



MINUTES OF MEETING 19 JUNE 1979

TIME: 12 noon - 3:50 p.m.
PLACE: The Canal House, 25 Calhoun St.
Trenton, New Jersey
DATE: Tuesday, 19 June 1979

ATTENDING:
COMMISSIONERS: Messrs. Kirkland, Sayen, Jessen, Jones, Hamilton,
and McManus
STAFF: Mr. Amon, Ms. Mahoney
DEP: Mr. Galley, Bureau of Water Facilities Operations
DAG: Mr. Schneider
GUESTS: General Whipple, consultant

Mr. 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 19 June 1979.

It was moved by Mr. Sayen and seconded by Mr. Jones to approve the minutes of the 15 May 1979 meeting. The motion was carried unanimously.

OLD BUSINESS

1. Magnesium Elektron, Inc.

The Delaware River Basin Commission has made an agreement with Magnesium Elektron, Inc. (MEI) allowing them to increase discharge into the Wickecheoke Creek. Gen. Whipple, representing the Commission, attended a public hearing to testify that the sodium chloride and sodium sulphate content is dangerously high for safety.

The hearing officer requested to Gen. Whipple that the Commission submit a more detailed statement.

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

Gen. Whipple presented to the Commission a draft letter to the DRBC stating the Commission's views, which Mr. Kirkland read to the Commission. The letter stated that while the Environmental Protection Agency has determined that there is no "best practicable means" of removing the pollutants, desalination processes are being used as a means of water supply. The Canal Commission is not satisfied with the water quality controls proposed and recommends that MEI be given three years to apply desalination techniques or move its plant to a location where the wastes could do no harm.

Discussion followed with several questions being raised; specifically questioning jurisdiction of the DRBC over this matter. Mr. Jessen raised the point that if there is no way of treating the pollutants, they should not be permitted to be discharged into the canal.

It was agreed that adjustments would be made to the draft with the question of jurisdiction brought up but not pursued, and the letter be submitted to the Delaware River Basin Commission.

2. Historic Preservation Contract

Mr. Amon presented to the Commission the contract from the Office of Historic Preservation granting \$15,000 to the Canal Commission for its historic survey.

Dr. Hamilton moved to delegate to Mr. Amon the authority to sign the agreement. It was seconded by Mr. Sayen and carried unanimously.

3. Stony Brook Sewerage Authority

Mr. Amon and Mr. Jessen felt that the model rip rap job that the Stony Brook Sewerage Authority had asked the Commission to inspect was unacceptable. It was suggested that the Commission, with Mr. Galley, establish specifications needed for embankment restoration.

Mr. Amon presented to the Commission a proposal for the specifications.

It was moved by Mr. Jones and seconded by Mr. Sayen that, on the basis of the report from Mr. Jessen and Mr. Amon, the rip rap job that the Stony Brook Sewerage Authority is proposing to do is not in conformance with the agreement signed. The motion was carried without dissent.

4. Port Mercer Rip Rap

Mr. Amon stated that, in reference to the Port Mercer rip rap job, it appeared that nothing further was going to be done by the Dawson Corporation to restore the rip rap.

Mr. Jones moved that, in relation to the Port Mercer contract [with the Dawson Corporation], it has been determined that the contract was not completed in accordance with the terms thereof, both by inspection by Commissioner O'Hern and by the Canal Commission itself. The Commission hereby requests Mr. Galley to enter into a new contract to complete those aspects of the previous contract which were not completed, specifically relating to rip rap and stump removal; and that the Bureau of Water Facilities Operations shall have the final say as to whether the contract has been completed to their satisfaction. The motion

was seconded by Dr. Hamilton and carried unanimously.

Revised Rules and Regulations

Mr. Sinclair had requested of Mr. Amon that before the Canal Commission acts on the revision of the review zone rules and regulations, Commissioner O'Hern would like to give the governor and various people in DEP an opportunity to review and comment on the revised draft.

Mr. Amon introduced Mr. McManus who was substituting for Mr. Sinclair.

The opinion was expressed that while the Commission is without review zone powers, developers are busy at work and time is of the essence.

