



**Minutes of the Meeting  
Delaware and Raritan Canal Commission  
January 16, 2019**

TIME: 10:10 a.m.  
DATE: January 16, 2019  
PLACE: DRCC Office, Stockton, New Jersey

**ATTENDING COMMISSIONERS:**

Vice-Chairman John Loos, Commissioner Bruce Stout, Commissioner Mary Leck, Commission Philip Lubitz and Director of the DEP Division of Parks and Forestry Olivia Glenn.

STAFF: Executive Director John Hutchison, Mr. Joseph Ruggeri, Deputy Attorney General Melissa Abatemarco, Ms. Colleen Christie Maloney.

GUESTS: Superintendent Patricia Kalleser; Mr. Michael Sellar, New Jersey Water Supply authority (NJWSA); Mr. Robert von Zumbusch, D&R Canal Commission Advisory Committee; Mrs. Linda Barth and Mr. Robert Barth, D&R Canal Watch; Daniel Paschall, East Coast Greenway Alliance.

Vice-Chairman Loos announced that this was a monthly meeting of the Delaware and Raritan Canal Commission and that the provisions of the "Senator Byron Baer Open Public Meetings Act" (OPMA) had been complied with in the scheduling of the meeting.

**Administrative Items**

Vice-Chairman Loos confirmed the February 20, 2019 Commission meeting date.

Vice-Chairman Loos advised the Commissioners that the Commission would entertain a motion to elect officers for calendar year 2019 at the February meeting.

**Minutes**

Vice-Chairman Loos called for a motion on the December 19, 2018 meeting minutes. Commissioner Lubitz made a motion to approve the minutes and Commissioner Leck seconded the motion. Vice Chairman Loos asked if any Commissioner proposed any corrections or wished to have a discussion on the content of the minutes. Hearing none, he called for a vote. The minutes were approved unanimously.

## **Review Zone Projects**

### **Zone A Projects**

18-5334 10 Wildwood Way Fence (Hopewell)  
18-3507A 30 North Main Street (Lambertville)  
18-3253B Information Kiosk at Port Mercer House Parking Area (Lawrence)

Vice-Chairman Loos asked for comment on the calendared Review Zone A projects. Commissioner Lubitz moved to approve the Zone A projects as recommended by the Commission staff, which motion was seconded by Commissioner Stout. Vice-Chairman asked if there were any comments on the projects, either from the Commission or members of the public. Hearing none, Vice-Chairman Loos called for a vote. The projects were approved unanimously.

### **Zone B Projects**

18-5231 Pennington Business Park -- Proposed Squash Court Facility (Hopewell)  
17-5094 466 and 472 Farm Road (Hillsborough)  
18-5170A Van Dyke Avenue Warehouse (New Brunswick)  
18-5297 38 Brickyard Road Greenhouse (Cranbury)

Vice-Chairman Loos asked for comments on the Review Zone B projects. Commissioner Leck and Mr. Ruggeri discussed the location of the freshwater wetlands depicted on the plans submitted for project DRCC #18-5297 (30 Brickyard Road Greenhouse). Mr. Ruggeri clarified that the wetlands in question were located on the project site but were not being impacted by proposed greenhouse project.

Vice Chairman called for a motion on the projects. Commissioner Lubitz moved to approve the Review Zone B projects as recommended by the Commission staff, which motion was seconded by Commissioner Stout. The projects were approved unanimously.

### **Executive Director's Report**

Director Hutchison reported on the monthly workload, fee collections and significant meetings. Specifically, he noted that staff had encountered success in collecting between \$10,000 to \$12,000 in fees related to uncashed checks that needed revision and reissuance due to engineering review.

The Director noted that approximately 30 file boxes containing the records compiled by former-Director Amon had been reduced down to 13-15 boxes by sorting and scanning. Ten boxes of NJWSA projects undertaken in the park dating to the 1980s remain to be sorted and boxed according to DARM standards.

