



MINUTES OF THE MEETING 5 SEPTEMBER 1978

TIME: 12:00 noon - 4:00 p.m.  
 PLACE: The Canal House, 25 Calhoun Street  
 Trenton, New Jersey  
 DATE: Tuesday, 5 September 1978

ATTENDING:

COMMISSIONERS: Mr. Sinclair, Mr. Kirkland, Mr. Jones,  
 Mr. Sayen, Mr. Hamilton, Mr. Torpey

STAFF: Mr. Amon, Mrs. Max  
 DEP: Mr. Myers, Mr. Doremus, Bureau of Water  
 Facility Operations  
 Mr. Schiller, Water Resources  
 Mr. John Kennedy, Asst. Director, Personnel  
 and Manpower

DAG: Ms. Deborah Poritz

GUESTS: Mr. Russell Johnson, Killam Engineering Assoc.  
 Ms. Ruth Linker, Mercer County #208  
 Ms. Dorothy Bayless, Lawrence Township

\* \* \* \* \*

Chairman Kirkland called 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 5 September 1978.

It was moved by Mr. Sayen and seconded by Mr. Jones to accept the minutes of the 1 August meeting as presented. The motion was carried without dissent.

Mr. Kirkland introduced Mr. John Kennedy who addressed the question of percentage of salary increase to be granted to Mr. Amon. Mr. Kennedy stated that the 12% increase (decided upon by the Commissioners at the June meeting) was in direct conflict with the State compensation plan.

EXECUTIVE	COMMISSIONERS					
DIRECTOR	Benjamin B. Kirkland	Martin D. Jessen	Donald B. Jones	Daniel J. O'Hern	Joseph H. Burns	James C. Sayen
James C. Amon	Chairman	Vice-Chairman	Treasurer	Bruce A. Hamilton	Arthur J. Holland	Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Brendan Byrne, Governor Daniel J. O'Hern, Commissioner

Mr. Kirkland said that this may be, however, as a matter of principle and according to the Canal Commission's enabling statute (C12:13A-1 et seq.) the Commission's has the authority to set staff salaries.

Mr. Kennedy explained that a 10% increase could be justified, but that more than 10% would not be, unless there were a significant change in Mr. Amon's duties. He further said that if the Commission's staff members wish to enjoy state employees' fringe benefits, then they also must adhere to compensation guidelines. The Commission would retain the prerogative to hire and fire, but that all staff salaries must remain within state guidelines. Mr. Kennedy suggested that if the Commission so desired it, a new memo should be prepared authorizing a 10% in-grade raise (that is, in addition to the 5 % cost-of-living increase granted to all state employees) for Mr. Amon.

Mr. Hamilton moved to send a memo to Mr. Kennedy authorizing a 10% in-grade raise for Mr. Amon, retroactive to July 1, 1978. The motion was seconded by Mr. Sayen and carried without dissent. It was moved by Mr. Jones and seconded by Mr. Torpey to rescind this motion. The motion was carried unanimously.

It was moved by Mr. Hamilton and seconded by Mr. Sayen to request an opinion from the Attorney General on the section of the Commission statute dealing with hiring and firing and setting of salaries of Commission employees. Mr. Hamilton withdrew his motion and Mr. Sayen withdrew his second to the motion.

It was moved by Mr. Hamilton and seconded by Mr. Jones to send a letter from the Commission to Mr. Ytkin, with a copy to Mr. Kennedy, asking that Mr. Amon be granted a 10% salary increase in addition to the 5% he has already received. Voting in favor of this motion were Commissioners Hamilton, Jones, Sayen, Torpey, and Kirkland. Mr. Sinclair voted against. The motion was carried. Mr. Sinclair explained that he dissented on the basis that Mr. Amon should not receive an increase greater than the 10% granted to all state employees.

It was suggested by Mr. Sinclair that the letter to Mr. Ytkin should give clear justification for the additional 5% raise and should state that when Mr. Amon was first hired he received an inordinately low salary for his position.

Mr. Sinclair also recommended that all future correspondence from the Commission be directed to Commissioner O'Hern as well as to the person who is to take action.

#### Old Business

##### I-295 Bikeway

Mr. Kirkland read a letter from D.O.T. Assistant Commissioner Mullen

which stated that the D.O.T. is reviewing the bikeway plans and will contact the Canal Commission as soon as possible.

Mr. Amon reported that excellent bikeway plans had been prepared by architect Bob Thomas. However, the time originally allotted for this preparation did not prove to be sufficient and that an additional expenditure of approximately \$200.00 was necessary.

It was moved by Mr. Torpey and seconded by Mr. Hamilton to approve the additional expenditure. The motion was carried.

It was agreed by the Commissioners that all future contracts must contain a maximum figure clause and that the Commission and consultants should adhere to this. Mr. Sinclair recommended that all future contacts or letters of agreement be approved by the D.A.G. and that copies be sent to Chairman Kirkland.

#### Letter to Commissioner O'Hern

In response to the letter written to him on June 9th, Commissioner O'Hern has requested a meeting with Mr. Kirkland, Mr. Guido and Mr. Zelikson in order to discuss outstanding problems. Mr. Kirkland said he would like Mr. Amon to be present.

Mr. Sinclair commented that the Commissioner does not foresee a great increase in the budget for Canal Park maintenance in 1978, nor again in 1979. However, there has been a substantial increase planned for water maintenance. Commissioner O'Hern will instead stress citizen volunteer work.

Mr. Hamilton once again offered to instruct citizen group captains in a course on what and how vegetation should be cut and removed.

Mr. Sinclair stated that he will investigate the possibility of securing a blanket liability policy to cover volunteer workers. The Commission will pay for the policy from its budget.

#### Fees Permit Program

Mr. Jones read a report from the Fees Permit Sub-Committee on how the members determined the fees to be charged. Attached to the report were comparison fee schedules from municipalities and CAFRA.

The fees decided upon were:

Minor Projects - \$25.00

Major Residential Projects - \$5.00 per unit with a minimum fee of \$100.00.

Major Non-Residential Projects - \$100.00 plus \$10.00 per acre.

Mr. Jones recommended that these fees be used initially. Time and expense records should be kept carefully and analyzed at a future date. If necessary, the fees could then be revised.

It was moved by Mr. Jones and seconded by Mr. Hamilton to approve the report for the purpose of including it in the Rules and Regulations. The motion was carried without dissent.

#### EXECUTIVE DIRECTOR'S REPORT

Final draft of the regulations will be mailed to the Commissioners before the next meeting. A cover letter will accompany the regulations and will include a schedule for public hearings. It was agreed that public hearings should be held in each affected county and that Mayor Holland be asked if he thought a hearing should be held in the City of Trenton.

Mr. Sinclair said he would like to read the regulations before they go to print and that he will send copies to the Commissioners.

#### Repairs to the Canal House

Mr. Amon stated that the house needs to be repainted and that the porch railing, which is rotting, is in dire need of repairs. Three estimates are being solicited in keeping with D.E.P. regulations. The Commissioners agreed that the bids should be obtained, but that no action should be taken until the matter is discussed further. In any case cost for repairs should not exceed \$2500.00.

#### BWFO REPORT: SIGNS AT LOCKS

Mr. Myers said that the semi-annual inspection showed that signs at the locks (no fishing, etc.) have weathered and need to be replaced. As a safety pre-caution, BWFO would like to add signs reading "No Boating in the Locks".

Mr. Kirkland directed Mr. Amon to work with Mr. Myers toward the goal of keeping the signs in accordance with the Canal Park design vocabulary guide.