

**August 17, 2016 Minutes of the Meeting
Delaware and Raritan Canal Commission**

TIME: 10:20 a.m.
DATE: August 17, 2016
PLACE: D&R Canal Commission Office, Stockton, New Jersey

ATTENDING COMMISSIONERS:

Commissioner Julia Cobb Allen, Commissioner Bruce Stout, Commissioner Phil Lubitz,
Director Lynn Fleming, Commissioner Douglas Palmer

STAFF: Executive Director Marlene Dooley, Mr. Joseph Ruggeri, DAG Jung Kim,
Ms. Colleen Christie Maloney

GUESTS: Ms. Stephanie Fox, D&R Canal State Park; Mr. Michael Sellar, NJWSA; Mr. Robert
Barth, D&R Canal Watch; Mr. Robert von Zumbusch, D&R Canal Commission
Advisory Committee; Mr. Herb Spiegel, D&R Canal Commission Advisory Committee;
Mr. Chris Tarr, Stevens and Lee; Mr. Thomas O'Shea, Van Note-Harvey Associates; Mr.
Bill Grip, Institute for Advanced Study.

Commissioner Lubitz 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. He noted that there was a quorum.

Administrative Items

Commissioner Lubitz asked all to confirm the September 21, 2016 commission meeting date. Director
Fleming noted she would not attend and would contact Director Texel to discuss.

Minutes

July 20, 2016 Meeting and Executive Meeting Minutes

Commissioner Lubitz called for a motion on the July 20, 2016 meeting minutes. Director Fleming
motioned to approve the minutes. Mr. Von Zumbusch noted that the Princeton Historic Preservation
Commission is inaccurately listed as the Princeton Historical Preservation "group". Director Fleming
made two typographical corrections. On page 1 Commissioners Lubitz should be Commissioner Lubitz
and on page 3 the grant should be listed as the "National Recreation Trail Grants." Commissioner Lubitz
asked for additional comment from Commissioners and the public. Hearing none, he called for a motion.
Commissioner Stout seconded the motion to approve the minutes with corrections identified. The
minutes were approved unanimously.

Commissioner Lubitz called for a motion on the July 20, 2016 Executive Meeting Minutes.
Commissioner Stout made a motion to approve the minutes and Director Fleming seconded the minutes.
The executive minutes were approved unanimously.

Review Zone Projects

Zone A Projects

16-4873 53 Franklin Street Duplex (So. Bound Brook)

16-4655A 16 Coryell Street Boundary Line Adjustment (Lambertville)

Commissioner Lubitz stated that there were two Zone A projects, asked if there were comments on the projects and, hearing no comment, asked for a motion on both projects. Director Fleming moved to approve the two Zone A projects. Commissioner Allen seconded the motion. The projects were approved unanimously.

Zone B Projects

16-3349F IAS Food Service Renovation at Simons Dining Hall (Princeton)

16-2551D Village Elementary School Access Drive and Bldg Addition (Montg. Twp)

16-4894 Med Express 1680 N. Olden Avenue (Ewing Twp)

16-3600B Capitol Health System Hospital Phase II (Hopewell Twp)

16-3014A Gateway Twin Rivers Warehouse Facility (East Windsor Twp)

Commissioner Lubitz asked if any Commissioner would like to discuss any Zone B project. Director Fleming stated that she would like the Capitol Health System project to be separately discussed. Commissioner Lubitz asked if any Commissioner or member of the public had a comment or question on the remaining Zone B projects. Hearing none, Commissioner Lubitz asked for a motion on the remaining four Zone B projects. Commissioner Stout moved to approve the IAS Food Service Renovations, Village Elementary School, Med Express and Gateway Twin Rivers projects. Commissioner Allen seconded the motion. The projects were approved unanimously.

