

**September 17, 2014 Minutes of the Meeting
Delaware and Raritan Canal Commission**

TIME: 10:05 a.m.

DATE: September 17, 2014

PLACE: D&R Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman Robert Bostock, Commissioner Julia Cobb Allen, Commissioner Mary Leck, Commissioner Phillip Lubitz, Commissioner Bruce Stout, Commissioner Ed Trzaska, and Commissioner Mark Texel

STAFF: Director Marlene Dooley, Mr. Joseph Ruggeri, Deputy Attorney General Alison Reynolds, Ms. Colleen Christie Maloney

GUESTS: D&R Canal State Park Superintendent Patricia Kalleser; Mr. Joseph Shepherd, NJ Water Supply Authority; Mr. Robert Barth, D&R Canal Watch, DRCC Advisory Council; Mr. Thomas Lucas, ARH; Ms. Yewande Fapohunda, Avalon Bay Communities, Inc.

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 that next month's commission meeting date is October 15, 2014.

Chairman Bostock welcomed Director Marlene Dooley back from her recent absence. He noted the commission's appreciation of staff members Joseph Ruggeri, Colleen Christie Maloney, and Vincent Mazzei during the director's absence.

At 10:10 a.m., Commissioners Texel and Allen joined the meeting.

Minutes of the Meeting

Minutes of the August 20, 2014 Meeting

Chairman Bostock asked for a motion on the minutes. Commissioner Lubitz moved to approve the minutes; Commissioner Trzaska seconded the motion. The minutes were approved unanimously.

Review Zone A Projects

14-4602 61 Clinton Street Improvements (Lambertville)

Director Dooley described the project, which involves improvements to a home. Chairman Bostock asked for comment from the commission and the public. Hearing

none, he asked for a motion on the project. Commissioner Lubitz moved to approve the project and Commissioner Stout seconded the motion. The project was approved unanimously.

14-4614 Swan Hotel Addition (Lambertville)

Director Dooley described the project, which involves the installation of an elevator at the rear of the building. The 132-square-foot addition is within the Swan Creek stream corridor and the applicant is seeking a waiver of stream corridor impact standards. Director Dooley noted that staff finds that there will be no adverse impact on the stream corridor from the project and the applicant is mitigating by removing an impervious surface and planting an area equal in size to the addition. Chairman Bostock asked for comment from the commission. Commissioner Texel asked if the project had been approved by the municipality's historic board and Director Dooley noted that the project is outside of the district. Chairman Bostock asked for further comment from the commission and the public. Hearing none, he asked for a motion on the project. Commissioner Stout moved to approve the project and Commissioner Lubitz seconded the motion. The project was approved unanimously.

Review Zone B Projects

14-2554B Auto Lenders (Lawrence Twp)

Director Dooley described the project, which includes an auto sales business with associated parking.

13-4475 Avalon Princeton (Princeton)

Director Dooley described the project, which is the redevelopment of the Princeton Hospital site into a townhouse development with amenities. Commissioner Trzaska asked if the project had received municipal approval. Director Dooley stated that the municipality had approved the project.

14-3342A Monroe Property Investments (Monroe Twp)

Director Dooley described the project in which the applicant will demolish existing buildings and construct retail and office buildings with associated improvements.

14-2219B 200 Liberty Way (Monroe Twp)

Director Dooley described the project, which includes the addition of parking and stormwater features to the site.

13-4392 NJ Ashramam (Franklin Twp)

Director Dooley described the project, which includes construction of paved driveway and parking areas and stormwater management features. The project drains to the canal.

Chairman Bostock asked for comment from the commission on the Zone B projects. Commissioner Texel inquired about infiltration basins, with consideration to the NJ Ashramam project. Mr. Ruggeri described the steps taken to control stormwater quality and its impact on the canal. He described the rule requirement for treatment to a higher level for removal of total suspended solids. Chairman Bostock asked for further comment from the commission and the public. Hearing none, he asked for a motion on

the Zone B projects. Commissioner Lubitz motioned to approve the projects and Commissioner Trzaska seconded the motion. The projects were approved unanimously.

Executive Director's Report

Director Dooley stated she was grateful for the support of the commission and staff during her absence. She discussed the tally of projects and fees collected, noted the upcoming quarterly spending plan meeting with DEP staff, the need to upgrade the office's antiquated computers and copier, and the status of engineering staff. Commissioner Texel described computer upgrades at the DEP and the importance of computer security.

