



**Minutes of the Meeting  
Delaware and Raritan Canal Commission  
February 21, 2018**

Time: 10 A.M.

Date: February 21, 2018

Place: Prallsville Mills, Stockton, New Jersey

**Attending Commissioners**

Vice Chairman John Loos, Commissioner Julia Allen, Commissioner Bruce Stout, Commissioner Mary Leck, Commissioner Phil Lubitz, and Director Mark Texel by telephone

**Staff**

Executive Director John Hutchison, Mr. Joseph Ruggeri, DAG Melissa Abatemarco, Ms. Colleen Christie Maloney, Ms. Tammy Rohmsdahl

**Guests**

Mr. Mike Sellar, NJWSA; Mr. Robert Barth, D&R Canal Watch; Mr. Robert von Zumbusch, D&R Canal Commission Advisory Committee; Mr. Chris Tarr, Stevens and Lee; Mr. Tom O'Shea, Van Note-Harvey; Mr. David Pasiecznyk; Mr. Jeff Kovach and Mr. Craig Kunz, Ransom Environmental; Mr. Sid Mody, Karma Holdings; Mr. Brett Skapinetz, Dynamic Engineering

Vice Chairman Loos announced that this was a regularly scheduled meeting of the D&R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met in the scheduling of the meeting.

**Administrative Items**

The Commission confirmed the March 21, 2018 Commission meeting date.

**Election of 2018 Officers**

Vice Chairman Loos asked for nominations for the Vice Chairman position. Commissioner Lubitz moved to nominate Vice Chairman Loos. Commissioner Leck seconded the motion. The vice chairman called for a vote. Commissioners Leck, Lubitz, Stout, and Allen and Director Texel voted to approve the motion. Vice Chairman Loos abstained. The motion was approved.

Vice Chairman asked for nominations for Treasurer. Commissioner Stout moved that Commissioner Lubitz be nominated. Commissioner Leck seconded the motion. The vice chairman called for a vote. The motion was approved unanimously.

**Minutes of the January 17, 2018 Meeting**

Vice Chairman Loos called for a motion on the January 17, 2018 meeting minutes. Commissioner Stout motioned to approve the minutes and Commissioner Lubitz seconded the motion. Vice Chairman Loos asked for corrections on the minutes. Hearing none, he called for a vote. Vice Chairman Loos and Commissioners Allen, Stout, Leck, and Lubitz voted to approve the minutes. Director Texel abstained. The motion was approved.

**Minutes of the February 14, 2018 Special Meeting**

Vice Chairman Loos called for a motion on the February 14, 2018 Special Meeting minutes. Commissioner Stout made a motion to approve the minutes and Commissioner Allen seconded the motion. Vice Chairman Loos asked for any corrections on the minutes. Hearing none, he called for a vote. Vice Chairman Loos, Director Texel and Commissioners Allen, Stout, and Leck voted to approve the minutes. Commissioner Lubitz abstained. The motion was approved.

**Review Zone Actions**

**Zone A Projects**

None

**Zone B Projects**

- 17-3378C Stults Road Facility Parking Expansion (So. Bruns.)
- 16-4950 4071 US Route 1 Retail (So. Bruns.)
- 13-2448B Wilf Campus Office Building Modification (Franklin)
- 17-4218D Trumpf Photonics Parking Addition (So. Bruns.)
- 17-5120 Cenlar Federal Savings Bank Parking Lot Expansion (Ewing)
- 17-4423B Davanne Realty Warehouse (Franklin)
- 17-5001 NCH Corp, Mohawk Laboratories Facility (South Brunswick)
- 17-3791G Mod: Institute for Advanced Study Outfall Relocation (Princeton)
- 17-2789N TCNJ Landscape & Hardscape Improvements Brower Student Center (Ewing)

Vice Chairman Loos asked if the commissioners had any questions or comments on the Zone B projects.

Commissioner Leck expressed concern that a project such as 16-4950 4071 US Route 1 Retail involved constructing a building when empty spaces are not occupied in existing properties in the surrounding area. Commissioner Stout noted that the commission did not have jurisdiction in such an area of concern.

