

MINUTES OF THE MEETING OF 21 NOVEMBER 1990

TIME: 12:00 NOON - 2:30 PM  
DATE: Wednesday, 21 November 1990  
PLACE: The Old Barracks Museum  
Trenton, NJ



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Jessen, Jones, Guidotti,  
Kirkland, Pauley, Zaikov; Mrs. Nash

STAFF: Messrs. Amon and Dobbs; Ms. Holms  
Deputy Attorney General Stephen Brower

GUESTS: Paul Stern, D & R Canal State Park  
Barbara Thomsen, D & R Canal Watch  
Joe Bird  
Larry Pitt, Canal Society of NJ  
William McKelvey, Canal Society of NJ  
Ronald Sendner, Middlesex County Eng.  
Bill Moss, Canal Society of NJ  
Mary K. White, Isles, Inc.  
Erik Jetzt, D & R Canal Watch  
John Kraml, Jr., Div. Parks & Forestry  
Bob Myslik  
Eugene Gross, NJ Water Supply Authority  
Liz Johnson, Isles, Inc.  
Robert von Zumbusch  
Ed Buss, NJ Water Supply Authority  
Tom Baxter, NJ Water Supply Authority  
Senator Joseph Merlino  
Mayor Douglas Palmer

Mr. Kirkland opened the meeting and announced that this was a regular meeting of the D & R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met.

MINUTES

Mr. Jones moved approval of the minutes of 17 October 1990, Mrs. Nash seconded the motion, and it passed unanimously.

LEASES AND PERMITS

Mr. Amon presented one lease application to the Commission. The Lawrence Historical Society has a 10-year lease on the Port Mercer Canal House; in exchange for use, the Society

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| <b>EXECUTIVE DIRECTOR</b><br>James C. Amon | <b>COMMISSIONERS</b><br>Benjamin B. Kirkland<br><i>Chairman</i> | Martin D. Jessen<br><i>Vice-Chairman</i> | Donald B. Jones<br><i>Treasurer</i> | Stuart R. Zaikov<br>R. William Pauley | Judith A. Yaskin<br>Frank J. Torpey | Winona D. Nash |
|--|---|--|-------------------------------------|---------------------------------------|-------------------------------------|----------------|

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
James J. Florio, Governor Judith A. Yaskin, Commissioner

makes improvements to the house--there is no rental fee involved. Mr. Jessen moved approval of the lease, Mr. Jones seconded the motion, and it passed unanimously. Mr. Amon presented one permit. Hydrocarbon Research seeks to place an additional monitoring well on Canal Park property south of Whitehead Road in Lawrence Township, for the purpose of assessing the extent of pollution from their adjacent property. Mr. Jessen moved approval of the permit, Mr. Jones seconded the motion, and it passed unanimously.

#### REVIEW ZONE

Mr. Amon presented the following "A" Zone project:

90-1934 - Landing Lane Bridge - New Brunswick, Middlesex County

The Middlesex County Engineering Department is proposing to replace the existing historic truss bridge with a new bridge that is the same alignment but slightly wider. In September the Commission voted to postpone action until they consider review by the Office of New Jersey Heritage. ONJH has since approved the proposal, provided photographic documentation takes place. Mr. Jessen reported that as a result of his meeting with county engineers, the county has agreed to try to preserve one span of the bridge. Mr. Jessen moved approval of the project with the condition that one span be preserved either adjacent to the new bridge or at another suitable location. Mrs. Nash seconded the motion and it passed unanimously.

Mr. Dobbs requested the Commissioners review the issue of whether or not warehouses with sheet rubber roofs should be a part of water quality consideration; a rubber surface may not have the pollutants that other roofs have. Mr. Jones moved that water quality treatment for rubber roofs be considered on a case by case basis; Mr. Jessen seconded the motion, and it passed unanimously.

