I would like to express our  
7 strong support of the City Council Bill 020431,  
8 which will create a Business Improvement District on  
9 East Passyunk Avenue and adjacent streets.

10 "NID's are one of the best examples of a  
11 collaboration between the public and private  
12 sectors.

13 "The business entrepreneurs and property  
14 owners in the target area recognize the ongoing need  
15 to improve the general economic climate and quality  
16 of life throughout the neighborhood. To that end,  
17 making an area clean, safe, and attractive is  
18 important to the stability of the community. As the  
19 neighborhoods prosper, the NID's are catalysts for  
20 further revitalization.

21 "The economic development agencies that  
22 include the Department of Commerce, PIDC, and PCDC  
23 are committed to supporting this important  
24 initiative. In collaboration with our colleagues  
25 and the Operating Department such as the Police

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2 Department and Department of Streets, we view these  
3 as efforts crucial to the long-term growth and  
4 development of Philadelphia.

5 "Our Department looks forward to  
6 continuing these ongoing partnerships.

7 "Very truly yours, James J. Cuorato,"  
8 City Representative and Director of Commerce.

9 We have some witnesses from the  
10 community who I think are going to come as a group.  
11 Please grab some chairs and make yourself  
12 comfortable.

13 Please identify yourself the record and  
14 proceed. And you need to pull that microphone way  
15 up close to you and directly into it. Thank you.

16 MR. MASINO: Thank you Rules Committee,  
17 Council President Ann Verna, Councilman Kenney, for  
18 allowing me to testify before this great Council.

19 I am Al Masino, co-owner of RoseLena's  
20 Coffee Bar and president of the East Passyunk Avenue  
21 Business Improvement District. I represent a  
22 dedicated group of business and property owners  
23 along an eight-block shopping corridor that has  
24 steadily deteriorated for the last 8 to 10 years  
25 while we were constantly complaining and waiting for

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2 shoppers to rediscover the avenue. Now, I believe  
3 we've stopped complaining and waiting and have  
4 collectively decided to address the problems.

5 Through an initiative guided by State  
6 Senator Fumo, Councilman DiCicco, and Kenney and the  
7 Atlantic Group, a steering committee was formed and  
8 has met relentlessly each week since August 2001.  
9 Now we are asking that this much-labored-over  
10 legislation be approved by Council so that we can  
11 begin funding the proposed seven-year project, so  
12 that Passyunk Avenue can again become a vital asset  
13 to the City of Philadelphia, bringing in revenue  
14 from its restaurants and fine quality specialty  
15 shops, attracting more business from the main line  
16 and South Jersey, and interrupting the constant flow  
17 of shoppers from our own South Philadelphia  
18 community to South Jersey malls.

19 We feel this project will certainly  
20 bolster the surrounding residential community as  
21 well as the business community. Yes, we can keep  
22 the money here; and, yes, we can keep the jobs here;  
23 and, yes, it will be very difficult. But we're a  
24 board of hardheads and we won't give up.

25 Thank you for your time. My fellow

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2 hardheads will enlighten you with the details.

3 COUNCILMAN KENNEY: Thank you very much.

4 MR. DICOCCO: Good morning,  
5 Councilmembers. My name is Gregory DiCocco, and I  
6 represent my family's business, the DiCocco Family  
7 St. Jude Shop at 1807 East Passyunk Avenue.

8 We have been a family-owned and operated  
9 business for nearly 40 years. I presently hold the  
10 position as secretary of the Board of the East  
11 Passyunk Avenue Business Improvement District and  
12 have been actively involved from its beginning in  
13 August 2001 as a member of its steering committee  
14 primarily addressing the issues of parking and  
15 signage.

16 What I would like to do today is bring  
17 you up to date and let you know of all the many  
18 meetings we have had. As of today, we have reached  
19 out through more than 17 meetings to the  
20 neighborhood and other businesses that are affected.  
21 Through numerous mailings and block meetings, we  
22 have reached out to the community to inform them of  
23 our ideas and to solicit their ideas in order to put  
24 together, not only our bylaws, but also our budget  
25 and initiative. Presently, our board meets every

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2 Friday and tries to address issues that can be  
3 handled with little or no money. Because of the  
4 many meetings and the many services we are hoping to  
5 provide, we would like our first goal the setup of a  
6 professional director to organize and put into place  
7 the numerous ideas and plans we are attempting to  
8 bring to fruition. We have found out from other  
9 districts, namely, the Manyunk and Olde City and  
10 Chestnut Hill Districts that this is the first and  
11 most important step that needs to be taken. After  
12 that, we need to address the issues of marketing and  
13 being able to draw more people to the avenue so as  
14 some bring the avenue back to its original fame as a  
15 lively and vital shopping arena while keeping the  
16 strong Italian flavor.

17 Through our many attempts at reaching  
18 out to the area's businesspeople, we hope to be able  
19 to make Passyunk Avenue into an Italian galleria.  
20 Hat this has been put forth in our bylaws and  
21 business plan which we have submitted to you.

