



**May 21, 2025, Minutes of the Meeting  
Delaware and Raritan Canal Commission**

TIME: 10:00 a.m.  
DATE: May 21, 2025  
PLACE: Prallsville Mills, Stockton, New Jersey

At 10:00 a.m., Director Hutchison indicated to Vice-Chairman Stout that a quorum was present.

**ATTENDING COMMISSIONERS:**

Vice-Chairman Bruce Stout and Commissioner Phillip Lubitz attended the meeting in the Commission Office. Commissioner Designee Mark Texel, Commissioner Douglas Palmer, Commissioner John Reiser, and Commissioner Caryl “Chris” Shoffner participated via online platform and teleconference.

**STAFF:** Executive Director John Hutchison, Deputy Attorney General Jordan Viana, and Colleen Maloney attended the meeting in the Commission office. Commission Engineer Joseph Ruggeri, Executive Assistant Erica Vavrence, and Communications Director Darlene Yuhas participated via online platform.

**GUESTS:** Michael Sellar, New Jersey Water Supply Authority (NJWSA); Bob Barth, D&R Canal Watch; Linda Barth, D&R Canal Watch; Robert von Zumbusch, Kingston Historical Society; Carly M. Clinton; Douglas Ulene; Kathy Hale; Kurt Leasure; Shealynn M. O’Toole; and Tiago Duarte.

Director Hutchison announced that this was a monthly meeting of the Delaware and Raritan Canal Commission and that the provisions of the “Senator Byron Baer Open Public Meetings Act” (OPMA) had been complied with in the scheduling of the meeting.

Director Hutchison announced that the meeting was being taped pursuant to the exception set forth at Section C.(1) of DEP Policy & Procedure 2.85 “Prohibition of Recording in the Workplace” Policy adopted on September 18, 2019.

Since some Commission members were participating via telephonic device pursuant to Article III, Section 4 of the Commission Bylaws, Vice-Chairman Stout directed Executive Director Hutchison to

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call the roll:

Vice-Chairman Stout	Present
Commissioner Designee Texel	Present
Commissioner Reiser	Present
Commissioner Lubitz	Absent
Commissioner Shoffner	Present
Commissioner Palmer	Present

Director Hutchison stated that a quorum was present.

### **Administrative Items**

#### **Confirmation of June 18, 2025, Meeting Date**

Vice-Chairman Stout stated that the next meeting of the Delaware and Raritan Canal Commission was scheduled for June 18, 2025, at 10:00 a.m.

### **Minutes**

#### **Approval of the Minutes of the April 16, 2025, Commission Meeting**

Vice-Chairman Stout inquired if any of the Commissioners wished to propose edits or corrections to the April 16, 2025, Commission meeting minutes. Hearing none, he asked for a motion to approve the minutes as prepared by staff. Commissioner Reiser made a motion to adopt the minutes as proposed, which was seconded by Commissioner Shoffner.

Vice-Chairman Stout asked Director Hutchison to call the roll:

Vice-Chairman Stout	Yes
Commissioner Designee Texel	Yes
Commissioner Reiser	Yes
Commissioner Lubitz	Absent
Commissioner Shoffner	Yes
Commissioner Palmer	Yes

The motion was approved.

### **Review Zone Actions**

#### **Zone A Projects**

#25-1858H	Washington Crossing State Park -- Johnson Ferry House Exterior Restoration (Hopewell Township)
#23-2035B	Millstone Valley Fire Department -- Pole Building (Franklin Township)
#25-3442B	47 Swan Street -- Fence Installation (Lambertville City)

Vice-Chairman Stout asked if any member of the Commission wished to consider any of the Zone A projects separately. Hearing none, he asked for a motion on the Zone A projects, observing that DRCC #25-1858H was recommended for approval with a waiver, as described in the project staff report. Commissioner Reiser made a motion to approve the Zone A projects, inclusive of the waiver as

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described in the project staff report for project DRCC #25-1858H; the motion was seconded by Commissioner Palmer. Vice-Chairman Stout asked for comment from the Commission and then the public. Hearing none, he asked Director Hutchison to call the roll:

Vice-Chairman Stout	Yes
Commissioner Designee Texel	Yes
Commissioner Reiser	Yes
Commissioner Lubitz	Absent
Commissioner Shoffner	Yes
Commissioner Palmer	Yes

The motion was approved.

#### Zone B Project

#24-6139 695, 699 and 705 Joyce Kilmer Avenue -- Proposed Warehouse (New Brunswick City)

Vice-Chairman Stout asked for a motion on the Zone B project. Commissioner Reiser made a motion to approve the project, which was seconded by Commissioner Shoffner. Vice-Chairman Stout asked for comment from the Commission and then the public. Hearing none, he asked Director Hutchison to call the roll:

Vice-Chairman Stout	Yes
Commissioner Designee Texel	Yes
Commissioner Reiser	Yes
Commissioner Lubitz	Absent
Commissioner Shoffner	Yes
Commissioner Palmer	Yes

The motion was approved.

