

# MINUTES FOR REVIEW AND APPROVAL AT AUGUST 24, 2011 MEETING

## MINUTES OF THE SPECIAL MEETING OF May 12, 2011 Delaware and Raritan Canal Commission

TIME: 10:00 a.m. – 12.15 p.m.  
DATE: May 12, 2011  
PLACE: Canal Commission Office  
Stockton, New Jersey

### ATTENDING:

COMMISSIONERS: Vice Chairman Martin Jessen, Mr. David Knights, Mr. John Loos, Mayor Phyllis Marchand, Ms. Alison Mitchell and Ms. Donna Mahon

STAFF: Mr. Ernest Hahn, Deputy Attorney General Lewin Weyl, and Ms. Colleen Christie Maloney

GUESTS: Kate Millsaps, NJ Sierra Club; Wendy Mager, Friends of Princeton Open Space; Stephanie Fox, D & R Canal State Park; Robert von Zumbusch, Friends of Princeton Open Space, D & R Canal Coalition; Alan S. Godber, Lawrence Brook Watershed Partnership; Tom Gale, Franklin Township Historic Preservation Commission; Rosemary Blair, D & R Canal Coalition; Sheila von Zumbusch; Jan Ten Broeke; Ted Settle; Ruth Barringer, D & R Canal Watch, Lawrence Historical Society; John S. Watson, Jr., D & R Greenway; Erin Duffy, Trenton Times; Brian Morrell, Canal Society of NJ; Leslie Brecknell, Stony Brook-Millstone Watershed Association; Jim Waltman, Stony Brook-Millstone Watershed Association; Julie Capozzoli, Princeton Twp. Historic Preservation Commission; Barbara Ross, D & R Canal Watch; Tracy Carluccio, Delaware River Keeper Network; Theodore Chase, Jr., Franklin Township; Pat Morris, Millstone Borough HDC; Ron Morris, Millstone Borough HDC; Portia Orton, Millstone Borough HDC; Ben Phillips, Trustee; Terry Stimpfel, Sierra Club of NJ; Clem Fiori, Montgomery Open Space and NJCF Trustee; Kathleen Bagley, Friends of Princeton Open Space; Edie Sharp, Delaware River Mill Society; Linda Mead, D & R Greenway, Liz Palius.

The meeting opened at 10:00 a.m. Vice Chairman Jessen announced that this was a special meeting of the D&R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met.

Mr. Jessen suggested discussing the staffing issue at the Commission.

Mr. Hahn summarized the recent history of Commission. He spoke about work and staff loads. He stated that Mr. Del Vecchio had resigned from the Commission that week. He had been forwarded two candidates resumes from Commissioner Martin's office. Ms. Mahon stated that the DEP was planning to hire an Executive Director and dedicate 1-1/2 full-time dedicated staff positions to the Commission. Ms. Mitchell stated that the DEP staff was already stretched. There was discussion about the roll of the Commission, and the hiring of staff.

At 11:35, Mr. Loos moved to go into executive session to review resumes submitted by Commissioner Martin's office. Ms. Mitchell seconded the motion and it was approved unanimously.

At 11:50, the Commission returned to public session.

Mr. Loos stated that the Commission had reviewed the resumes submitted by the DEP Commissioner's office and that the Commission felt that neither candidate was qualified for the position of Executive Director of the Delaware and Raritan Canal Commission. He moved to approve a resolution regarding this issue. Ms. Mitchell seconded the motion. Mr. Loos read the resolution.

#### Discussion

Mr. Knights moved to open the meeting to public comment. Mr. Marchand seconded the motion and it was approved unanimously. Members of the public spoke about their support of the Canal Commission.

Ms. Mitchell asked for clarification as to whether the Commission was off the list for abolishment, to which Ms. Mahon responded that the DEP is keeping the Commission. Mr. Loos asked for it to be put in writing by the DEP. Mr. Knights stated that developers do not mind the Commission, and often ended up with superior projects. Mayor Marchand commented that the new leader or executive director of the Commission must be focused specifically on the mission of the Commission.

Members of the public made comments in support of the resolution, including Clem Fiori, Tracy Carluccio, Jim Waltman, Linda Mead, Ted Settle, Wendy Mager, Robert von Zumbusch, Rosemary Blair, Liz Palus, Brian Morrell, Theodore Masi, Theodore Chase, Kate Millsaps, Terry Stimpfel, Kathleen Bagley, and Pat Morris.

Ms. Mitchell stated that the DEP does not have statutory authority to abolish the Commission. She stated that there are two lists—one for immediate abolishment and the other for "might be" abolished. Mr. Loos commented on the economic importance of maintaining the Canal Park in that it attracts homebuyers.

Ms. Mahon reiterated that the DEP can handle the work of the Commission.

Mr. Jesson called for a vote on the resolution. Ms. Mahon opposed and Mr. Jesson, Mr. Loos, Ms. Mitchell, Mr. Knights, Mayor Marchand voted to approve it. The resolution was approved.

Mr. Loos stated that the Commission will proceed with interviewing appropriate candidates. Ms. Marchand stated that the viewpoints of the public were very important and wanted to publicly thank the State Legislators for supporting the Commission. Mr. Hahn thanked the public for attending the special meeting.

Mr. Loos moved to go into executive session; Mr. Knights seconded the motion. It was approved

unanimously. At 12:40, the Commission moved into executive session.

Sincerely,

Ernest Hahn  
Executive Director