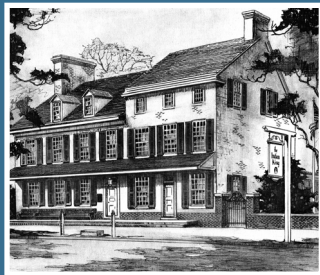


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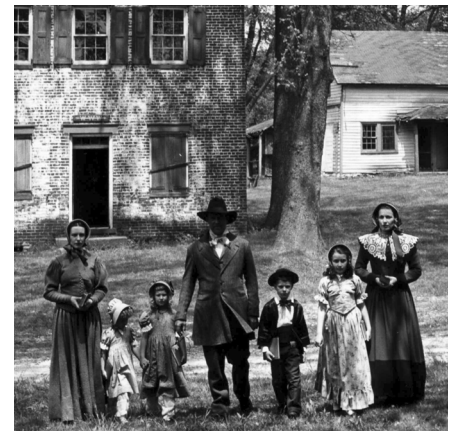
HISTORIC *Preservation* BULLETIN

• New Jersey Department of Environmental Protection •
• Natural & Historic Resources • Historic Preservation Office •

THE PAST 40 YEARS OF HISTORIC PRESERVATION BY THE STATE OF NEW JERSEY

Forty years ago the state of New Jersey officially recognized that it bore a responsibility for preserving its historic places. On June 21, 1967, Governor Richard H. Hughes signed a law establishing two bodies: the Historic Sites Council and the New Jersey Historic Trust. He signed with a flourish, using a quill pen provided by Mrs. John Kean, the owner of Liberty Hall (and aunt of a future Governor). Although the legislation created two entities, their composition overlapped – that is, the same eleven gubernatorial appointees served on both, with the board of the Trust fleshed out with representatives of six State agencies.* But the organizations were intended to have different functions. The Historic Sites Council [HSC] would advise the Governor on what role the State should play in historic preservation. The New Jersey Historic Trust [NJHT] was empowered to seek funding from private sources and to accept donations of property either through full ownership or through a partial interest or easement. Although these were broad powers, the focus actually was on State-owned properties and similar highly significant historic sites.

By 1967 there were several historic sites in New Jersey’s park system, including such large complexes as Allaire Village, Batsto, and Ringwood Manor. These were managed by the very



Costumed interpreters at Allaire Village.

* These were: the Departments of Treasury, Conservation and Economic Development, and Education; Parks, Forestry and Recreation Council; the State House Commission; and the State Library.



JON S. CORZINE
Governor
STATE OF NEW JERSEY



LISA P. JACKSON, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

MISSION

The Department of Environmental Protection, Historic Preservation Office is committed to enhancing the quality of life for the residents of New Jersey through preservation and appreciation of our collective past.

Our mission is to assist the residents of New Jersey in identifying, preserving, protecting and sustaining our historic and archaeological resources through implementation of the state's historic preservation program.

We provide assistance through our annual conference, consultation with professionals, training workshops, co-sponsorship of history and historic preservation related activities, the Historic Preservation Bulletin and other free publications.

HISTORIC PRESERVATION OFFICE

P.O. BOX 404, TRENTON,
NEW JERSEY 08625-0404

TEL: (609) 292-2023

FAX: (609) 984-0578

WWW.NJ.GOV/DEP/HPO

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small staff of the Historic Sites Section [HSS] of the Division of Parks, Forests, and Recreation, which would take on the added task of acting as staff for HSC. The section was in what was then the Department of Conservation and Economic Development. What were sometimes conflicting interests – development and preservation – were separated in a governmental reorganization in 1970, at which time the State's historic preservation functions were placed in the new Department of Environmental Protection.