Mr. Dobbs presented four "B" Zone projects:

- 87-1564 - Montgomery Villages  
Montgomery Twp., Somerset County  
119 cluster homes on 152+ acres; 79 acres  
dedicated to open space; 10% impervious.
- 90-1870 - McDonald's  
New Brunswick, Middlesex County  
4,923 sq. ft. building on 1.7 acres,  
70% impervious surface.
- 90-1914 - HISCO  
Franklin Twp., Somerset County  
26,250 sq. ft. 1-story office/warehouse on 2  
acres with 65% impervious surface.

90-1901 - Plaza 31  
20,290 sq. ft. office building on 2+ acres,  
44% impervious surface.

Mr. Dobbs stated that conditions for stormwater management and water quality protection had been met for all projects. Mrs. Nash moved approval of the B Zone projects; Mr. Zaikov seconded the motion, and it passed unanimously.

Mr. Amon introduced Mr. Tom Baxter, new Chief Engineer of New Jersey Water Supply Authority, to the Commissioners.

#### WATER SUPPLY AUTHORITY PROJECTS

##### 1. Heathcote Brook Culvert Repairs

The Heathcote Brook Culvert which travels under the canal upstream of the Kingston lock has had failure at both headwalls and is leaking in the middle. The repair will be historic reconstruction--both headwalls will be historically restored. Mr. Jessen moved approval of the repair, Mrs. Nash seconded the motion, and it passed unanimously.

##### 2. Guard Railing at Kingston Waste Gate

After repairs were made to the Kingston Waste Gate, it became apparent that there was a drop from the towpath of about 12 to 15 feet, obscured by vegetation, which could be dangerous. The Authority proposes to erect wooden rails; a sloping 2x8 board on top, and three 2x8 rails around. The other side of the waste gate is a concrete structure which will have steel pipe railing, painted black, surrounding it, satisfying OSHA requirements. Mr. Zaikov moved approval of this project, Mr. Jessen seconded the motion, and it passed unanimously.

#### DISCUSSION OF TRENTON ISSUES

##### A. Review of Major Issues

Mr. Amon described the route of the canal through Trenton, along with the route of the Bel-Del railroad right-of-way, which was purchased in the late 1970's by the DEP and added to the Canal State Park, as a base for a recreational path for the park. According to Mr. Amon, the entrance of the canal into Trenton from the west was, for the most part, satisfying the Commission's goal of a green corridor for that part of the city. Because the filled in portion of the canal was sold to the city of Trenton, there is currently no connection to the southern portion in Hamilton Township going toward Bordentown. This is a problem that must continue to be addressed. The northern connection (where the canal passes under Route One) also needs development.

Another issue is the attempt at integrating the Canal Park into the city. The Commission has recommended acquiring property at road crossings over the canal to serve as gateways to the park. Some of these proposals have met with obstacles.

Mr. Amon addressed the trash problem, as well as the fencing of the canal, a controversial issue. He spoke of the proposed new Canal Road, and the extent of maintenance and patrolling in the Trenton section of the park. Because of funding constraints it is unlikely that a recommended ranger headquarters will be established in Trenton anytime soon.

Mr. Amon listed some of the state projects that had been completed in the Trenton area, for example, restoration of the Hanover Street canal house, and construction of a pedestrian bridge at Cadwalader Park, among others.

Mr. Amon introduced Ms. Liz Johnson, Director of Isles, Inc., a non-profit organization concerned with Trenton issues, to talk about the Trenton Open Space Master Plan. Ms. Johnson said that one of the key parts of the plan was the proposal of a loop walk to connect the three waterways in Trenton (the Delaware River, the D & R Canal, and the Assunpink Creek). She said that the Canal Park had a lot of potential in Trenton, and that although there are problems to overcome, there are also solutions to these problems.

Mr. Kirkland asked if anyone had any questions. Mayor Palmer said he agreed that the Canal Park was a valuable asset for Trenton, and that he was pleased to have been asked to be a Commissioner. He felt that problems such as maintenance and fencing needed to be addressed, and he hoped that the City and the State could work together to improve the park in Trenton.