D&R Canal State Park Superintendent's Report

Superintendent Kalleser noted the Canal Fest to be held on October 18, 2014, in East Millstone. She discussed the condition of the path from Landing Lane to Queens Bridge in Franklin Township and issues related to funding the repair. She also noted the Prallsville Mills restroom project is almost complete, as is the kitchen restoration project at the Port Mercer Canal House.

Chairman Bostock asked if staff had been able to address concerns of a West Windsor homeowner about maintenance of the road in front of his home. Superintendent Kalleser noted that she had visited the site and the town had filled the pot holes. The road is the responsibility of the Township.

Commissioner Stout inquired about the status of the sink hole at the Prallsville Mills; Superintendent Kalleser and Commissioner Texel noted that both the Delaware River Mill Society and the NJDEP were exploring costs and options for stabilization and restoration.

Commissioner Lubitz asked about the Corporate Business Tax (CBT) and the potential impact on park projects when a portion of the resources will be tapped for Green Acres funding. Commissioner Texel noted that the impact would be extreme, including in terms of being able to address canal projects. Commissioner Trzaska noted that the same citizens concerned about the Green Acres program would likely be supporters of the parks. Superintendent Kalleser noted several projects, as examples, which have been funded through the CBT program, including a bridge restoration at Cadwalader Park, bridge repairs in Lambertville, roofing projects, repair of several stone parking areas, and hazardous tree removal.

New Jersey Water Supply Authority (NJWSA)

Mr. Shepherd noted that the maintenance dredging at the confluence of the canal and the Wickecheokee Creek had begun, staff had performed a clean up at Calhoun and Hanover Streets in Trenton, and that the Transco repair is complete.

Old/New Business

Commissioner Texel noted that a revised proposal for tree management at Bulls Island may be submitted to the commission in November and that the DEP would have a public review process to gather comment on the proposal options.

Commissioner Lubitz noted the need for oversight of the commission's budget, including expenditures and income, and he requested a quarterly report and updates. Director Dooley described the statutory requirement to create an annual report and described the 2016 rule expiration, the regulations related to fees, and the budget meetings at the DEP. Chairman Bostock requested a report on the DEP budget meeting for next month's meeting.

Public Forum

Mr. Barth noted the D&R Canal Watch activities, including a recent hike with a historian and geologist, his interest in taking commissioners on tours and moving the master plan review along. He suggested that the 17-minute Millstone Valley Scenic Byway film be shown. Chairman Bostock suggested that it could be shown after a commission meeting.

Superintendent Kalleser noted that a new Images of America book had been published which features the Delaware River Scenic Byway, with contributions by Edie Sharp and D&R Canal State Park Naturalist Stephanie Fox.

Executive Session

Chairman Bostock asked for a motion to enter executive session to discuss legal issues. Commissioner Lubitz motioned to accept a resolution to enter into executive session:

WHEREAS, N.J.S.A. 10:4-12 permits the Delaware and Raritan Canal Commission to conduct a meeting from which the public is excluded in certain circumstances; and

WHEREAS, the Delaware and Raritan Canal Commission has determined that such certain circumstances exist; and

WHEREAS, the minutes of the executive discussion shall be made available to the public when the matters under discussion are no longer confidential in nature; and

WHEREAS, the regular meeting of the Commission will reconvene at the conclusion of executive session;

NOW, THEREFORE, BE IT RESOLVED by the Delaware and Raritan Canal Commission that it shall enter into executive session for the following reasons, as outlined by N.J.S.A. 10-4-12:

To discuss legal matters.

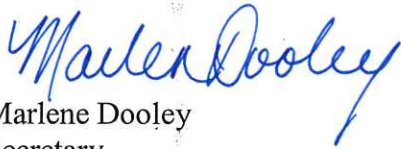
This resolution shall take effect immediately.

Commissioner Stout seconded the motion. It was approved unanimously.

Return to Public Meeting and Adjournment

At 11:15, the commission returned to public meeting. Chairman Bostock noted he would entertain a motion to adjourn the meeting. Commissioner Trzaska motioned to adjourn and Commissioner Lubitz seconded the motion. The motion was approved unanimously. The meeting adjourned at 11:15 a.m.

Respectfully submitted,



Marlene Dooley
Secretary