New Jersey's interest in history and preservation was fueled by the observance of the State's 300th anniversary in 1964 and preparation for celebration of the Nation's Bicentennial.[‡] A major impetus was passage of a clutch of Federal laws in 1966, which included preservation in their goals. The most important of these was the National Historic Preservation Act, which established the National Register of Historic Places. This law provided for the identification and recognition of historic sites and districts of national, state, and local significance; its Section 106 offered listed places a measure of protection from Federal actions. (A few years later President Richard Nixon's Executive Order 11593 would offer the same protections to places judged eligible for, but not yet listed on, the National Register.) The legislation created the framework for an organized national preservation program and assigned responsibility to the states for identification of resources worthy of protection and a voice in how this would be accomplished.

By the time HSC and NJHT first met in the summer of 1968, their primary interest was creation of a State Register, which could help protect listed sites endangered by state or local projects. Over the next two years each body prepared drafts of legislation to accomplish this goal. Early drafts did not, however, propose any means of protecting places listed on the State Register; rather it would become simply a listing, an extension of the 1959 state-wide Historic Sites Survey, which the HSS was updating in 1969 with the assistance of the League of Historical Societies.

Meanwhile, the HSC was anxious to participate in the Federal program, which offered some funding for preservation planning. But under the Federal law, the National Park Service, which was administering the program, required that submissions for the National Register be reviewed by a board, whose members had expertise in such disciplines as architecture, history, architectural history, and archaeology. At

[‡] Other agencies formed in the mid-1960s to forward the State's interests in history were the Historical Commission and the Bureau of Archives and History in the State Library.

first the HSC debated whether it could serve this function. Although its members had an interest in history and the preservation of outstanding sites, they had been chosen for their social and political connections rather than for professional expertise. A different group would have to be formed. For advice in choosing its members, the HSC turned to another agency, the New Jersey Historical Commission, one of the entities created in 1966–1967 as part of the State’s preparations for the Bicentennial. By late 1969, nine individuals had been seated on what would become the State Review Board. The first nominations were already being prepared by HSS. The mechanism proposed for nominating properties to the National Register was convoluted. Nominations would be prepared by the staff of HSS and presented to HSC, which would then forward them to the State Review Board. [Later, the HSC’s role in nominations would be abandoned; most would be written by professional consultants and reviewed by HSS, and its successor the Historic Preservation Office, before being presented to the State Review Board.]

From the beginning, an important aim of both the HSC and NJHT was passage of a statute creating a New Jersey Register paralleling the National Register. In April 1970, Assemblyman William E. Schluter, the legislative member of the New Jersey Historical Commission, introduced legislation to accomplish that goal. By the end of the year, it was signed into law. It provided for a measure of protection when projects affecting listed properties were undertaken by state, county, or municipal governments. The State legislation also established a more efficient mechanism for listing properties on the New Jersey Register. Nominations would be prepared or reviewed by staff housed within the Department of Environmental Protection. They then would go to the State Review Board; if the board approved, the nominations would be forwarded to the DEP’s Commissioner, who, as State Historic Preservation Officer, would sign and

send the nomination to the National Register. The SHPO’s signature would also place the property on the State Register.[‡] The National Trust for Historic Preservation hailed it in “Preservation News” as the first time a state had provided protection for listed sites similar to the Federal program’s Section 106. However, only sites that already were listed could be considered. This was remedied to some extent by Governor William Cahill’s Executive Order 53, which called for the consideration of eligibility when major construction costs were



Cape May Historic District.

involved or environmentally sensitive areas, including historic sites, would be impacted.

With a very small staff, but very large ambitions, HSS submitted a request for \$175,000 in Federal funds to complete a comprehensive preservation plan for New Jersey. However, with a total Federal appropriation of \$950,000 for the 1970 fiscal year, New Jersey, and other states, received far less. It used \$5,000 of the grant to fund a pilot project in Mercer County. Originally this was intended as an inventory of the “top 40” historic sites in the county, several of which would be nominated to the State and National Registers. The final results

[‡] In practice, the Commissioner has an Assistant Commissioner to sign nominations on behalf of the State.

