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PUBLIC HEARING

before

SENATE LIBERTY STATE PARK STUDY COMMISSION

Testimony concerning the development practices and
issues at Liberty State Park to identify those
procedures, activities, and practices that may
not conform to, or be consistent with, the Liberty
State Park Master-Action Plan

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May 19, 1987
City Council Chambers
City Hall
Jersey City, New Jersey

MEMBERS OF COMMISSION PRESENT:

Senator Edward T. O'Connor, Chairman
Senator Thomas F. Cowan
Senator Christopher J. Jackman

ALSO PRESENT:

Assemblyman Joseph V. Doria, Jr.
District 31

Marvin W. Jiggetts
Office of Legislative Services
Secretary, Senate Liberty State
Park Study Commission

* * * * *

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New Jersey State Legislature

SENATE LIBERTY STATE PARK STUDY COMMISSION

State House Annex, CN-068

Trenton, New Jersey 08625

Telephone (609) 984-4811

Edward T. O'Connor, Jr.
Chairman

C. Louis Bassano
Thomas F. Cowan
Daniel J. Dalton
S. Thomas Gagliano
Christopher J. Jackman

NOTICE OF A PUBLIC HEARING

Marvin W. Jiggetts
Secretary

April 6, 1987

The public hearing of the Senate Liberty State Park Study Commission that was previously scheduled for Wednesday, April 22, 1987 at 10:00 a.m. has been cancelled. The new date of the public hearing is Tuesday, May 19, 1987 at 10:00 a.m. in the City Council Chambers of City Hall in Jersey City.

The Commission will take testimony concerning the development practices and issues at Liberty State Park to identify those procedures, activities and practices that may not conform to or be consistent with the Liberty State Park Master-Action Plan.

Anyone wishing to testify should contact Marvin Jiggetts, Secretary to the Commission, at (609) 984-4811.

DIRECTIONS: From Trenton, take the New Jersey Turnpike North to exit 14C (Grand Street Exit). Make the first right onto Montgomery Street and follow to Grove Street. City Hall is on the corner of Montgomery Street and Grove Street.

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* * * * *

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SENATOR EDWARD T. O'CONNOR, JR. (Chairman): Good morning. My name is Ed O'Connor. I am a State Senator, and I am the Chairman of this Commission. I would like to introduce to those of you who do not know the members of the panel, to my extreme left, Senator Chris Jackman, who represents the Thirty-Third District, encompassing parts of Jersey City, Union City, Hoboken, Guttenberg -- did I miss anything, Senator? -- Weehawken--

SENATOR JACKMAN: West New York.

SENATOR O'CONNOR: --and West New York. To his left, is Mr. Russ Molloy, who is a member of the Senate Majority Staff. To my right is Mr. Marvin Jiggetts, who is our Special Assistant from the Office of Legislative Services. The other members of the Commission, some of whom will be joining us today, are: Senator C. Louis Bassano, of the Twenty-First Legislative District in Union County; Senator Thomas Cowan -- who most of you know -- who represents the Thirty-Second District in Jersey City; Senator Dan Dalton, who represents the Fourth District in southern New Jersey, Gloucester County and Cumberland County; and Senator Thomas Gagliano, representing the Twelfth District, Monmouth County. Those are the members of the Study Commission.

Now, if I may, I would like to just give you a brief description of how the Study Commission came about, what its duty is, what we are charged to do, and what we have done thus far.

J O S E P H S W E E N E Y: Mr. Chairman, I am going to alert the Mayor. You go right ahead with your hearing.

SENATOR O'CONNOR: Please do, thank you. The Senate Liberty State Park Study Commission was created by a Senate Resolution which was sponsored by Senate Majority Leader, Senator John Lynch. It is charged with the duty of reviewing the development practices and issues at Liberty State Park,

including the proposed marina project and the role of the Department of Environmental Protection therein, and to identify those issues, procedures, activities, and practices that may not conform to, or be consistent with, the Liberty State Park Master Action Plan.

The Commission is further charged with the responsibility of reporting its findings, conclusions, and recommendations, together with any legislative bills which it may desire to recommend for adoption by the Legislature, to the full membership of the Senate, no later than December 31, 1987. Pursuant to our creation, and pursuant to this charge, the Commission was organized, I was selected as the Chairman, and we began to hold hearings.

