



MINUTES OF THE MEETING 3 OCTOBER 1978

TIME: 12:00 noon - 5:10 p.m.
PLACE: The Canal House, 25 Calhoun Street
Trenton, New Jersey
DATE: Tuesday, 3 October 1978

ATTENDING:
COMMISSIONERS: Mr. Kirkland, Mr. Jessen, Mr. Sayen,
Mr. Hamilton, Mr. Torpey, Mr. Sinclair,
Mr. Jones, Mr. Burns, Commissioner O'Hern.

STAFF: Mr. Amon, Mrs. Max
DEP: Mr. Guido, Division of Parks & Forestry
Mr. Galley and Mr. Gross, Bureau of
Water Facility Operations

DAG: Mr. Gray

GUESTS: Mr. David Gibson, Historic Consultant
Mrs. Ruth Linker, Mercer County #208
Mrs. Dorothy Bayless, Lawrence Township

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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 3 October 1978.

It was moved by Mr. Jones and seconded by Mr. Sayen to accept the minutes of the 5 September meeting as presented. The motion was carried without dissent.

Mr. Daniel J. O'Hern, Commissioner of the Department of Environmental Protection was introduced and spoke on the problem of maintenance in the Canal Park. He said that the Canal Park is public property and, as such, should be maintained in a first-class manner. He further stated that he would very much like to improve public awareness of the canal and its historic role.

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

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

Mr. Kirkland said that the Commission is glad to know that Commissioner O'Hern is strongly interested in maintenance of the park because this is a prime concern of the Canal Commission.

Commissioner O'Hern further suggested that a complete schedule be worked out for all maintenance which needs to be done. He said that as New Jersey is not a poor state, it is inconceivable that the State can not clean up such a small strip of land.

Mr. Torpey stated that a projected maintenance program had been requested several months ago, but that the Division of Parks had not yet responded.

Mr. Guido pointed out that he is crucially understaffed and therefore has difficulty maintaining the vast amount of park area in New Jersey.

Mr. Kirkland asked if Mr. Guido would accept Rutgers University graduate students as supervisors. Mr. Guido replied that if they were available, he would use them.

Commissioner O'Hern noted that as he, the Canal Commission, and the public are unhappy about the current state of affairs, the Department should decide on an adequate dollar amount needed for proper maintenance and request this amount from the Legislature.

PARK IMPROVEMENT AND ACQUISITION

Mr. Guido summarized what had been done with the \$50,000 received by the Division of Parks from the Canal Commission: 1) materials and supplies were ordered and stockpiled. 2) gates are presently being fabricated. 3) the Bogen Meadows bridge is under construction, but will not be installed until a permit is granted by the U.S. Coast Guard. 4) installation of canoe launches, construction of parking lots, etc. has not been accomplished due to the shortage of staff.

Mr. Guido suggested that signs be made for every public crossing of the canal. He showed a sample sign and said that the D.O.T. could construct these signs for an approximate total cost of \$350.00.

Mr. Amon said that although these signs would be metal, and not wood as originally anticipated, they would not be in conflict with the Canal Park Design Vocabulary.

It was agreed by the Commissioners to accept Mr. Guido's recommendation as it would be a good method of increasing public awareness.

Mr. Guido added that all gates on the towpath will also be marked with the words "D & R Canal State Park".

Mr. Amon promised to have a draft of the maintenance program in the near future. Priority will be given to clearing the towpath. A clear towpath will appeal to the public and allow increase usage of the park as well as provide access for Parks and BWFO patrol vehicles.

OLD BUSINESS

Port Mercer Project

Copies of Mr. Di Donato's (Division of Building and Construction) letter were mailed in advance of the meeting to each Commissioner. Although Mr. DiDonato's letter states that the work has been completed in an excellent manner, Mr. Amon and Mr. Galley feel this is not so. The Bureau of Water Facilities Operation was not notified of final inspection and did not sign off.

Mr. Galley reported that B.W.F.O. maintenance men had been dispatched to Port Mercer to remove dirt which had spilled onto the rip-rap. This was done to obtain a clear view of the work which was done.

Mr. Galley recommended that a meeting be held with representatives from D.B.C., B.W.F.O., Parks, and the Canal Commission in order to review the situation. In preparation for this meeting, B.W.F.O. will mow the grass and expose several areas at Port Mercer.

Mr. Burns further suggested that at this meeting the Canal Commission should state that Commission specifications had not been met. Contracts are not the business of the Commission.

Mr. Kirkland directed Mr. Amon to arrange for the meeting and asked that Mr. Jessen, Mr. Burns, and either Mr. Sayen or Mayor Holland be included.

Sign along the canal

Mr. Amon showed a photograph of a commercial billboard near the Battle Monument and in view of the canal. The owner of this billboard, the Maxwell Corporation, leased the property from the state two years ago. Although the lease expired one year ago, the sign was not removed. A letter from the state was recently sent to the Maxwell Corporation notifying Maxwell that the lease had lapsed and that one year's past due rent was owed.

A year ago the Canal Commission decided not to renew the lease. Maxwell Corporation is now asking for reconsideration of this decision.