New Jersey's "Road" to the '66 Act

There is widespread agreement that the signing of the National Historic Preservation Act in 1966 was a major, "watershed" event in the modern era of historic preservation in the United States, but few people remember that New Jersey played a leading role in its passage or recall the history of preservation in New Jersey prior to it. The State of New Jersey had first placed its toe in historic preservation waters in 1874, when it incorporated the Washington Association of New Jersey and gave the organization an annual stipend to help maintain the Ford Mansion in Morristown as a museum. In 1903, the State took another important step when it bought the Indian King Tavern in Haddonfield as its first state-owned historic property. Every few years thereafter, for the next three decades, the State added another historic property to its collection. Historical societies, the Daughters of the



Indian King Tavern, Haddonfield. New Jersey's first state-owned historic site.

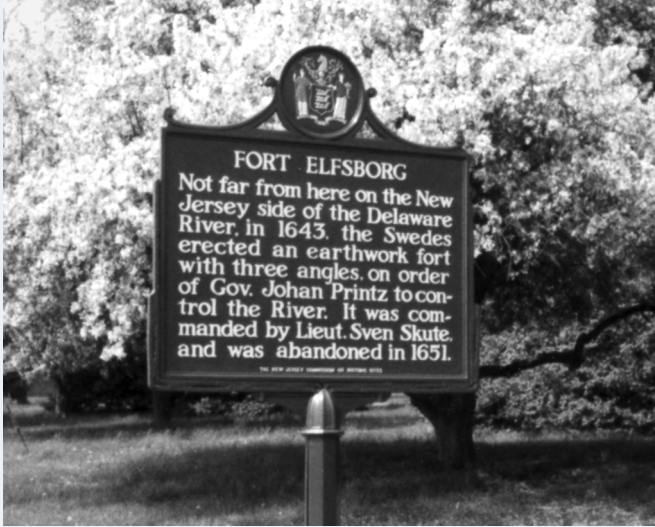
American Revolution, cities and counties also bought historic buildings, and until the 1930s the efforts to restore them and interpret them to visitors constituted the sum total of historic preservation. It took the impact of the

automobile to bring about today's preservation movement.

New Jersey authorized a state highway system in 1917 and spent most of the decade after World War One building it. In the 1920s, scenery and history were powerful attractions to the motoring public. So much of the built environment of earlier America had long disappeared from the cities, surviving only in the rural countryside, that when automobiles made touring practical to millions of people for the first time, what they saw from their car windows had the obvious stamp of age and history all over it. Newspapers ran features on historic places that automobile owners could drive to, and hereditary societies such as the New Jersey Chapter of the Sons of Colonial Wars worked to place interpretive markers at the most important spots.

Republican State Senator Morgan F. Larson of Perth Amboy, a former municipal and county engineer, became New Jersey governor in 1929. He had been the legislative "father" of the state highway system, and he supported the idea of placing historical markers along the State's new highways. He was also aware that the way the State had dealt with historic properties – by appointing a different commission to oversee each one – had produced an unwieldy situation. He pushed through a bill to create a New Jersey Commission on Historic Sites ("Historic Sites Commission") in 1931, and appointed former investment banker George Keim of Edgewater Park to run it. Keim had headed the lobbying effort for the bill's passage, and he, too, wanted the State to take over the function of marking historic sites. He sought a program that would place five hundred historical markers, and the effort during the first year (1931-32), which coincided with the bicentennial of George Washington's birth, did manage to install 85 markers, no fewer than three in any county. After

the first year, however, Depression-era budget and political realities forced Keim to suspend the marker program and then scale it back. The Commission nonetheless used the program to encourage both a general appreciation of New Jersey history and a broader, more serious search



Original 1930's marker, repainted.

for historic properties. This program brought the Commission in contact with many local historians around the State.

Historic Preservation in the 1930s

In 1933, the National Park Service became the lead agency for historic preservation matters in the federal government. That year the Morristown National Historical Park was established, to link together the Ford Mansion and the sites of the Continental Army encampments south of Morristown. Two years later, the Historic Sites Act of 1935 was enacted by Congress, making the National Park Service responsible for recommending privately-owned properties of national significance that would warrant designation as National Historic Landmarks by the U.S. Secretary of the Interior. (There are nearly 60 New Jersey NHLs today.)