Review Zone Job Descriptions

Mr. Amon reminded the Commission of the amount of time involved in establishing the review zone staff positions. He presented to the Commission review zone officer job descriptions for Commission approval. Dr. Hamilton moved to accept the job descriptions. Mr. Jessen seconded the motion and it was carried without dissent.

Canal Park Improvement Projects

Mr. Amon brought up for discussion the Canal Park Improvement Project memo from the Bureau of Parks, which allowed \$150,000 to be used to develop four small recreational nodes that would increase recreational access to the Canal Park. The four areas listed were: the South Bound Brook Lock, the Millstone Aqueduct, the Jimison Farm, and the Belle Mountain area. Each node would have a 15-20 car parking area, a small picnic area, a comfort station, fencing, and landscaping. Mr. Amon had informed Mr. Guidotti and Mr. Kraml of Parks that the highest priority for Canal Park improvements should be the restoration of the canal houses, specifically the Weston Canal House. Parks suggested that a study of restoration of the Weston Canal House begin, at a cost of approximately \$10,000-15,000.

Mr. Amon felt that if the problem of a septic system in the house were solved, the house could be made habitable, to lease on a long-term, no-rent basis to an individual willing to make repairs.

Mr. Jessen expressed the opinion that the money should be used to install a septic system rather than be spent on a study.

It was Mr. Kirkland's opinion that the Jimison property had adequate parking and picnic tables and it was not necessary to obligate money for this project at this time.

Mr. Amon informed the Commission that he has received numerous requests to have a pedestrian bridge built at the Millstone Aqueduct. He also told of a meeting he had attended at the Plasma Physics Lab at Forrestal Campus regarding this same

matter. Mr. Amon felt that this is an important matter in that it will enable the public to have easy access between Princeton and the Forrestal Campus, an apartment complex, a hotel, and a town house and residential complex now under construction.

Mr. Kirkland brought up the subject of the railroad station at Lambertville. He felt the Commission should help the town restore the station. He promised to provide each commissioner with a copy of the article from the Lambertville Beacon that brought the problem to his attention.

Mr. Sayen requested that a representative of the Bureau of Parks be present at the Commission meetings.

It was requested that a priority for improvement projects be established.

It was moved by Mr. Jessen and seconded by Mr. Sayen that the Commission approves the access nodes at Belle Mountain, the South Bound Brook Lock, the Millstone Aqueduct with a pedestrian bridge and to impress upon Parks the concern for the Weston Canal House--to use a minimal amount of funds to make it habitable--with a separate issue calling close attention to the deteriorating condition of the Lambertville railroad station and the need to restore it. The motion was carried without dissent.

Executive Director's Report

1. Port Mercer Canal House

Mr. Amon reminded the Commission that as of 1 July 1979 any funds remaining in the Canal Commission account will revert to the Treasury. He suggested to the Commission that the surplus funds, approximately \$5,000, be allocated to the Port Mercer Canal House as part of a match to the Historic Preservation grant and that the money be used to repair the plumbing and the roof.

Mr. Schneider suggested that the Commission authorize Mr. Amon to execute an addendum to the existing lease with the Lawrence Historical Society.

It was moved by Mr. Jessen and seconded by Dr. Hamilton to approve Mr. Amon's suggestion. The motion was carried unanimously.

2. Mr. Kirkland announced that he met with several people from DEP and Jeff Laurenti, Senator Merlino's aide, to discuss the canal in Mercer County. Several subjects were raised: a) Mr. Kirkland suggested that the cyclone fence be removed along the canal with the possibility of a properly-built wooden fence in its place; b) Mr. Kirkland stated that the Canal Commission was in favor of the multi-use path running from the battle monument to the end of the county; c) Progress on the North 25 Project, a proposed park around the battle monument, was discussed. The question of responsibility for maintenance was raised. Mr. Sayen felt that it should be the responsibility of the Canal Park to maintain because the City of Trenton is not in a financial position to maintain the park properly.

Budget Fiscal Year 1981

Mr. Jessen moved that the budget presented be approved. The motion was

seconded by Mr. Sayen and carried unanimously.

Leases

It was moved by Mr. Sayen and seconded by Dr. Hamilton to approve the leases as submitted. The motion was carried without dissent.

Mr. Jessen and Mr. McManus left the meeting at 3:45 p.m., leaving the Commission without a quorum. The meeting was adjourned at 3:50 p.m.