#### Executive Director's Report

Director Hutchison reported on the Commission workload for the period encompassing April 23, 2025, to May 21, 2025. In addition to the 4 projects listed on the meeting notice, staff issued 15 deficient staff reports, 11 jurisdictional determinations, 7 certificates of approval, 11 general permits, and 1 estoppel letter. In addition to these matters, Commission staff organized and conducted 12 pre-application meetings related to proposed and pending projects.

Director Hutchison reported that fee collections totaled \$33,550 for the month, which he described as being "surprisingly decent." Fee collections exceeded the \$19,512.50 collected in May 2024 and the \$19,637.50 collected in May 2023. However, the Director observed that this amount was considerably less than the \$85,750 collected in May 2022. Director Hutchison stated that the uncertainties surrounding fiscal, trade, and tax policy changes at the federal level appear to have increased economic uncertainty in the State and by extension within the Commission Review Zone. This was especially the case as it pertains to housing, transportation, logistics, and warehousing sectors of the economy.

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Director Hutchison noted that project applications in these sectors of the economy predominated the Commission's workload over the past five fiscal years.

Therefore, with one month remaining in Fiscal Year 2025, the Commission had collected \$392,275 of the \$500,000 anticipated appropriation amount and, with 92% of the fiscal year complete, the Commission had collected 78% of its anticipated appropriation amount. He noted it was unlikely that the Commission would collect \$107,725 during the following month; consequently, it appeared the Commission would not collect the \$500,000 anticipated appropriation.

To that end, Director Hutchison reported that Commission staff was working with the DEP Office of Management and Budget to alert the Department of the Treasury (OMB) that a resumption of the waiver for fringe and indirect costs was essential for the Commission to continue its operations and advance mission critical projects such as the file digitization, GIS-based project database creation, and the Master Plan update and revision. He stated that Commission staff had provided information to Treasury OMB on all of these issues, as well as the ongoing concern surrounding representation costs paid to the Office of the Attorney General (OAG) related to defending the Commission from litigation arising from injuries and fatalities in the canal park.

Director Hutchison reported that on May 16, he and Commission Review Zone Officer Joe Ruggeri attended a pre-application meeting with officials and their engineers from the Trenton-Mercer Airport, a county-owned, joint civil-military, public airport located four miles northwest of Trenton in the West Trenton section of Ewing Township. The airport had submitted an application to the Commission (DRCC #23-2308K) for the construction of a new 125,000 square-foot passenger terminal to replace the existing terminal building, which is undersized with inadequate space for hold rooms, restrooms, concessions, airline offices and operations, U.S. Transportation Security Administration (TSA) screening and baggage processing.

Director Hutchison reported that the airport property is approximately 1,345 acres in size and is traversed by three streams: the West Branch of Shabakunk Creek and two tributaries of the Delaware River (known locally as Delaware Creek and Gold Run). He noted that, in 2011, the Commission entered into a Memorandum of Agreement (MOA) with Mercer County relating to the regulation of stream corridors on the site related to those watercourses. The MOA served two purposes: it ensured that proposed developments would comply with the Commission's regulations and allowed the county to pursue development at the site to ensure that the airport remained in conformance with any requirements of the Federal Aviation Administration, the U.S. Department of Transportation, the Environmental Protection Agency, the TSA, and any applicable federal grant requirements necessary to operate a safe, secure and legally compliant airport.

Director Hutchison observed that generally speaking, the MOA created a buffer plan that defined development and preservation areas related to the stream corridors that do not necessarily conform to the natural contours of the watercourses in question. To accommodate the terminal expansion plan, the airport was proposing a modification to the 2011 MOA. He noted that the airport's initial submission indicated that additional acreage would be placed in the preservation areas so that more stream corridor would be preserved than was the case under the 2011 MOA. Commission staff had requested additional information from the county and its engineers to clarify information about the existing and proposed

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land cover and the amount of additional stream corridor to be preserved. The Director noted that he forwarded the county's proposed modification to the MOA to the OAG for review as to content and format and, at a future point, it would become necessary to place the modification to the MOA on a meeting notice for the Commission to consider.

Director Hutchison reported that the project file digitization continued to make impressive progress. He noted that in the past month 24 boxes were scanned, bringing the total number of boxes scanned to 302 out of 526, or 57% of the total. The Director estimated that the project would be completed in approximately two and one-half years, after which time all project-related documents dating back to the inception of the Commission's land use program would be maintained in digital format and readily accessible to Commission staff and for OPRA compliance purposes.

Director Hutchison reported that on May 15, technical proposals were submitted to the Department of Treasury Division of Property Management and Construction (DPMC) by four firms for the Commission Master Plan revision and update project. He stated that interviews with the four firms with the selection committee, of which he is a member, would be held on May 28 at Thomas Edison State University. Evaluations of the proposals would be submitted by the committee on June 3, 2025, after which time the scores would be tabulated to rank the consultants and develop the short list of firms to submit fee proposals. Director Hutchison noted that this was an exciting moment, since the Commission was seeing tangible proposals to revise the Master Plan for the first time in 36 years.

Director Hutchison reported that, on May 13, the Department of the Treasury Office of Information Technology (OIT) installed a new upgraded router in the Commission office.