22 I thank you for your time to hear from  
23 us and for allowing us to help introduce this bill  
24 before City Council.

25 COUNCILMAN KENNEY: Thank you very much

1 9/18/02 - RULES - BILL 020438

2 for your testimony.

3 Mr. Sher, please.

4 MR. SHER: Good morning.

5 COUNCILMAN KENNEY: Good morning.

6 MR. SHER: Greetings and salutations to  
7 the members of City Council. My name is Terry Sher.  
8 I own Loro Shoes at 1916-1918 East Passyunk Avenue.  
9 For over 20 years I have been an integral part of  
10 East Passyunk Avenue. I have held posts from chief  
11 cook and bottle washer to president. At the present  
12 time, I am the treasurer of East Passyunk Avenue  
13 Business Improvement District, Inc. My two areas of  
14 responsibility are financial and security.

15 Financial. As soon as the bid is  
16 approved and tax bills go out, I will start and head  
17 up a committee made up of representatives of all the  
18 banks that have branches on the avenue. We hope to  
19 leverage the tax monies to get funds at once. I  
20 will also be computerizing our accounts, working  
21 with City representatives on collection and transfer  
22 of tax funds and working with our pay director on  
23 securing additional funds and grants from area  
24 corporation. Providing our membership with  
25 financial reports when needed. Continuously

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2 adjusting our budget, which is never written in  
3 stone and is a living and always-changing entity.

4 Security. Getting stores to be more  
5 security aware. Working with the Philadelphia  
6 Police Department for better coverage and having  
7 them visit stores to make better security  
8 recommendations. Plan and implement an avenue-wide  
9 security surveillance system.

10 To do all these wonderful things, we  
11 need you to approve our bid. On the average, the  
12 cost the property owners, owner-occupied and  
13 residential without any rentals are exempt from bid  
14 taxes, will be less than a dollar a day per  
15 property.

16 On a personal note, I have so much faith  
17 in the future of the avenue I am investigating in as  
18 many properties as I can. We hope you have the same  
19 faith and invest your yeas votes in us. Thank you.

20 Terry Sher, Treasurer.

21 COUNCILMAN KENNEY: Thank you very much  
22 for your testimony.

23 Is there anyone else from the community  
24 that's going to testify in favor of the bill?

25 Are there any questions?

1 9/18/02 - RULES - BILL 020438

2 Councilman DiCicco.

3 COUNCILMAN DICICCO: Thank you, Mr.

4 Chair. And good morning, gentlemen. As you know,  
5 I've been a part of this process from the beginning,  
6 and even before the beginning of this process  
7 probably as far back as the late 1980s when I was a  
8 staff person on Senator Fumo's -- I was on Senator  
9 Fumo's staff when we tried for many years to come up  
10 with a plan that would work for the betterment of  
11 the South Philadelphia community, in particular the  
12 east Passyunk Avenue corridor. And many things were  
13 tried. From time to time, we came up with what we  
14 felt were innovative ideas. Unfortunately, none of  
15 them really took hold enough to make a major  
16 difference.

17 It has been suggested over the last  
18 several weeks by way of flyers, I'm sure you've seen  
19 some of those, that in some way I have been  
20 responsible for increasing real estate taxes on the  
21 avenue. Can any of you speak with any authority as  
22 to whether or not I have done that, for the record?

23 MR. SHER: If I may, being the

24 treasurer, the answer to that is a definite no.

25 It's the only way that we can fund the projects that

1 9/18/02 - RULES - BILL 020438

2 we have to do is increasing the taxes to the  
3 property owners. This money is not going to the  
4 City. The City will collect it, turn every penny  
5 over to us and it will be spent on the avenue for  
6 all our betterments.

7 COUNCILMAN DICICCO: What is happening  
8 is that the Business District, the merchants, have  
9 basically agreed and entered into agreement by way  
10 of the NID, Neighborhood Improvement District, to  
11 actually self-impose a tax, not the tax that is  
12 being driven by Councilman DiCicco.

13 MR. SHER: That is correct.

14 COUNCILMAN DICICCO: Do you know of  
15 anyone in the business community who will be a part  
16 of this bid who is opposed to the NID?

17 MR. DICICCO: Councilman, through our  
18 many meetings, we have reached out to the community  
19 and even privately on our own reached out to fellow  
20 businesses, business people that are affected by  
21 this bill. And no one has approached us -- they've  
22 had many questions. No one has approached us to  
23 oppose it. If anything, they've given us positive  
24 constructive feedback, how to name it, different  
25 ideas on transportation, signage, and the like. So

1 9/18/02 - RULES - BILL 020438

2 we've never had anything. It's always been  
3 favorable. Never have we heard anything negative.