The Director noted that Bryan Electric of Trenton had installed a new dedicated circuit and a quad receptacle from available spaces in panel to the computer closet for computer equipment and installed a new 20-amp circuit breaker. He anticipated that DEP/OIRM would reconnect the computers and install battery backup power system so that the Commission's computers can remain operating for a short interval if the power to the office is cut.

Director Hutchison noted that interior building repairs at the Commission offices were proceeding. Mr. White of the DEP Office of Natural Resource Restoration (ONRR) reported that the estimates for the exterior repair work to the Commission office should be completed shortly, at which time he would inform the Commission on the project status.

The Director reported that Easter Seals of New Jersey had picked up 523 sheets of the civil engineering/architectural plans from older projects that were piled on top of the file cabinets.

The Director reported that he had been in contact with DEP/OIRM and that the Office of Information Technology had finalized the new design standards for State agency websites. OIRM had restarted their internal web meetings and will be mapping out a strategy with their developer and devising a DEP final design, which would include a new design for the Commission website. This process would include moving the site to WordPress, which is a popular website management system. Barring any setbacks, they hope the new system would go live in July of 2019.

In response to a query from Commissioner Stout, the Director provided further information on the status of compensation for the engineering staff. Director Hutchison noted that he had scheduled a meeting with the Executive Director of the New Jersey Building Authority, an organization with a similar statutory organization and staffing arrangement to the Commission. Director Hutchison stated that he would have more information at the February meeting, and could possibly propose a path forward at that time to provide the engineers with the rate of pay directed by the Commission.

#### **Park Superintendent's Report**

Superintendent Kalleser reported on dumping incidents within the park at Duck Island and Scudder Falls. She reported on the Lower Delaware River Wild & Scenic River 2019 Mini Grant application processed by the DEP Division of Parks and Forestry, which would help provide signage to inform the public about high-water conditions on the Delaware River. The Superintendent also reported on a meeting with the Frenchtown Environmental Committee and an encroachment within the Frenchtown Preserve. The Superintendent reported on a meeting planned with DEP/ONRR regarding proposed revisions that were being contemplated to the design of the Moore's Creek swing bridge in an effort to reduce the costs associated with the project.

#### **New Jersey Water Supply Authority (NJWSA) Report**

Mr. Sellar reported that 7,000 tons of dried dredged material taken from the Delaware and Raritan Canal in the maintenance dredging project had been trucked from the dewatering site. He reported that NJWSA was proceeding with permitting and cultural resource reports related to proposed repairs at Landing Lane and the Raritan River embankment sites. Mr. Sellar reported that the Six Mile Run waste gate rehabilitation/temporary repair would begin within the week, and the NJWSA is proceeding with finalizing selection of an engineer for the permanent repair. Mr. Sellar and Vice-Chairman Loos discussed the status of the Cedar Grove Brook Watershed project, a water quality project to reduce sediment entering the canal.

In response to Superintendent Kalleser's update on the repair of the failed septic system at the Port Mercer Canal House using mitigation monies directed from the Commission, as well as contributions from the NJWSA and the Lawrence Historical Society, Mrs. Barth inquired why sanitary sewage was being discharged to the Delaware and Raritan Canal. Mr. Sellar responded that as a drinking water source, there were no permitted discharges of sanitary sewage into the Delaware and Raritan Canal.

#### **Old Business**

None.

### **New Business**

Vice-Chairman Loos discussed updating the Master Plan and Development Plan, including assessing costs associated with such a project, and petitioning legislators to fund the project. The Commissioners discussed the Commission's charge to periodically update the Master Plan and possible funding sources for updating the plan.

Vice-Chairman Loos directed the Executive Director to speak with the Administrator of the DEP Green Acres program regarding the potential costs associated with an update of the 1989 Delaware and Raritan Canal State Park Master Plan. Director Glenn noted that planning activities and funds related to the upcoming Sesquicentennial of the American Revolution could provide an opportunity to optimize resources and incorporate planning updates for the Master Plan.

There was a discussion among Commissioners regarding the desirability and timing of obtaining Master Plan monies from the State Legislature as part of the annual appropriations act process. Director Glenn also noted that the two metropolitan planning agencies that direct transportation planning in New Jersey, the North Jersey Transportation Planning Authority, and the Delaware Valley Regional Planning Commission, respectively, could also play a positive role in obtaining Master Plan update monies.