Senator Merlino said he felt betrayed--that the nice things the Commission was proposing for the City of Trenton should have been their first order of business. He said he could not accept that the rangers are afraid to come to Trenton. He also criticized the Commission for moving out of Trenton. He stated that if the Commission did not produce, there was no reason for it to exist. He stated that the "wonderful proposals" discussed earlier had probably been out for years. He was angry because he said that the people of Trenton were accusing him, and saying that he was responsible. He stated that the Commission must do something, and do it fast, because John Watson is chairing the Joint Appropriations Committee. He said that "you can do anything without money", and that the Commission is giving away the last pristine part of the Canal Park (the abandoned portion)--to the roads and bridges. Senator Merlino said that in regards to not having authority, "you don't know until you try". He suggested

finding a public interest group of lawyers that would be glad to take on that project, if it isn't too late.

Mr. Kirkland asked whether Senator Merlino would be interested in helping the Commission. Senator Merlino answered that his telephone number was in the book, and then left the meeting.

Mr. von Zumbusch suggested that the Commission continue pursuing acquisition of open space in Trenton to enhance the greenbelt that's already there, and to provide more gateways into this natural corridor.

Mr. Zaikov stated that in its defense, the Commission should respond to Senator Merlino's attack. Mr. Kirkland felt that the defense was clear--Mr. Amon's report was succinct in outlining the Commission's plans and goals, but that many of these were unachievable without funding. Mr. Amon commented on the critical problem of maintenance--that the area Mayor Palmer referred to was unique in that it had poor drainage, and required hand pruning and clearing. He recommended Mr. Stern's suggestion that the Department of Transportation be requested to use their machinery to correct the drainage.

Mr. Jessen stated that it was not the Commission's job to correct the maintenance problems in the park, and that it was not possible, anyway, with a staff of three and budget of \$150,000.

Ms. Johnson said that, speaking for Canal Watch, they were not discouraged, and that a lot of things could be done. She felt that it might be possible for prisoners or Community Service workers to help in maintaining the park.

Mr. Zaikov asked Mr. Stern whether there was a section in Trenton that could be maintained regularly as a showcase to show people what can be done. Mr. Stern said that would be difficult--it would require daily maintenance and patrolling, which his limited staff could not do without abandoning other sections of the park altogether.

On the issue of fencing, Mr. Jessen suggested more educational programs on water safety.

Illegal dumping was discussed. Ms. Johnson said that it was not always Trenton residents dumping trash in the park, but that outside industries dump in the park as well.

Ms. Johnson introduced Mary White, a staff member of Isles, who is currently working on an educational program for children about the canal.

Mr. Guidotti stated that the funding problem for the Canal Park is not an isolated one--that drastic reductions for the

operation and maintenance of all parks and forests is imminent, on top of already severely limited funding. He said that it was critical to convince the Legislature that basic operations and maintenance for all parks was the highest priority for appropriations.

EXECUTIVE DIRECTOR'S REPORT

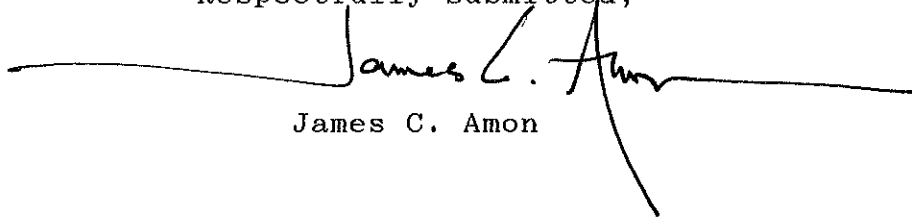
Mr. Amon showed the Commissioners an example of one of the Sierra Club signs being installed along the canal.

SUPERINTENDENT'S REPORT

Mr. Stern reported that his staff was in the process of installing the Sierra Club signs. He said that Mr. Guidotti, Mr. Amon, and he had met with Mayor Palmer to discuss, among other issues, maintenance problems in Trenton.

The meeting adjourned at 2:30 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", is written over a horizontal line. The signature is stylized and extends slightly above and below the line.

James C. Amon