



MINUTES OF THE MEETING ON 1 NOVEMBER 1977

TIME: 12:00 noon - 4:15 p.m.
PLACE: The Canal House, 25 Calhoun Street
Trenton, N.J.
DATE: Tuesday, 1 November 1977

ATTENDING:

COMMISSIONERS: Mr. Kirkland, Mr. Sayen, Mr. Picco, Mr. Burns,
Mr. Jones, Mr. Hamilton

STAFF: Mr. Amon, Mrs. Max

DEP: Mr. Guido, Acting Director, Division of Parks
and Forestry

Mr. Galley and Mr. Myers, Bureau of Water
Facility Operations

Mr. Toth, Division of Fish, Game & Shellfisheries

DAG: Mr. Gray

GUESTS: Mrs. Mary Jane Post, Franklin Township
Two joggers from Princeton

Chairman Kirkland brought the meeting to order and stated that the requirements of the Open Public Meeting Law had been properly met for the meeting of the Delaware and Raritan Canal Commission on 1 November 1977.

It was moved by Mr. Sayen and seconded by Mr. Hamilton to approve the minutes of the 4 October meeting. The motion was carried without dissent.

Old Business

Mr. Amon noted that numerous complimentary letters and telephone calls had been received on the Lawrence Towpath project and congratulated Mr. Galley and the Bureau of Water Facility Operations on their fine work.

EXECUTIVE
DIRECTOR
James C. Amon

COMMISSIONERS

Benjamin B. Kirkland
Chairman

Martin D. Jessen
Vice-Chairman

Donald B. Jones
Treasurer

Rocco D. Ricci
Bruce A. Hamilton

Joseph H. Burns
Arthur J. Holland

James C. Sayen
Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Brendan Byrne, *Governor*

Rocco D. Ricci, *Commissioner*

Old Business (continued)a. Public Bidding:

At the 4 October meeting Mr. Gray was asked to investigate the legal obligation of the Commission regarding the public bidding process for awarding consultant contracts. Formal opinion has not yet been received from the Attorney General's office, but in the meanwhile, Mr. Amon has been told by the Division of Building and Construction that the Commission would not be able to follow the public bidding process unless also on a voucher system. It is feared by Mr. Amon that this could cause serious delay in the mapping project so urgently needed for the review zone. Mr. Picco suggested that as soon as the formal opinion is rendered, Mr. Amon make use of the waiver process with regard to the map project.

b. Griggstown Bridge:

Copies of an article published in the Star Ledger on October 20th were given to each Commissioner. The subject of the article was the reconstruction of the Griggstown Bridge and Freeholder Nevin's views on the Commission's role in connection with the bridge. The article also contained statements by Mr. Kirkland who said at the Commission meeting that he felt he was quoted out of context. After discussing the newspaper article, it was the opinion of the Commissioners that the Commission had been pilloried and that a letter should be drafted by Mr. Amon, signed by Mr. Kirkland and sent to the Director of Freeholders and local newspapers clarifying the position of the Commission.

c. Smith's Mill:

Mr. Gray stated that the lease for Smith's Mill had been redrafted and forwarded to Frank Rigg, Chief, Bureau of Parks.

DRAFTING PROPOSAL

Mr. Amon explained that two sets of municipal maps would be needed in order to implement the review zone regulations. One set of 36 maps would be retained in the Canal House and the other set delivered to the pertinent municipalities. The drafting of the maps will involve complex technical knowledge of soils and stream interpretation. He recommended that in order to save time and money, the Commission employ the same consultants who gathered the information. The two estimated bids presented to the Commission were:

M-S-M Regional Study Council	-	\$10,860.00
Rogers & Golden Inc.	-	\$12,500.00

The difference in the cost is principally due to the fact that Rogers and Golden, Inc. employs professional landscape architects while MSM uses Rutgers University graduate students. It was moved by Mr. Sayen to hire the firm of Rogers and Golden for this project and to insert in the written contract a safeguard clause denoting the upper limits of payments. The motion was seconded by Mr. Jones and carried unanimously.

Mr. Gray observed that a written justification would be needed for the waiver.

Division of Fish and Game Presentation on Hunting and Trapping in the Canal Park

Mr. Kirkland introduced Steve Toth of the Division of Fish and Game and asked for discussion on the topic of hunting and fishing in the Canal Park. The Commissioners questioned Mr. Toth on how the department would control the number of hunters, how it would prosecute violators, and for what length of time the Park would be closed to other recreation. Mr. Toth explained that control would be maintained by registering only a specific number of hunters each week and requiring identifying armbands. Conservation deputies would report violators for prosecution. Small game hunting season extends from November to January. Bow-hunting begins in mid-October.

Mr. Guido advised the Commissioners that they should carefully weigh decision because it can be the basis for future Canal Park policy. Should they agree to hunting in the park, the Department of Fish and Game can allow, at a subsequent date, additional Canal Park areas to be opened to hunting without requesting permission from the Commission. Policy should be set clearly stating whether or not hunting is allowed, and if it is allowed, explicitly noting the particular area. Mr. Guido went on to say that hunting is presently allowed in some State Parks, but is usually for the purpose of game management and not recreation.