4 COUNCILMAN DICICCO: For the record and  
5 for this committee, I have no knowledge of any  
6 opposition to this NID. And I bring that to the  
7 attention of this committee because in the seven  
8 years or so I've been a councilperson in the 1st  
9 District, I've been involved in at least two other  
10 NIDS, one in Olde City and one in the expansion of  
11 the South Street Head House District. And there's  
12 another one I just can't think of off the top of my  
13 head. And it is unusual to present a Neighborhood  
14 Improvement District that you would find no  
15 opposition to it. In the end, they all were  
16 approved, but as normal, when anything different is  
17 being proposed, there is usually opposition. This  
18 is the first time in my tenure as a councilperson  
19 that I have not recognized or have not been told of  
20 any opposition. Now, there may be somebody out  
21 there, but has not yet been brought to my attention.  
22 And as far as I know, speaking on your behalf, you  
23 don't know of any opposition either. I just wanted  
24 to bring that to the attention of this committee.  
25 It's very unusual, but welcome.

1 9/18/02 - RULES - BILL 020438

2 MR. MASINO: The only -- I got a couple  
3 phone calls that dealt with the original real estate  
4 tax, which I can't answer. The questions were, "Why  
5 is your building assessed this much and mine  
6 assessed that." Well, I don't know that.

7 COUNCILMAN DICICCO: No one knows that.

8 MR. MASINO: And that's the only type of  
9 opposition or question.

10 COUNCILMAN KENNEY: I would argue the  
11 only effectiveness of any unnamed or unsigned flyers  
12 spewing this information, probably the only effect  
13 it's had is to litter the neighborhood even more. I  
14 would generally ignore that type of information,  
15 especially when people don't have the courage to put  
16 their names on it as to where they originate from.  
17 Some of that kind of activity is reminiscent of Nazi  
18 Germany in the '30s. But I think people see through  
19 it and understand it and will do what's best for the  
20 community regardless of outside influence.

21 Thank you very much.

22 Anyone else?

23 MS. LANGELLO: Good morning, Councilman  
24 Kenney and DiCicco.

25 COUNCILMAN KENNEY: Good morning. Thank

1 9/18/02 - RULES - BILL 020438

2 you for waiting.

3 MS. LANGELLO: I'm a property owner on  
4 Passyunk avenue since 1968.

5 COUNCILMAN KENNEY: Could you identify  
6 yourself by name, please?

7 MS. LANGELLO: Eleanore Langello,  
8 L-A-N-G-E-L-L-O.

9 COUNCILMAN KENNEY: Thank you.

10 MS. LANGELLO: I had a business there  
11 for 10 years myself and now I rent my property and I  
12 am 100 percent in favor of this bill. And it's a  
13 pleasure to pay the tax. Thank you.

14 COUNCILMAN KENNEY: Thank you very much.  
15 Anyone else to testify for this bill.

16 MS. GALLICCHIO: Good morning. I'm  
17 Levina Gallicchio. I own the property at 1646 East  
18 Passyunk Avenue, and we are very willing to go along  
19 with this bill and so is my tenant.

20 COUNCILMAN KENNEY: Thank you.

21 Anyone else to testify?

22 (No response.)

23 COUNCILMAN KENNEY: Any questions for  
24 these witnesses?

25 (No response.)

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COUNCILMAN KENNEY: Seeing none, that  
will conclude the hearing of the Rules Committee.

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COUNCIL OF THE CITY OF PHILADELPHIA

PUBLIC MEETING

COMMITTEE ON RULES

- - -

September 18, 2002

- - -

Public Meeting conducted by the  
Committee on Rules, held in Room 696, City Hall,  
Philadelphia, Pennsylvania, on the above date, to  
consider action on the following:

BILL 020438

- - -

PRESENT:

- COUNCIL PRESIDENT ANNA C. VERNA, Chair
- COUNCILMAN JAMES KENNEY
- COUNCILWOMAN JANNIE BLACKWELL
- COUNCILMAN DARRELL CLARKE
- COUNCILMAN FRANK DICICCO
- COUNCILMAN MICHAEL NUTTER
- COUNCILMAN BRIAN O'NEILL

- - -

1 9/18/02 - RULES - PUBLIC MEETING

2 COUNCILMAN KENNEY: We will now convene  
3 a public meeting.

4 The Chair recognizes Councilmember  
5 DiCicco.

6 COUNCILMAN DICICCO: Thank you, Mr.  
7 Chairman. I make a motion to approve the  
8 preliminary plan as the final plan and that a second  
9 hearing, I understand, will be scheduled for the  
10 final plan in the Rules Committee on October 16th at  
11 10:00 a.m. in this room. A notice of the hearing  
12 will be sent to all property owners prior to that  
13 hearing.

14 COUNCILMAN KENNEY: Is there a second?  
15 (Duly seconded.)

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

18 All in favor?

19 (Aye.)

20 COUNCILMAN KENNEY: There are none  
21 opposed. The preliminary plan has been approved and  
22 recommended by this committee. We will see you on  
23 the 16th of October. Thank you.

24 (Council adjourned at 10:45 a.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing  
proceedings of the Council of the City of  
Philadelphia of September 18, 2002, were reported  
fully and accurately by me, and that this is a  
correct transcript of the same.

RE: COMMITTEE ON RULES

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Lisa C. Bradley, RPR  
and Notary Public