



MINUTES OF THE MEETING

DATE: 17 June 1976
TIME: 12:30 p.m. - 4:30 p.m.
LOCATION: Canal House, 25 Calhoun Street, Trenton, N. J.
ATTENDING:
COMMISSION: Mayor Arthur Holland, Frank Torpey, Ms. Lee Bullitt, Mr. Joseph Burns, Mr. Donald Jones, Mr. Martin Jessen, Mr. James Sayen.
COMMISSION STAFF: Mr. James C. Amon, Mrs. Nancy J. Di Salvi.
DEP: Mr. Alfred T. Guido, Mr. Michael J. Galley, Mr. Melvin Myers.
DAG: Thomas Weidner, Esquire.
ABSENT: Mr. Benjamin Kirkland, Mr. Ian Walker.
GUESTS: Mrs. Dorothy Bayless, Chairwoman, Lawrence Township Environmental Commission; Mr. Robert Simpson and Mr. Dennis Whigham, Rider College Biology Department; Assistant Commissioner Betty Wilson and First Deputy Commissioner Rocco Ricci.

Vice-Chairman, Martin D. Jessen, stated that the requirements of the Public Meeting Law had been properly met for the Commission meeting of 17 June 1976.

Minutes of 20 May 1976 Meeting

It was moved by Mr. Sayen, and seconded by Ms. Bullitt, to accept the minutes of 20 May 1976 meeting as transcribed. All Commissioners present and voting concurred.

COMMISSIONERS

Benjamin B. Kirkland <i>Chairman</i>	Martin D. Jessen <i>Vice-Chairman</i>	Donald B. Jones <i>Treasurer</i>	David J. Bardin Lee Bullitt	Joseph H. Burns Arthur J. Holland	James C. Sayen Frank J. Torpey
James C. Amon <i>Executive Director</i>					

Maintenance of the Canal Park

Mr. Alfred T. Guido, Acting Director of the Division of Parks & Forestry, in his report on the maintenance plans for the Canal Park stated that as of 1 July 1976 the Maintenance and operation of the Canal Park officially will become a separate entity known as the Delaware & Raritan Canal State Park, lands which will include Bull's Island Recreation Area.

Mr. Guido stated that Parks has landscape materials available to us for the landscaping of the Canal House yard and the maintenance of the driveway with fill, gravel, etc. Mr. Donald Jones made a motion approving the landscaping of the Canal House yard leaving room for a driveway, which was seconded by Mr. Sayen. The motion was passed with no dissenting votes.

Miscellaneous Business

Mr. Guido introduced two guests to the Commission, Assistant Commissioner Betty Wilson, and First Deputy Commissioner Rocco Ricci. Mr. Ricci stated that there will be a representative from the Commissioner's office at future meetings. He also stated that Mrs. Wilson may assume Mr. Ian Walker's position in his absence which may be as long as two to three months.

Mrs. Dorothy Bayless, Chairwoman for the Lawrence Township Environmental Commission, was present at the meeting. She stated that she was concerned over a 70-acre tract of land, which borders the canal 3,000 feet. The said tract has been designated for an outdoor education program by the Lawrence Township. She would like to have the canal footage posted in the fall with "No Hunting" signs in order to protect the children. Mr. Guido stated that it is Parks' authority and responsibility to establish rules for park use; he said that he would prohibit hunting from the Canal Park.

Route 18 & the Canal Commission's Authority

In answer to the question at hand: What jurisdiction does the Canal Commission have regarding lands between the Landing Lane Bridge and the Raritan River? Mr. Weidner of DAG stated that the draft of the above question was being reviewed by Ted Winard, Assistant Attorney General, and that some ruling will be made within the next week or so.

It was moved by Mr. Sayen, and seconded by Ms. Bullitt, that a Special Meeting will be in order as soon as the above question has been sufficiently answered by the proper authorities so that further direction regarding this matter can be discussed among the Commissioners. The motion was passed with no dissenting votes.

Designation of Official Newspapers

Tom Weidner reported that the ruling in connection with the Sunshine Law stated that newspapers must be notified of special meetings and given at least 48 hours publishing time in advance. It was motioned by Ms. Bullitt and seconded by Mr. Jones that the Trenton Evening Times (Mercer County), The Courier News (Hunterdon & Somerset Counties), and The New Brunswick Home News (Middlesex County) be designated as the official newspapers which will be notified by the Commission relative to the Sunshine Law and future special meetings. The motion was passed with no dissenting votes.

Permits

Mr. Amon brought up four (4) permits for approval, as follows:

(1) Mr. Mel Myers, of Water Resources, reported on the Stockton Fire Standby which will provide extra water supply for fire emergency use, and stated that the development of the standby will be designed and closely supervised by BWFO. A motion was made by Mayor Holland for the approval of the drawings for the standby pipe as shown at the meeting, and seconded by Mr. Sayen. The motion was approved with no dissenting votes.

(2) Middlesex County Sewer Authority proposed three lines to be constructed under the canal, one at Landing Lane, one downstream from Landing Lane, and one near South Bound Brook. Drawings were shown of same, and it was determined that the construction of all three lines would not disrupt in any way the recreational or water sale use of the canal water. A motion for the approval of all three proposed lines was made by Mayor Holland and seconded by Mr. Torpey. The motion was passed with no dissenting votes.