Director Hutchison reported that, on May 7, Commission staff received the first set of scanned historical photographs from New Hope Photo. He noted he was pleased with the quality of the scans, and that each image was now documented on an MS Excel spreadsheet, so that images can be searched and categorized. The Director noted his appreciation to Mr. and Ms. Barth for assisting the Commission staff with the identification of the images.

Director Hutchison noted he was pleased to announce that his interview with former Executive Director Jim Amon had been uploaded to the [Delaware and Raritan Canal Commission YouTube Channel](#). He noted that "On the Level: A Conversation with Jim Amon" was an approximate 90-minute interview, which provided a fascinating look into the creation of the Commission and the canal park. The Director thanked OIT for taping and producing the program and Darlene Yuhas for her work on the editing. He also expressed his sincere appreciation to Mr. Amon for being so gracious with his time.

Commissioner Lubitz joined the meeting at the office at 10:11 a.m.

### **Park Superintendent's Report**

Commissioner Designee Texel presented the report on behalf of Acting Superintendent Mitchell-Strehl, who was unable to attend the meeting.

Mr. Texel stated that seasonal staff had started working at the Bulls Island Recreation Area. He also noted that this year the State Park Service would institute a bicycle patrol on the park multiuse trail

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covering the area from Frenchtown Borough to Scudders Falls in Ewing Township.

Mr. Texel reported that the fence around the kitchen garden and front yard at the Rockingham Historic Site had been replaced. Additionally, the project to repoint the foundation of the stone building exterior, which houses the museum store and public restrooms, had commenced.

Mr. Texel stated that the State Park Service was working with nonprofit organizations in the Trenton area to assist with cleanups in alleyways in the West End Avenue neighborhood of the city.

Mr. Texel reported that the in-kind replacement of exterior light fixtures and a rear door the Port Mercer Bridgetender's House had been completed.

Mr. Texel reported that the Delaware River tubing concession was scheduled to begin operations on Memorial Day weekend. Accordingly, the Cooley Tract parking area in Kingwood Township would be closed to the public for the remainder of the summer season.

Mr. Texel reported that the Jersey Off Road Bicycle Association (JORBA) had been holding trail maintenance events on Saturdays at the Six Mile Run Reservoir Area of the Delaware and Raritan Canal State Park in Franklin Township, Somerset County.

Commissioner Lubitz stated that last year a partial cleanup of a stand of bamboo at the Bulls Island Recreation Area along the inlet trail had been undertaken. He recommended that it was a good time for the State Park Service to eradicate fresh shoots of this invasive plant species. He also alerted the NJWSA that a tree had fallen across the inlet area of the canal at the Bulls Island Recreation Area in the vicinity of the lock.

#### **New Jersey Water Supply Authority (NJWSA) Report**

Mr. Sellar reported that the "hairpin" rail fence installation project (DRCC #24-4118B) located at the Lambertville Locktender's House had been completed.

Mr. Sellar reported that NJWSA was discharging water from the Kingston waste gate, rather than the Ten Mile waste gate, in an effort to prevent the reoccurrence of a harmful algal bloom (HAB) within the Millstone River.

Mr. Sellar reported that general maintenance activities were being conducted by NJWSA staff along the Delaware and Raritan Canal, including grass mowing and the removal of fallen trees and branches.

Mr. Sellar reported that NJWSA crews were addressing a fallen tree in the inlet area of the canal at the Bulls Island Recreation Area, which was noted by Commissioner Lubitz.

#### **New Business**

None.

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**Old Business**

None.

**Public Comment**

Ms. Barth, D&R Canal Watch, reported that the public was invited to the organization's annual meeting on June 22, at 2 p.m., at the Griggstown Reformed Church Fellowship Hall. One topic of the meeting would be making the canal a "water trail" that is more user-friendly for kayak and canoe users.

Ms. Barth noted that D&R Canal Watch would propose a joint resolution to the State Legislature designating June 25 of each year as "Delaware and Raritan Canal Day" in New Jersey.

Mr. von Zumbusch stated that, on Tuesday, June 10, at 7:30 p.m., the Kingston Historical Society would host its spring program at the Kingston Firehouse. Attendees could access the meeting in person or via Zoom platform. A program would be presented by New Jersey Crossroads of the American Revolution, Inc., Executive Director Carrie Fellows related to the upcoming events celebrating the American Revolution. He noted that further information would be available on the Kingston Historical Society website: [www.khsnj.org/](http://www.khsnj.org/)

Director Hutchison stated that Commissioner Lubitz had indicated he wished to note his affirmative vote on items calendared on the meeting notice which had been voted upon prior to his joining the meeting.

**Written Public Comments**

None.

**Adjournment**

There being no other business, Vice-Chairman Stout entertained a motion to adjourn. Commissioner Reiser made a motion to adjourn, which was seconded by Commissioner Shoffner. Vice-Chairman Stout called for a vote on the motion to adjourn, which was unanimously approved by a voice vote.

The meeting was adjourned at 10:25 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Hutchison", written in a cursive style.

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John Hutchison, Secretary