The Great Depression provided another dividend for historic preservation when the Historic American Buildings Survey (HABS) was begun in 1933, to provide employment for out-of-work architects to record historic buildings with measured drawings and photographs. Formalized in 1934 with a tri-partite agreement



Rockingham.

among the National Park Service, the American Institute of Architects (AIA), and the Library of Congress, the nation was divided into 39 HABS administrative districts, similar to the district organization of the AIA. HABS district officer, Seymour Williams, a Rahway architect, headed the New Jersey effort. Under him, state supervisor Herbert N. Moffett was a Camden architect who checked each set of drawings before Williams signed them. Working out of offices in Newark and Camden respectively, they gave New Jersey's HABS operation both a north-Jersey and a south-Jersey base. Their highly effective operation was a model for other states. When the National Park Service published a HABS catalog in 1941, New Jersey led all other states in the number of properties recorded. It was probably the first time that New Jersey had ever led by example in preservation matters nationally.

World War II and the Postwar Years

Progress made in the 1930s came crashing to a halt with World War II. HABS was suspended, NHL designations were ended for the duration, and the New Jersey Historic Sites Commission limped along, unable even to place any additional markers because the aluminum they required was a strategic material. The Commission was abolished in July 1945, its functions taken over by a small staff that would be called the "Historic Sites Section," within the new Division of Parks, Forests, Wildlife, and Historic Sites, in the New Jersey Department of Conservation and Economic Development (now

the Division of Parks and Forestry in the Department of Environmental Protection).

After the war, it became very difficult to regain momentum. The return to a peacetime economy, the opening of the Cold War, and the start of the “baby boom” drove the nation’s agenda and captured the public purse. America discovered that although the automobile had come of age, we nonetheless inherited from before the war what was still largely a railroad landscape. These conflicting geographies led to the greatest deliberate makeover ever undertaken in the U.S. Public housing, “urban renewal,” the subsidized development of suburbs, interstate highways, airport expansion, and reservoir construction all seemed to be targeting the historic, not merely the old. There seemed to be no end to the destruction that planners could bring. Every corner of New Jersey was affected. The Great Swamp was proposed for a jetport, and the Pine Barrens was suggested for both a jetport and a new large city. Forty miles of the beautiful Kittatinny Valley above the Delaware Water Gap was to be sacrificed to create a flood control reservoir behind a Tocks Island Dam. Public housing that the Federal government paid for was cheap, unappealing, and never seemed to create real neighborhoods to replace ones torn away. Farms were disappearing throughout the State. So much of the built environment was under assault from so many directions at the same time, that new responses were called for and a new consensus of what should be preserved was needed.

Interstate Highways

With the enactment of the Interstate Highway program in 1956, some of these concerns became exemplified in New Jersey. Morristown was one of the earliest places affected by the new highways, where fears arose over whether the Ford Mansion or other parts of Morristown National Historical Park would be jeopardized by the alignment of what would become I-287. In response, New Jersey congressman Frank Thompson introduced a bill in 1957 that would have required the permission of the Secretary of the Interior before any property could be taken



Ford Mansion, Morristown, as recorded by HABS in 1936.

for a Federal highway from a historic site designated under the 1935 Historic Sites Act. In statements that Thompson made announcing the bill, he said that his goal was to ensure that the Interstate Highway Program did not “adversely affect” what he called “the national policy of preservation of historic sites.” Even though his bill did not become law (and has received no attention from historians of the preservation movement), it contained within it echoes of the concepts that would be at the heart of the major preservation laws of a decade later.