The Commissioners engaged in a discussion on which members of the Legislature would be supportive of the initiatives to improve the conditions of the Delaware and Raritan Canal State Park and support the activities of the Commission. Commissioners noted that Senator Bob Smith represented Franklin Township, Millstone Borough, and other canal communities in Legislative District 17. Senator Smith is also the Chairman of the Senate Environment and Energy Committee, which has jurisdiction over both the DEP and the Commission.

Director Hutchison noted that Senator Christopher "Kip" Bateman of Legislative District 16 also represents a number of canal communities, and that his father, former-Senate President Raymond Bateman, was an original sponsor of the "Delaware and Raritan Canal State Park Law of 1974." Commissioners also noted that former-Governor Richard Codey, who presently serves on the Senate Environment and Energy Committee was a Prime-sponsor of legislation enacted in 1998 to acknowledge the contributions and sacrifices of the Irish immigrant laborers who played an integral role in the construction of the Delaware and Raritan Canal.

Vice Chairman Loos called for a motion. Commissioner Stout moved to direct the Executive Director to explore funding sources to retain a consultant to update the 1989 Master Plan, including engaging members of the Legislature in a dialogue on behalf of the Commission. Commissioner Leck seconded the motion. Vice-Chairman Loos asked for comment, and hearing none, called for a vote. The motion was approved unanimously.

### **Public Forum**

Mrs. Barth expressed her interest in a celebration of the 185<sup>th</sup> year of the Delaware and Raritan Canal. She also stated that Somerset County was developing a master plan, perhaps the first in the nation, to include historic sites, open space, and farming.

Mr. Barth noted activities of Canal Watch, including a cleanup in South Bound Brook on Saturday, and

the January 27<sup>th</sup> two-canal walk in Lambertville and New Hope.

Mr. Barth noted his concern about the remaining four swing bridges over the Delaware and Raritan Canal, and the value of ensuring their preservation. Commissioner Stout stated he strongly advocates preserving the bridges, or at least the swing mechanisms. He encouraged the Commission to adamantly make clear the importance of the bridges, preemptively, before application is made by DOT for their repair or replacement.

Director Glenn inquired whether the bridges under discussion are on the State and National Registers of Historic Places. Director Hutchison confirmed that according to DEP/SHPO all structures within the boundaries of the Delaware and Raritan Canal Historic District were incorporated into the district designation by reference. Vice-Chairman Loos called for a motion. Commissioner Stout moved that the Commission, in recognition of the vital historic value represented by the remaining four canal swing bridges, urges that wherever possible, the canal swing bridges be maintained in their historical state, and, where preservation is not possible, that the bridges or the swing mechanisms be displayed to the public in such a way as to preserve the historic value. Commissioner Leck seconded the motion. Vice-Chairman Loos called for further comment, and for a vote. The motion was approved unanimously.

#### **Executive Session**

At 11:20 a.m., Vice-Chairman Loos noted the commission would need to enter executive session for the purpose of discussing personnel matters. Commissioner Stout moved to approve entering executive session for such purpose, and Commissioner Leck seconded the motion. The motion was approved unanimously.

#### **Public Session**

The Commission returned to public session at 11:40 a.m.

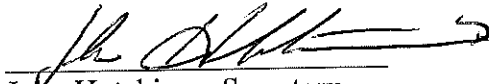
Vice Chairman Loos reported that the Commission discussed personnel matters, including annual PAR reviews and pay raises. Director Glenn reported on newly approved positions at the DEP, including park police, and a maintenance worker, the potential for an additional superintendent position, and the positive impact of those hires on the park and in succession planning.

#### **Adjournment**

There being no other business, Vice-Chairman Loos entertained a motion to adjourn. Commissioner Lubitz moved to adjourn, which motion was seconded by Commissioner Stout. The motion was approved unanimously.

The meeting adjourned at 11:45 a.m.

Respectfully submitted,

  
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John Hutchison, Secretary