The first hearing was held on March 3, 1987 at the Interpretive Center of Liberty State Park. Today's hearing is the second public hearing held by the Commission. I should point out that when the Commission first began work -- for those of you who are not familiar with this -- the Advisory Commission, which advises DEP with respect to the Park, was not completely manned. Since that time -- since we have become operational -- the Advisory Commission has been fully brought up to complement. They now have a Chairman, and they are again working.

We will begin today-- Mayor Cucci had expressed an interest in speaking first, and I know that Joe Sweeney went to get him. Is Michael Barnes here?

UNIDENTIFIED SPEAKER FROM AUDIENCE: He will be down in a minute.

SENATOR O'CONNOR: He'll be down in a minute, okay. Just so we understand how we are going to operate, we are going to ask everyone who wishes to testify to limit their speaking time to 15 minutes. We do have an extensive list of people who have indicated a desire to address the Commission -- to testify -- so we would ask that you limit yourself to 15 minutes. If

you exceed the 15 minutes, we will ask you, at that point, to conclude and submit a written statement. Anyone who would like to, is welcome to submit a written statement in lieu of actually speaking before the Commission. We also advised anyone that could not attend that they may submit a statement and it would be made a part of the record as well.

Is Mr. Joseph Beckmeyer here? (affirmative response)
Mr. Beckmeyer, you have the honor of leading off.

J O S E P H B E C K M E Y E R: Should I sign in?

SENATOR O'CONNOR: No, you don't have to sign in. Just identify yourself.

MR. BECKMEYER: I am Joseph Beckmeyer, P.E., Chief Engineer, Jersey City Sewerage Authority.

The Jersey City Sewerage Authority owns and operates a combined overflow regulator, located at Mill Creek, which feeds into the Tidewater Basin. Do the members of the panel know how a combined sewer system works?

SENATOR O'CONNOR: I am not certain that we do, but I think for your purposes you can assume that we do not.

MR. BECKMEYER: Okay.

SENATOR O'CONNOR: Excuse me, Mr. Beckmeyer. Not to cut you off, but I notice that Mayor Cucci just arrived. In deference to the Mayor -- we will come back to you immediately afterward -- but-- Mayor Cucci, would you like to address the Commission at this point? (affirmative response) Let me also announce that Senator Tom Cowan has just arrived. He is no stranger to you, but we will recognize his presence here.

M A Y O R A N T H O N Y R. C U C C I: Thank you very much, Senator O'Connor. Really, I appreciate your courtesy, but it would have been perfectly all right.

Good morning, Senators, and good morning to the entire assembly. Thank you very much for your concern in this matter, regardless of where your priorities lie. I am going to be brief because I believe the administration of Jersey City is in

total accord -- there is total consent -- on where we stand on this situation. No one is against any kind of development that is going to mean prestige for the area and for the State. But, a development of such scope doesn't become a privilege thing, or it doesn't become a pleasure, when the enormous amount of that scope becomes an imposition, rather than a pleasure.

The State must also remember that when it takes on the responsibility of building a State park, it also takes on the responsibility of the expense and the upkeep of that park. Jersey City does not, in any way, subsidize, or privatize, its parks, and the cities of Hudson County support the county parks without any privatization. It is a responsibility that the cities take upon themselves; it is a responsibility that the State takes upon itself. Regardless of whether the parks are supported by city, county, or State funds, they are totally supported by public funds. So, any further privatization is only an infringement upon the public which pays for all parks -- statewide and nationally.

I am more concerned that the scope, I think, is out of proportion, and the proximity to development in Jersey City does not afford what would be something compatible, but something I think -- once again, as I said before -- is a complete imposition upon us.

I am going to leave the specifics to those people in our different departments of the city who have spent dedicated time and have made studies based upon what they consider factual opinions, rather than just total concepts or potentials -- people who are professional in each area of the city and, of course, those people who have the same concerns as everyone else.

Everyone is grateful for Liberty State Park. We are very grateful. Jersey City is the host to Liberty State Park, at least geographically. It is not a case where home rule should be the priority over any other community in the State,

but because we are the host, and we are grateful for this Park, we don't want the Park to turn out to be a detriment to the community it involves. I think something of a much smaller scope would be beneficial, would be a pleasure, would be easier to maintain, and would not become sloppy and spill over as time goes by.

I would also like to remind you -- through the Senators -- of the DEP poster contest they had on air quality in New Jersey. That was the theme of the contest -- Air Quality in New Jersey. Here before me is an article about the esteemed Commissioner Dewling giving out awards to the winners of elementary school years, and the whole idea -- we had two winners who placed from Jersey City -- the whole theme of this was the quality of air.