After discussing the request, Mr. Jones moved to continue with the former decision not to approve the lease. The motion was seconded by Mr. Sinclair and carried without dissent.

LEASES AND PERMITS

It was moved by Mr. Jessen and seconded by Mr. Hamilton to approve all 4 leases on the agenda. The motion was carried unanimously.

HISTORIC SURVEY

Mr. Amon reviewed various aspects of the Survey and said that negotiations for the grant are now complete. The Commission should shortly receive a letter from the Office of Historic Sites approving the Gibson contract and awarding the grant. However, instead of the \$30,000 originally anticipated, the amount of the grant will be \$20,000. Since this will give the project a deficit of \$10,000, Mr. Amon asked that the Commissioners consider 2 solutions:

1. reduce the scope of the project.
2. allocate an additional \$10,000 from surplus funds in the budget. (The 1978-1979 budget contains a \$15,000 item for projects that will improve the operation of the Review Zone.)

Mr. Amon stated that there are 8 communities along the canal which merit national registration as historic districts. The Historic Survey Project would aid these communities in their registration efforts. It would also 1) promote public awareness of historic quality in the 8 municipalities and the likelihood that this quality would be maintained 2) ensure that municipal planning boards will review proposals for development and have them conform to standards that are compatible with the Canal Commission's interests. Both of the above will be beneficial to the Canal Park.

The following objections to committing the additional \$10,000 were voiced by Commissioners Burns, Jessen, Sinclair, and Torpey:

1. The \$20,000 already decided upon by the Commissioners is certainly sufficient. An additional \$10,000 is simply too much.
2. Not all 8 communities warranted being surveyed. Special mention was made of Lambertville, many of whose houses are not within the visual review zone.

3. The historic registration may lead to overbearing regulations on the part of the municipality, such as controls on building design and color.
4. Trenton, a very important historic city, is not included.
5. State agencies are being asked to examine budgets and cut back, not spend additional amounts.
6. The communities should have some financial obligation to the survey.

It was moved by Mr. Jones and seconded by Mr. Hamilton to allocate an additional \$10,000 to the Historic Survey from the 1978-1979 budget. The Commissioners were polled with a resulting 4 - 4 tie vote. Voting in favor of the motion were Commissioners Jones, Hamilton, Sayen, and Kirkland. Voting against were Commissioners Burns, Torpey, Jessen, and Sinclair. Mr. Kirkland tabled further discussion of the project until Mr. Amon could come up with another solution which would take into account the objections of the Commissioners.

[Mr. Sinclair left the meeting at 4:00 p.m. Mr. Burns left at 4:15 p.m.]

REVIEW ZONE: WATER QUALITY/QUANTITY

Mr. Amon reported that he had investigated the problem of the Millstone River (and its tributary streams) flooding into the canal. While doing so, he discovered that the Raritan River also floods, with some frequency, into the canal. Before determining if these streams should be included in the review zone with regard to water quality and quantity, the Commission asked that Mr. Amon check with the water companies as to whether they have special problems associated with this flooding.

CANAL HOUSE MAINTENANCE

Mr. Amon said that the Canal House is in dire need of painting and some repair. Three bids had been solicited as required by state law. Mr. Guido stated that maintenance of the Canal House is the responsibility of the Division of Parks and that he will see to it that the work is done.

EXECUTIVE DIRECTOR'S REPORT

A. Edison Boy Scout Troop

The Edison Boy Scout Troop would like to place signs along the towpath, designating it as an official Boy Scout trail. Mr. Amon advised against this as it could set a precedent for other groups.

Mr. Jessen observed that the Scouts receive badges for trails they have travelled. The purpose of signs being placed along the trail is so the scouts can follow them and visit historic sites.

Mr. Jones proposed that the troop "adopt" a portion of the towpath and maintain it. Signs could be erected to this effect: "this portion of the towpath is maintained by the ... Boy Scout Troop". The Commissioners agreed this would be the best solution.

B. New Brunswick Interpretive Center

In the original contract between the Coast Guard and the State it was agreed that the locktender's house at Deep Lock would be moved by the D.O.T. to Boyd Park and a canal interpretive center founded therein. The Commissioners felt it would be helpful to the City of New Brunswick if Mr. Amon offered Canal Commission assistance in the establishment of this interpretive center.

C. Magnesium Elektron, Inc.

Magnesium Elektron, Inc. is applying for a federal permit to increase discharge into the Wickecheoke Creek. The D.V.R.B.C. will be hearing the case. Mr. Amon prepared a resolution on the part of the Commission condemning this increased discharge on the grounds that the sodium and chloride content is too high for safety. The proposed quantity of discharge of these chemicals is high enough to destroy vegetation and fish and be harmful to humans.

It was moved by Mr. Sayen and seconded by Mr. Torpey to adopt the resolution and that Mr. Amon work in conjunction with the D.A.G. to strengthen the wording. The motion was carried without dissent.

Mr. Gray recommended that copies of the resolution be sent to D.V.R.B.C., E.P.A., and the water companies. If the state has to certify (that is, sign off) the federal permit, the resolution may affect the decision.

The meeting adjourned at 5:10 p.m.