Mr. Jones commented that since the park would be closed to non-hunters for a period of two to two and one half months, it would lose its utility as a multiple use area for the greatest number of people. Mr. Sayen agreed with this and added that hunting in such a narrow park would be unsafe.

As the Division of Fish and Game is seriously committed to the program and as a decision is also owed to the hunters, it was agreed to hold an informal public hearing at the Franklin Township Municipal Building during the month of November and to finalize

the decision on hunting at the 4 December Commission meeting. Mr. Kirkland announced that the date of the public hearing is tentatively scheduled for November 22nd at 8:00 p.m. Mr. Sayen requested that before the public hearing takes place, he would like to know the following information: estimated animal population in the area, park acreage involved. Mrs. Post raised the question of liability in the event of an accidental hunting-related injury. Mr. Toth replied that the offending hunter would be liable.

Bureau of Parks Report on Operation and Development of the Canal Park

Mr. Guido gave a brief statement on personnel, equipment, and maintenance costs needed to operate the Canal Park. He explained that a break-through for cosmetic work in the park would be forthcoming under Title II of the CETA program. Mr. Guido plans to employ the Young Adult Conservation Corps for canal work. In addition, he will coordinate the groups working for the municipal CETA programs.

He then presented a series of 7 projects planned for the Canal Park which will cost an estimated total of \$116,000.00, to be financed by the Commission's excess funds. As the Commission has available only \$50,000 - \$70,000 of the necessary funds, the Commissioners will be limited to selecting several projects from among those presented.

The third segment of Mr. Guido's presentation dealt with an estimated 21 Canal Park projects which will be based on a State grant of 3.3 million dollars over a period of 3 years. The Bureau of Parks has requested State funds for a number of parks throughout New Jersey. Only the Liberty Park Project in Jersey City has greater priority than the 3.3 million dollar Canal Park development project.

Mr. Burns stated that the Commissioners would want to review plans beyond the conceptual stage; he asked that Mr. Guido present site plans for the Commissioners to study. Mr. Hamilton agreed, commenting that he especially would like to review site plans for parking lots and vegetation. Mr. Guido said that he will first present concept plans. If these meet with the approval of the Commission, he will shortly thereafter send site plans. Mr. Amon agreed to meet with Mr. Guido and Mr. Kirkland on the presented projects and comment upon them at the December meeting.

Two joggers from Princeton asked that something be done to improve the condition of the towpath for jogging in the Princeton area. They stated that the existing gravel path is perfect for jogging, but that it is being ruined by horseback riders. Mr. Amon suggested a separate equestrian path along the Millstone River, away from the towpath. Mr. Guido promised to look into the matter. Mr. Commissioners congratulated Mr. Guido on his presentation and on the excellent projects planned for the Canal Park.

Historic Survey Proposal

Mr. Amon asked for comments from the Commissioners on the historic program outlined in his memo. He stressed that a great deal of work remains in the areas of revising registration of the canal, making an inventory of landmarks, applying for Federal grants, and working with municipalities to change or implement zoning regulations for preservation purposes. For this reason, either a consultant or a full-time historic preservationist would be needed for the Commission's staff. It was unanimously agreed by the Commissioners that they would prefer to hire a consultant, stipulating in the contract that payment for services would not be contingent on matching funds. At this time, there is no absolute guarantee that matching funds can be obtained. Mr. Sayen moved to instruct the Director to do the appropriate advertising for a consultant, with all speed. The motion was seconded by Mr. Hamilton and carried without dissent. Mr. Kirkland asked that Mr. Amon notify him when a sub-committee would be needed to interview applicants.

Leases and Permits

a. GAF leases

Mr. Amon recommended that the GAF leases be approved with the stipulation that a hedge and railroad ties screen the edge of the property.

It was moved by Mr. Hamilton that the two GAF leases be approved on the condition that the property is improved by railroad ties and a screen of juniper. The motion was seconded by Mr. Jones and carried unanimously.

b. Delicatessen at Washington Crossing

Mr. Amon reported that the owners of the building at Washington Crossing have agreed to plant a hedge near the bank's edge. It has now been determined that this would interfere with the Bureau of Water Facility Operations silting projects. In one year's time, however, when the State will presumably own the railroad right-of-way, Mr. Galley's heavy equipment could come in from the opposite bank. It was, therefore, agreed to delay decision on the enforcement of planting a vegetative screen.

Mr. Galley informed the Commission that there was a severe erosion problem between the towpath embankment and the Raritan River in the vicinity of Route I-287. He recommended repairing the bank with gabions and asked for conceptual approval so that he could proceed with the work this winter. Mr. Picco moved to accept Mr. Galley's recommendation for use of gabions. Mr. Burns seconded the motion which was carried without dissent.

The meeting adjourned at 4:15 p.m.