

DELAWARE AND RARITAN CANAL COMMISSION
25 Calhoun Street
Trenton, NJ 08618

MINUTES OF SPECIAL MEETING

DATE: August 11, 1975

TIME: 4:00 - 6:15 p.m.

LOCATION: Red Room, Labor & Industry Building, Trenton, N.J.

ATTENDING:

COMMISSION-- Mr. David Bardin, Mrs. Lee Bullitt, Mr. Joseph Burns,
Mr. Arthur Holland, Mr. Martin Jessen, Mr. Donald B. Jones,
Mr. Benjamin Kirkland, Mr. James Sayen

DEP-- Mr. Ian Walker

ATTORNEY GENERAL--Jonathan Weiner, Esq.

ABSENT W/CAUSE-- Mr. Frank Torpey

The meeting was called to order by Chairman Kirkland who explained that the purpose of the meeting was (a) to decide upon the manner and source of payment of the person chosen as executive director, and (b) to determine whether to re-offer that position to Herbert Simmens.

Mr. Weiner explained that the Commission has alternative means of hiring and paying its executive director. One is to hire the director as an employee of DEP. This method would provide normal fringe benefits and the Commission's account would be charged only for the agreed salary. However, a form BB10 must be filed and approved by the Budget Bureau & Civil Service and the agreed salary might be altered in the course of approval.

The second method open to the Commission is to hire the executive director directly and pay the salary out of the budgeted amount allotted to the Commission. In this case, the Commission would be responsible for paying from its budget the fringe benefits it bargained to provide the director.

In the case of Mr. Simmens, a BB10 had been submitted for \$23,000.00 but that sum had been substantially reduced by the reviewing authorities.

After further discussion, Mr. Jessen proposed the following resolution:

It is the intent of the Commission to pay the salary of its executive director, plus any fringe benefits it might bargain to provide, directly from its own allotted budget. Therefore, the BB10 previously filed on behalf of Herbert Simmens should be withdrawn.

This proposed resolution was seconded by Mr. Sayen and unanimously approved.

Mr. Weiner then advised the members that in view of all the circumstances, they were at liberty to re-offer the position to Mr. Simmens on the same or different terms than as previously offered, or they could eliminate him as a candidate and offer the job to some other candidate.

After considerable discussion, a motion was made by Mr. Jones that the position should not be re-offered to Mr. Simmens and that the Commissioners should again interview the two other top candidates, Caputo and Amon. This motion was seconded by Mr. Jessen and carried by the votes of all members present except Mrs. Bullitt who voted against the motion and Commissioner Bardin who abstained from voting.

Two of the members stated they would not be able to attend the regular meeting scheduled for August 21st, so Chairman Kirkland scheduled a special meeting (in addition to the regular meeting of the 21st) to be held August 28 at 12:30 p.m. to discuss the selection of an executive director.