New Jersey’s “Historic Sites Evaluation”

New Jersey’s next major response to its growing preservation needs came in 1959, when planning for New Jersey’s 1964 tercentenary commemoration 1964 had begun. The Department of Conservation and Economic Development appointed a six-member committee, headed by Dr. Richard McCormick of the Rutgers History Department, to “evaluate the State’s historic sites with an eye to their preservation and care.” William H. Cole, a retired professor at Rutgers, “was hired to prepare a detailed inventory of every historic location in New Jersey.” Work began in earnest in late 1959 and the earliest survey forms were submitted in 1960. The results were organized by county and eventually were housed in a series of green looseleaf binders in the Historic Sites

Section. (Although these records have since been transferred to the State Archives, they meanwhile became the initial basis of what the Historic Preservation Office still unofficially calls its “green binder” surveys.) This evaluation project, which lasted for about three years, helped influence the adoption of a state law in 1962 (only recently amended) that provided tax exemption for “certified” historic properties owned by tax-exempt organizations. It also influenced the blue “Tercentenary” series of new historical markers for which the Historic Sites Section had developed a prototype in 1961. Most of these markers were placed during the latter part of 1963 and the first months of 1964, including replacements for most of the cast 1930s plaques.

Passing the National Historic Preservation Act

New Jersey’s most important contribution to historic preservation in the ‘60s may have been the unnoticed work of one of its Congressmen. William B. Widnall was a Bergen County Republican from New Jersey’s 7th Congressional District, first elected to the House of Representatives in 1950. By the middle 1960s he had risen to become the ranking minority member on the House Banking Committee. His legislative interests included public housing, and in 1964 he joined with Alabama Congressman (and Housing Sub-Committee Chairman) Albert Rains to move the Urban Mass Transportation Act bill through the House. (Once again, historic preservation would be fostered by a legislator who also focused on improving transportation.). He joined with Rains again all through 1965 on what became known as the Rains committee, to study the historic preservation needs across the country and to propose new Federal laws. The committee was backed by Lady Bird Johnson, who made historic preservation part of her campaign for national beautification, which was gathering momentum in early 1965. In January 1965, the *Newark Star-Ledger* ran a week-long special report on New Jersey’s historic preservation woes and what could be done about them. It urged the passage of state laws and local ordinances to protect historic properties and the establishment of trusts to buy, rehabilitate, and resell buildings.

A year later, the Rains committee issued the

study *With Heritage So Rich* that prompted the Congress to pass the National Historic Preservation Act. What would become a single piece of legislation started out as two separate bills, one to create the National Register of Historic Places, the other to establish an Advisory Council, and Widnall was the chief House sponsor of both measures. Senator Edmund Muskie of Maine (also of the Rains Committee) was his Senate counterpart. In March 1966 both men introduced these identical bills in their respective chambers. In May the *Newark Evening News* reported on the prospects of “the Widnall-Muskie legislative package.” “The feeling here,” the paper noted, “is that the creation of a National Register is possible in this session of Congress....” In June, the Senate Interior Committee held hearings on the proposed bills and combined their major features into one bill, S.3035. The full Senate passed S.3035 on July 11th.

Further consideration in the House then shifted to the Senate-passed bill. A hearing was held in the House Subcommittee on National Parks and Recreation, which amended the bill to strengthen the Section 106 provisions. Once the full Interior Committee reported the bill, it moved on to the House Rules Committee. Then after a month during which it appeared that the House might not act, committee chairman Howard W. Smith finally allowed a floor vote on the bill in early October, when it passed the House. The Senate then agreed to the House amendments, and on October 15th, 1966 President Johnson signed the measure, Public Law 89-665. That law has now lived on for more than forty years, but Widnall’s role in its passage – and thus New Jersey’s – was quickly forgotten. But New Jersey would quickly respond with a law of its own in less than a year’s time, and the two bodies created by it have reached their own 40th anniversary year.

by Robert W. Craig, a Principal Historic Preservation Specialist with the Historic Preservation Office.

Policy and Historic Preservation: A Preliminary Research Agenda

Research, especially social science research, has been largely missing from policy debates in preservation. The preservation field needs to embrace a more rigorous, coordinated and empirically grounded research agenda. This article describes categories of potential research questions, discusses sources of data and information to begin to answer these questions, and highlights ideas and methodologies used in other fields from which the preservation movement can draw inspiration.

