

Revised
February 19, 2014 MINUTES OF THE MEETING
(with revisions made at March 19, 2014 meeting)
Delaware and Raritan Canal Commission

TIME: 10 a.m.
DATE: February 19, 2014
PLACE: D&R Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman Robert Bostock, Vice Chairman John Loos, and Commissioners Julie Cobb Allen, Mary Alessio Leck, Phillip Lubitz, Bruce Stout, Mark Texel, and Ed Trzaska

STAFF: Mr. Vince Mazzei, Ms. Colleen Christie Maloney, Deputy Attorney General Lisa Dagleis

GUESTS: Superintendent Patricia Kalleser and Ms. Colleen Ruzicka, D&R Canal State Park; Mr. Joe Shepherd, NJ Water Supply Authority (NJWSA); Mr. Robert Barth, D&R Canal Watch and D&R Canal Commission Advisory Council; Mr. Joel Greenberg, Schwiebert Chapter Trout Unlimited; Mr. Scott Turner, Menlo Engineering; Mr. Craig Stires, Stires Associates; Mr. Luther Gueyikizen, Parkdale; Mr. Charles Waaben, VAST Center; Mr. Matthew Martin, Chief of Emergency Services, Union Fire Company; Mr. Tom O'Shea, Van Note-Harvey Associates; Ms. Alyce Hreha, Sovereign Consulting, Inc.; Mr. Mark Solomon, Pepper Hamilton; Mr. Bob Lester; Mr. Randy Lerch; Mr. Robert von Zumbusch, D&R Canal Commission Advisory Council.

Chairman Bostock announced that this was a regularly scheduled meeting of the D&R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met in the scheduling of the meeting.

Administrative Items

Chairman Bostock confirmed the next month's meeting date with the commissioners as March 19, 2014.

Chairman Bostock gave an update on Executive Director Dooley's condition, and expressed appreciation to staff for work done in her absence.

Minutes of the Meeting

Minutes of the Meeting of January 15, 2014

Chairman Bostock asked for comments on the minutes. Hearing none, he asked for a motion on the minutes. Commissioner Lubitz motioned to approve the minutes and Commissioner Leck seconded the motion. The minutes were approved unanimously.

At 10:10 a.m., Director Texel entered the meeting, followed by Vice Chairman Loos.

Review Zone A Projects

Chairman Bostock asked Mr. Mazzei to give a brief overview of the projects.

13-2090G Union Fire Company Generator (Hopewell Township)

Mr. Mazzei noted the project includes replacement of a generator in the rear of the building, out of view of the canal park. Mr. Martin, of the Union Fire Company, noted that the generator was important in that the fire company building serves as a community shelter during an emergency. Chairman Bostock asked for comments from the commission and then the public. Hearing none, he called for a motion. Commissioner Trzaska motioned to approve the project and Commissioner Lubitz seconded the motion; the project was approved unanimously. Chairman Bostock thanked Mr. Martin and his colleagues for their service to their community.

14-3406B Boat Launch Gates (Delaware, Kingwood, and W. Amwell Townships)

Mr. Mazzei described the project, including the placement and color of the gates at the boat launch sites along the Delaware River, within the D&R Canal State Park. Chairman Bostock asked for comments from the commission. Commissioner Lubitz asked for more details of the location of the gates. Superintendent Kalleser described the gate placement at the different launches and commented on the need for the gates during severe flood events. Chairman Bostock asked for comments from the public; hearing none, he asked for a motion on the project. Commissioner Stout moved to approve the project and Commissioner Trzaska seconded the motion; the project was approved unanimously.

Review Zone B Projects

Chairman Bostock moved on to the Review Zone B projects. Commissioner Trzaska noted that he would abstain from voting on the Carrier Clinic project, as he is the mayor of the municipality in which the project is located. Chairman Bostock asked Mr. Mazzei to give a brief overview of the Review Zone B projects.

09-3783 Millstone Commons East (Millstone Twp)

09-3790 Millstone Commons West (Millstone Twp)

These two projects are similar with new retail and office buildings, associated parking, and stormwater features.

13-2706B Parkdale Development (So. Brunswick Twp)

This project is an 18-lot subdivision with associated stormwater features.

13-3800B Carrier Clinic Expansion (Montgomery Twp)

This project includes improvements to buildings, parking, drainage and landscaping on the campus of the Carrier Clinic. A commission stream corridor would be delineated with the project.

09-3769 Beaver Concrete Warehouse and Parking (Millstone Twp)

This project includes office and warehouse space with associated parking and drainage.

13-2197C Educational Testing Service Pool Building (Lawrence Twp)

ETS will construct a pool house on its campus in Lawrence Township. The applicant has had several projects approved by the commission. One previously approved project was never built; however, the stormwater basin from that project will accommodate this new project.