Commissioner Leck and Mr. Kovach discussed the 17-5001 NCH Corp Mohawk Labs project. They discussed the heating technology, including effectiveness, process, restoration of organic materials, planting and evaluation of the outcome of the process.

Vice Chairman Loos asked for comment from the public on the Zone B projects. Mr. Barth and Mr. Tarr discussed artifact study at the site of the 17-3791F Mod: Institute for Advanced Study

Outfall Relocation. Commissioner Leck, Mr. Tarr, and Mr. O'Shea discussed the location of the scour hole.

Vice Chairman Loos asked for further comment and, hearing none, he called for a vote on all Zone B projects with the exception of the TCNJ project, from which Commissioner Stout would recuse himself. Commissioner Lubitz moved to approve the projects, with the exception of the TCNJ project, and Commissioner Allen seconded the motion. The projects were approved unanimously.

Vice Chairman Loos called for a motion on 17-2789N TCNJ Landscape & Hardscape Improvements Brower Student Center. Commissioner Lubitz moved to approve the project and Commissioner Leck seconded the motion. Commissioner Stout recused. The motion was approved.

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

Director Hutchison commented on the month's work load and fees. He reported he attended a quarterly budget meeting at the DEP, a meeting at Rutgers related to a proposed pedestrian bridge over the Raritan River, a meeting to discuss mitigation related the NJ Transit County Yard project, and a DEP meeting related to the PennEast pipeline. The director reported research he had done regarding a commission vehicle and that he was working, as requested by the commission, to get information from Park Police to on fatality occurrences in the park.

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

Mr. Sellar reported on the DOT's work at the "tubes" in Trenton between Southard and Mulberry streets, where the canal is channeled under Route 1. He gave the following rough schedule for the dredging project in the Kingston area of the canal: Tree trimming window for dredging machine and access areas March 14<sup>th</sup> to March 31<sup>st</sup>; dewatering site work window starts the end of May begin April; dredging window begins July 1 to October 31; and Route 202 excavation August 1<sup>st</sup> to Dec 14<sup>th</sup>. Mr. Sellar reported that the Griggstown waste gate project would be bid soon.

### **Old/New Business**

- a. Adoption of Commission Bylaws: Vice Chairman Loos noted that this item would be tabled until another meeting.
- b. Bulls Island: There was brief discussion of creating a process and plan which would result in DEP reopening Bulls Island next year. Vice Chairman Loos requested that the matter be discussed at the next monthly meeting.
- c. Sentinel Events within the Park: Executive Director Hutchison noted he was seeking information from the Park Police.

Commissioner Stout asked for an update on the tree cutting along the park path. Director Texel noted that the tree cutting is part of the Emerald Ash Borer project. Director Texel agreed to schedule a report on the project by the State Forest Service at the March 21<sup>st</sup> meeting.

Commissioner Stout and Director Texel discussed the Stavallo property on Route 29 in West

Amwell, which was the subject of a recent auction by DEP.

**Public Forum**

Mr. Barth reported on a hike which Canal Watch would host on Saturday from the Holcombe Jimson Farm to Bulls Island. He discussed his interest in planning to get the DEP to open Bulls Island to the public, creating a celebration in 2019 related to the opening of the canal. Mr. Barth and Mr. von Zumbusch also expressed their desire that the commission undertake a comprehensive revision of the Delaware and Raritan Canal State Park Master Plan, which has not been updated since 1989.


Mr. David Pasicznyk, a resident of Stockton, spoke seeking support from the commission for an effort on the part of residents to implement an historic district in that municipality. Mr. von Zumbusch stated that the town may want to start with a historic ordinance, and pointed out that Stockton is within the Delaware River Scenic Byway. Vice Chairman Loos instructed Director Hutchison to examine the regulatory and legal issues arising from the matter and report back to the commission.

**Adjournment**

Vice Chairman Loos called for a motion to adjourn. Commissioner Lubitz made a motion to adjourn and Commissioner Stout seconded the motion. It was approved unanimously.

The meeting adjourned at 10:55 a.m.

Respectfully submitted,

  
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John Hutchison, Secretary