Regarding research questions, there are four distinct areas of inquiry that may be pursued:

1. What is the condition of our heritage in the United States? How many historic properties and artifacts there are? Who owns them? Where they are located, and what is their condition?
2. What is the impact of preservation on communities? What is the relationship between preservation, tourism, and economic impact? Are historic districts more diverse and more stable than other neighborhoods? What is the social, cultural and economic impact of National Heritage Areas? What is the relationship between “preservation” and “smart growth” or affordable housing in cities and towns?
3. We must evaluate the tools and policies of preservation. Does the historic property tax credit work? How effective is the historic registry program? What are the effects of certain regulation or legislation?

4. We lack information about the preservation field itself – its institutions, organizations, policy frameworks, as well as public attitudes and perceptions about preservation and the character and evolution of the preservation movement.

Abundance of Data

Federal and state agencies are entering an unprecedented amount of information about roads, rivers, buildings, parks, open space, pollution emission, and, in some cases, historic structures, into comprehensive data bases, where each piece of information has a precise geographic identifier. The Geographical Information System (GIS) will be an increasingly powerful tool for sophisticated analysis, including spatial mapping of historic resources. Preservation advocates should make it a priority to ensure that historic properties are an integral part of every government sponsored GIS database.

Another possible source of data that is currently available and relatively easy to access and analyze is Census data. In particular, researchers should cross-reference Census information – demographics, housing, commerce, economic growth – with information about historic districts. Such an exercise would begin to paint a picture of the social and economic conditions that characterize such districts.

A wealth of data is collected by government agencies. The National Park Service, Army Corps of Engineers, General Service Administration, and Department of Transportation collect information

about their historic properties. Data at the Environmental Protection Agency could be mined to examine the link between preservation and brown field sites. The Treasury Department collects information on the use of historic tax credits. Lastly, scholars could track preservation trends over time by examining national and local registries and the databases of grant-making agencies to better understand preservation funding over the last few decades.

Studies of Social Movements

There is a long line of research, mainly in sociology, that examines social movements, defined as citizen-based, collective efforts to influence policy and public opinion. We might explore in what ways the preservation movement is similar to and different from other types of movements that have been studied by social scientists, i.e. the environmental movement. Such an approach to preservation might help us better understand:

- > Why do individuals choose to join the preservation movement?
- > What motivates preservation activists?
- > How do recruitment networks operate in the preservation community?
- > How has the demographic profile of the preservation activist changed? (Are activists getting older or younger?)

Equally important, a social movement perspective would ask, "How do preservation battles get framed by the media, and how do such depictions influence the course of events?" How do participants, including the media, balance competing democratic notions – private property rights on the one hand and civic responsibility on the other? How do these depictions influence citizens in some communities to share a preservation ethic when citizens in other locales don't?

Urban and Community Research Areas

There are few urban power brokers – either large government agencies or powerful private interests – who have a strong interest in protecting

and preserving historic structures. In fact, economic development agencies, port authorities and real estate developers, for the most part, see preservation as a barrier to progress. How then can preservationists achieve success in direct opposition to this "growth machine"?

- > What coalitions must be organized if preservationists are to gain influence?
- > When preservationists form alliances, how are the goals of preservation movements compromised?
- > What kinds of pressures lead local governments to support preservation fights?

Social scientists have studied the effects of growing up in certain communities have on a child's health and life chances. We can study the "neighborhood effects" of growing up in a neighborhood that is rich in historic or cultural resources. How do the attitudes and behaviors of people who grow up surrounded by history, in an environment with a strong preservation ethic, differ from those who do not?

A relatively new and interdisciplinary field known as environmental psychology seeks to understand people's relationship with the environment, such as their affinity for environmental causes and their cognitive orientation to their natural surroundings. Perhaps these approaches might be used to understand better how citizens perceive and relate to preservation issues.

