



DELAWARE AND RARITAN
CANAL COMMISSION

4 April 1984

MINUTES OF THE MEETING OF 3 APRIL 1984:

TIME: 12:45 pm to 1:30 pm
PLACE: Canal House, 25 Calhoun Street
DATE: Tuesday, 3 April 1984

ATTENDING:

- COMMISSIONERS: Messrs. Kirkland, Jones, Jessen, Holland and Hamilton
- STAFF: Messrs. Amon, Carr and Mrs. Greenwald
- GUESTS: Messrs. Cook and Gray, DAG's
Messrs. Ricci, Galley, Myers, Houseman
and Famularo, N.J. Water Supply Authority
Mr. Guidotti, State Park Service

Mr. Kirkland opened the meeting and stated that all applicable provisions of the Open Public Meeting Law of 1976 had been properly met.

OWNERSHIP OF THE CANAL

Mr. Kirkland stated that the purpose of the meeting is to transfer ownership of the canal from the Department of Environmental Protection to the New Jersey Water Supply Authority. He stated that he had just received an Attorney General's opinion on this issue and read a portion of it to the Commissioners. The crux of the letter is that the transfer would in no way alter the Canal Commission's present authority over actions in the Canal's Review Zone.

Mr. Kirkland stated that he felt the transfer could have a beneficial effect because it is to be accompanied by a management agreement between Parks and the Water Authority. He pointed out, however, that Mr. Amon has severe reservations about the agreement because it does

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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
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not include the Canal Commission in any of the planning or oversight for Canal Park management and operation.

Mr. Ricci and Mr. Guidotti assured Mr. Kirkland that the document is in draft form and could be altered. Mr. Gray suggested a new section which would read "The Authority and the Department shall implement their responsibilities under this agreement consistent with the D & R Canal State Park Law of 1974 and the regulations promulgated pursuant thereto." Mr. Ricci said that he had no objections to such an addition.

Mr. Kirkland also said that he was concerned that the Water Authority might not undertake their management responsibilities in a way that is respectful of the canal's cultural resources. He asked Mr. Amon to develop this point. Mr. Amon then cited several examples of work done by the Authority which had damaged or destroyed cultural resources. Mr. Jones added that he shared this concern since the Authority's avowed concern is limited to water supply purposes.

Mr. Ricci said that the Authority cannot undertake improvement projects along the canal whose sole purpose is recreational or historic improvements, but whenever the Authority does any project which has an impact on cultural aspects of the Canal Park it will be done in such a way that those features are protected or restored.

In answer to questions from Mayor Holland, Mr. Ricci said that he did not believe that it was legally necessary for the Commission's approval to be obtained on this transfer.

Mr. Jessen praised the job that Mr. Galley did during the years that he was the Chief of the Water Resource section that oversaw the canal.

Following this discussion Mr. Jones moved that the Commission concurs and endorses the transfer of the property from the Department of Environmental Protection to the New Jersey Water Supply Authority, subject to the statutes by which the Commission was enacted. Following Mayor Holland's second the motion passed unanimously.

ADJOURNMENT

The Meeting was adjourned at 1:30 pm.