Chairman Bostock called for comment from the commission, and then the public. Commissioner Stout asked for further information on Parkdale's intrusion into the stream corridor. Mr. Mazzei explained the commission standard specifying a 25-foot backyard for such projects and a fence to delineate the corridor.

Commissioner Leck asked if developers were given recommendations on fertilizer and pesticide use near a stream. The commission discussed the use of fertilizer and pesticides. Mr. Mazzei noted that the DEP regulates use of fertilizer and pesticides; Vice Chairman Loos agreed and noted that the commission does not have authority to regulate the use. Chairman Bostock noted the impact of runoff and nonpoint source pollution on the environment.

Chairman Bostock asked for comment on 13-3800B Carrier Clinic Expansion and, hearing none, he called for a motion. Commissioner Stout moved to approve the project and Commissioner Lubitz seconded the motion. Chairman Bostock, Vice Chairman Loos, and Commissioners Allen, Leck, Stout, Lubitz, and Director Texel voted to approve the project; Commissioner Trzaska abstained. The project was approved.

Chairman Bostock asked for further comment on the remaining five Review Zone B projects:

09-3783 Millstone Commons East (Millstone Twp)

09-3790 Millstone Commons West (Millstone Twp)

13-2706B Parkdale Development (So. Brunswick Twp)

09-3769 Beaver Concrete Warehouse and Parking (Millstone Twp)

13-2197C Educational Testing Service Pool Building (Lawrence Twp)

Hearing none, he called for a motion. Director Texel moved to approve the projects, Commissioner Allen seconded the motion, and the projects were approved unanimously.

Executive Director's Report

There was no report from the executive director due to her absence.

D&R Canal State Park Superintendent's Report

Superintendent Kalleser noted that fallen trees necessitated the closing of hiking on the path from Fireman's Eddy to Hermitage Avenue until they could be cleared and that the NJ Water Supply Authority (NJWSA) would assist with removing trees. She noted that her staff was busy with snow removal; staff would attend a meeting about the Weston

Causeway bridge replacement; the Griggstown Bridgetenders House was almost complete and ready for occupancy by the scenic byway group; and, on March 15, there would be a park clean-up from Frenchtown to Ewing.

New Jersey Water Supply Authority

Mr. Shepherd, NJWSA, reported that the authority was successfully managing the water flow in the canal with the heavy snowfalls and low temperatures. Mr. Shepherd answered the Vice Chairman's question about an update on dredging, which is expected to begin in 2015.

Public Forum

Mr. Barth noted Canal Watch activities, including the light rail ride along the canal taking place that weekend, the March 29 Canal Watch 5k run/walk fundraiser at Washington Crossing State Park, and the planned April 19 ribbon cutting at the Griggstown Bridgetenders House which would be the home to the National Scenic Byway.

Mr. von Zumbusch raised a concern about the use of herbicides by towns within 1,000 feet of the canal. Mr. Shepherd noted that NJDEP licensed applicators and allowed some pesticides.

Old/New Business

Vice Chairman Loos noted that the old Laurie Rubber site, south of East Millstone and adjacent to the canal, was an area of concern since the 1980s. Environmental testing had been conducted and he was concerned about hazardous substances leaching into the canal and sediment of the canal. He noted the site's impact on the upcoming dredging project by NJWSA. He suggested that the commission ask the DEP to report about long-term plans for the site by either attending a commission meeting to report or submitting a written report. Mr. Mazzei offered to look into the status of the site with the DEP.

Executive Session

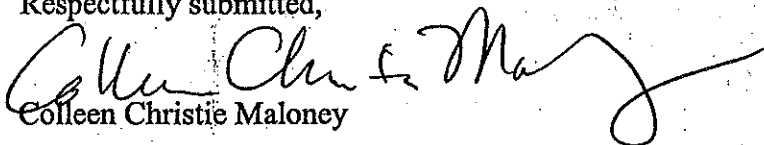
Chairman Bostock summed up a resolution with which the commission would enter into executive session to discuss personnel and litigation. Commissioner Stout motioned to enter into executive session and Commissioner Trzaska seconded the motion; the motion was approved unanimously. The commission entered into executive session at 10:30 a.m.

Public Session

Chairman Bostock called the public session back to order at 11:05 a.m.

Chairman Bostock noted he would entertain a motion to adjourn the meeting. Commissioner Lubitz motioned to adjourn and Vice Chairman Loos seconded the motion; the motion was approved unanimously. The meeting adjourned at 11:06 a.m.

Respectfully submitted,


Colleen Christie Maloney