(3) Stony Brook Regional Sewer Authority: At the time of the meeting neither Parks & Forestry, nor Water Resources had approved Stony Brook's proposals. The Commission agreed to await approval pending approval by Water Resources and by Parks.

(4) West Windsor Subdivision: The proposed plans show the creation of an industrial park consisting of five (5) lots including water retention areas 1,500 feet from the canal. It was stated that the Canal Commission has no authority, however, the proposed plans were sent for the reaction of the Commission. Mr. Sayen moved to correspond with the Township thanking them for their fine cooperation in keeping the Commission informed. A discussion by the Commissioners followed regarding the maintenance of the quality and quantity of industrial run-off into the canal.

Leases

Mr. Amon reported that he, Ms. Bullitt, Mr. Chris Schiller, of Water

Pollution Control, and Mr. Ted Franks of BWFO, had visited Laurie Rubber Compounding Corp. on 15 June 1976 and presented a 9-point list of violations to Mr. Donald Germaine, five of which have already been corrected, two are in the process of being corrected, and the other two will be complied with in the near future.

Mr. Amon recommended that a new lease be drawn up for the rubber company for the site on which the buildings exist, giving Laurie access to the buildings, and for a small parking lot only. It was also recommended by Mr. Amon that a letter to the Laurie Rubber Compounding Corp. be drafted to state that they must provide topsoil to cover the oil-permeated soil and that they will grade the area around the canal in such a way as to reduce the velocity of run-off into the canal. A motion of approval regarding the Special Use Lease, topsoil and grading by Laurie was made by Mr. Burns, and seconded by Ms. Bullitt. The motion was passed with no dissenting votes.

It was also motioned by Mr. Burns and seconded by Ms. Bullitt (and passed with no dissenting votes), that an amendment be passed in connection with the lease to investigate the possibility of having Laurie Rubber repair or replace the bulkhead as part of their lease.

The second lease reported on by Mr. Amon, known as the Cook property, a one and one-half acre tract on the east side of Route 29 near the flea market was approved by the Commission through a motion made by Mayor Holland and seconded by Ms. Bullitt, with no dissenting votes.

Third, Mr. Amon reported that pursuant to the lease which was discussed at last month's meeting, Thomas Loveday has promised to repair the canal embankment and to remove two dilapidated storage sheds. It was moved by Ms. Bullitt, and seconded by Mr. Sayen that the lease be signed by Mr. Amon contingent upon Mr. Loveday's compliance with the above stated violations. The motion was approved with no dissenting votes.

Priority of Acquisition Requests

After the discussion of several individual properties the Commission voted its approval of the 11 June 1976 list as written by Mr. Amon. Mr. Sayen made the motion which was seconded by Mr. Jones, and was approved with no dissenting votes. Mr. Guido stated that since priorities have been established and approved the next step is to make applications for the acquisitions of lands via his Dept.

Preliminary I-295 Environmental Impact Statement (E.I.S.)

Mr. Amon reported on the above DOT proposals, and then introduced two members of the Rider College Biology staff, Robert Simpson and Dennis Whigham, who discussed possible biological impact on the Hamilton Marsh (and Canal Park) area as a result of the DOT proposals.

A series of points were discussed by the Commission in response to the

E.I.S. Mr. Jessen and Mr. Amon will visit DOT to discuss issues mentioned at previous meetings with DOT but not reflected in the present draft of E.I.S.

Mr. Amon will prepare a draft in response to E.I.S. containing the following points:

1. Duck Island route is preferred because its impact on the marshes and on the canal is less harmful.
2. Vehicular access to the Bordentown lock area of the canal should be tied to the I-295 route.
3. Where I-295 crosses the canal the Commission wants bridging high enough and wide enough in order to allow access for the use of the canal and towpath.
4. If Route 129 is constructed over the bed of the abandoned section of the canal in Trenton, the Commission would like to have a trail along that route which could serve as a means of connecting the presently separate sections of the Canal Park.

It was generally agreed that the proposed highways could alter the natural flow of water through the area and that this disruption could have a deleterious impact on the entire eco-system of the canal neighborhood. It was the opinion of the Commission that the eco-system of the adjacent lands should not be disrupted more than absolutely necessary.

In conclusion, it was agreed that Mr. Amon will prepare a draft of the Commission's opinions regarding E.I.S. which will be presented to the Commissioners at the July meeting for their approval. The revised draft of same will then be submitted to DOT.

Development of Review Zone Data

Mr. Amon proposed that he invite planners to the July Commission meeting so that they can present their proposals for a vegetation survey of the Canal Park area. He recommended that the Commission consider hiring someone to do this work so that work on the review zone can go forward.

Canal Day Discussion (Saturday, October 2, 1976)

Mr. Torpey suggested that we become actively involved in the Canal Day plans as co-sponsor of the project. Mr. Amon stated that he and his assistant will set up a meeting with Mr. Bond and Mrs. Davison of the Canal Coalition in order to plan the Commission's role in the Canal Day activities and how we can best work together to make it a success.

The meeting was adjourned at 4:30 p.m.

The next meeting of the Commission is scheduled for 15 July 1976 at 12:30 p.m.