The preservation field is wide open for new research, new methodologies and new analysis. There is existing data that can be mined, and existing models and theoretical approaches that can be adopted to better understand and advance preservation in this country, if we are up to the challenge.

by Steven J. Tepper (Remarks prepared for the Social Theory, Politics and the Arts Conference Charleston, S.C., October 2002; edited for publication March 2007)

THE PAST 40 YEARS OF HISTORIC PRESERVATION BY THE STATE OF NEW JERSEY

Continued from page 3

were somewhat different. Although there were nominations of individual properties, nominations also were prepared for four districts. This alteration was part of a growing trend in historic preservation. In 1969, "resource advisers" to the HSC had suggested that large areas, as well as individual sites, should be considered for preservation. And, by 1970, New Jersey had received a nomination for a large part of the City of Cape May, which had been inventoried with funds from other Federal programs. Further impetus to identifying districts followed the Historic Preservation Tax Act of 1976, which provided a generous credit for rehabilitation of buildings that contributed to listed districts.

The late 1970s witnessed rapid growth in historic preservation. During this period, although all State preservation responsibilities remained in DEP, most were removed from Parks, Forests, and Recreation and divided in two. An Office of Historic Preservation was created; its primary responsibilities were to carry out the State and National Register process, provide matching grants for surveys, and review Tax Act projects. Regulatory functions, dealing with encroachments under either the Federal or State laws, were housed in the Office of Environmental Review. In about 1980, the two were united as the Office of Cultural and Environmental Service, then in 1983 were renamed the Office of New Jersey Heritage. In 1992, this was renamed the Historic Preservation Office. Ironically HSS's original function, management of state-owned historic sites, was separated from the Historic

Preservation Office, remaining with the Bureau of Parks.

After passage of the law establishing the New Jersey Register, the HSC's function became, as it continues to be, that of a body providing advice to the DEP Commissioner on difficult cases of proposed encroachment on sites listed on the State Register. Gradually its composition came to be close to that of the State Review Board, with members representing professional expertise in architecture, history, architectural history, archaeology, landscape architecture, engineering, planning and preservation law. The members also represent a broad range of the state geographically.

For many years, NJHT did not fulfill the functions for which it had been established - raising money and accepting donations of full or partial interests in property. The result was that NJHT existed only on paper with the members of the HSC serving as its board when necessary. Perhaps recognizing that it was too large a body to be effective, the legislature reconstituted its membership in 1984. It would now consist of eight citizen members, representing various areas of New Jersey, and the Commissioner of the Department of Environmental Protection, the State Treasurer, and the Executive Director of the New Jersey Historical Commission. The most significant change for NJHT came in the late 1980s, sparked by the 1986 publication in *New Jersey Monthly* of an article entitled "A State of Ruins." This described in graphic terms the dilapidation of the State-owned historic sites after years of low budgets and, consequently, lack of maintenance. With the backing of Assemblywoman Maureen Ogden, funds for historic preservation were included in the 1987 referendum for bonds to fund Green Acres, a popular program through which the State provided funds for the acquisition of open space. The first NJHT grants to sites

owned by State or local government or non-profits were made in 1990.

A 1998 ballot initiative sought to provide stable funding for Green Acres and NJHT, combining then in a newly-created Garden State Preservation Trust. As had been the case in the past, bonding for open space and historic preservation was enthusiastically accepted. In 1998 the NJHT moved from its position "in but not of" DEP to the Department of State. A 2002 executive order moved it to the Department of Community Affairs.

Many people now deal with the State's preservation responsibilities through a combination of the efforts of staff and volunteers. The Historic Preservation Office, which started out with 4 or 5 people in the early 1970s, now employs between 20 full-time staff members, plus interns; NJHT has 6 staff members. And over 30 private citizens continue the 40-year-old practice of donating their time and knowledge to the workings of the State Review Board, NJHT, and the HSC.

by Constance M. Greiff, Heritage Studies and current member of the Historic Sites Council.



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