Commissioner Lubitz stated that the Commission would discuss the Capitol Health project. Director Fleming asked for clarification regarding whether the parking was part of the originally approved project and why it was presently before the Commission. Director Dooley referred to a map detailing the project site and the parking areas presently before the Commission. Director Dooley then noted that the parking area presently before the Commission was part of the original approval but that the permit had expired. She noted that permit was continued by the Permit Extension Act but that extension ended in June of this year. Mr. O'Shea, Van Note-Harvey, consultant for the applicant further described the site and the infrastructure presently in place.

Commissioner Allen then asked for clarification regarding the Merrill Lynch portion of the property. Mr. O'Shea described the history of the site, the development of the hospital on the property, and the existing use of the site.

Commissioner Lubitz asked if there was additional comment from the Commission or public. Hearing none, he asked for a motion on the project. Commissioner Stout made a motion to approve the Capitol Health project. Commissioner Allen seconded the motion. The project was approved unanimously.

Executive Director's Report

Director Dooley discussed the monthly work tally and fees collected. Director Dooley gave a general overview of the budget but stated that she was seeking additional information and would give a more thorough briefing in September.

Director Dooley noted that she had been contacted by Dr. Ehrenreich regarding the DOT Route 29 rumble strip project. She referenced an August 1 email, August 15 email and response letter from DOT received from Dr. Ehrenreich which were available and had been sent to the Commissioners. She noted Dr Ehrenreich raised a concern that the minutes do not accurately reflect the decision of the Commission and he believes the Commission decision was that either delineators or mumble strips would be placed in high incident contact areas.

She also discussed a copy of an August 1 email and letter response from the Department of Transportation. In the letter DOT states that they will not be placing delineators on Route 29 and the basis for that decision. Director Dooley also stated that the language in the minutes reflect the language in the COA and Resolution. The Resolution and COA were issued and the minutes were voted on and approved.

Commissioner Lubitz asked if the Commissioners had any comment or action requested. Mr. von Zumbusch noted he felt strongly that DOT could experiment with alternative methods on curves. There was no further comment or action.

Director Dooley discussed a meeting that she attended regarding a flood wall at the Lambertville Sewage Treatment plant, and that discussions of the project indicated to her that the project would have a large impact on the park were it to be constructed. Mr. Ruggeri noted that the project is framed to protect the sewerage treatment plant from Delaware River flooding.

Park Superintendent's Report

Ms. Fox presented the report in Superintendent Kalleser's absence. She noted the superintendent had discussed odor concerns with a representative of the Lambertville sewerage treatment plant, and it was recommended that concerned citizens call the hotline. Director Dooley noted her discussion with the head of the treatment plant and it was noted that there was not an increase in complaints, an odor control project was approved by the commission in 2011, and that a problematic area was being explored. Ms. Fox noted a river drowning at Bulls Island, and a near drowning. Director Dooley noted that additional signage was posted at the Prallsville Mill bridge to discourage swimming and jumping from the bridge.

New Jersey Water Supply Authority (NJWSA) Report

Mr. Sellar discussed weed harvesting and the commencement of the Cherry Tree Lane spillway project.

Old Business

Bulls Island

There was discussion of commissioners touring the closed off area of Bulls Island. Director Fleming discussed potential dates.

Odor from Lambertville Sewerage Treatment Plant

Mr. Barth further discussed the treatment plant. Commissioner Palmer noted that there are different

technologies to address the problem and he would make an effort to speak to representatives. Mr. Spiegel, a Lambertville resident, noted the odor problem was on-going over the years he has been a resident. Director Dooley discussed the odor issue and possible county inspections.

Public Forum

Mr. Spiegel spoke of Lambertville neighbors' concerns about maintenance of the park path in Lambertville after a recent strong storm and debris left on the path. Director Dooley discussed the limited park maintenance staff and their prioritizing the maintenance work to remove impediments along the 70-mile park after such an event.

New Business

There was no new business.

Adjournment

Commissioner Lubitz called for a motion to adjourn. Commissioner Stout motioned to adjourn, and Commissioner Palmer seconded the motion. It was approved unanimously. The meeting adjourned at 11:55 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Marlene Dooley". The signature is written in black ink and is positioned above the printed name.

Marlene Dooley, Secretary