Now, we know that if someone is in a big automobile parking lot and everyone is starting their motors or driving in and out, the quality of the air is affected. It is no different when you have 800 or more boats, maybe not necessarily all riving up or starting their motors at the same time, but that fuel which powers a boat is the same source of fuel which powers an automobile. Perhaps the fuel that powers a boat is even more intense, through diesel and a heavier type fuel.

So, what I am saying here, in brief, is that in concert, the administration of Jersey City will express themselves, and express themselves well and professionally, without bias, and will certainly fill you in on the details of how the administration, at least, feels. That does not necessarily mean that the entire city feels as the administration feels, but the administration has taken on, by virtue of the confidence placed in them by the public, the obligation to use their judgment of what is good for the overall community and the surrounding areas.

I know you will listen well. Your astuteness, your dedication requires that, and you will exercise that very, very well. If the burden of the cost of running the Park is a problem in any way, show that we have parks that we support; show that we have city parks we support. We feel that to put this burden upon the entire, not only atmosphere, but the geography, and the entire area in that scope now, is not a pleasure any more. To deprive any area to the general public, I believe, is a total contradiction to the total concept of why this Park was formed in the first place.

I thank you very much for your kind and courteous attention. I thank you for the pleasure of having you here in the Council Chambers in Jersey City -- for selecting this site for your public hearing. Thank you very much, and have a good day.

If there are any questions, I would be very happy to answer them.

SENATOR O'CONNOR: Thank you, Mayor Cucci. Are there any questions from the panel? (negative response) (applause)

Mr. Beckmeyer, will you please come back?

MR. BECKMEYER: Jersey City, like most other cities in Hudson County and New York City, has a combined sewer system; that is, there is one sewer pipe which runs down the middle of the street which collects both sanitary sewage and storm water. When the Sewerage Authority built their interceptor and regulator system and treatment plants in the mid-1950s, they built combined overflow regulators at these trunks, one of which was at Mill Creek.

So, what happens is, during normal dry weather conditions, sanitary sewage flows down the trunk sewer to the regulator, and is diverted to the treatment plant through the interceptor system. It then goes to the treatment plant for treatment. During rain water, when the flow hits about 160% of the normal dry weather flow, the regulator mechanism gate closes and water is diverted out into, in this case, Mill Creek.

The Authority has taken some samples and has done some tests in our lab of the water in Mill Creek near the Johnson Avenue Bridge. I would like to read that information off to you: There were fecal coliform tests, a method approved by the NJDEP -- a membrane infiltration method. On March 6, 1987, at 10 a.m., on the Jersey Avenue Bridge at high tide, with no rain, we had a reading of 472 fecal coliform number per 100 ml. The same day, at two p.m., at the same location, high tide, with no rain, it was 151 per 100 ml. On March 9, 1987, at 10:10 a.m., at Louis Munoz Martin Drive, it was low tide and it was raining, and it was 413 per 100 ml.

SENATOR O'CONNOR: May I make a suggestion?

MR. BECKMEYER: Yes.

SENATOR O'CONNOR: Why don't you convert those terms into layman's terms, so we understand what it means, and what the effect of it is?

MR. BECKMEYER: Basically, the effect was, when we had periods of rain on March 31 on two occasions, and on April 6 and 13, the numbers well exceeded the State limit that the Sewerage Authority is required to meet, of 200 per 100 ml. We had two readings of "too numerous to count," and readings of 177,000 and 288,000. The waste water would be considered highly contaminated with fecal coliforms; that is, the water that is discharged into Mill Creek from this overflow.

In addition to the tests that were taken, one of the unfortunate things with a combined system is that there are sometimes floating objects, which are also flushed out into the tide water basin during these rainstorms. I believe from these tests, plus the experience of noticing things in the past, that there is a problem with the area, and something, probably the extension of the outfall to carry it on past any area where there is going to be primary or secondary recreation.

SENATOR O'CONNOR: Okay. Any questions?

SENATOR JACKMAN: No questions.

SENATOR O'CONNOR: Thank you very much. The next witness will be Lou Manzo, from the Jersey City Board of Health.

MAYOR CUCCI: Mr. Chairman, may I? In this case, we are kind of putting the cart before the horse. Through no one's fault-- We wanted to have our Engineering Department, which could give you the beginning of the problem -- the outfall -- speak, but Michael wasn't here earlier. So, if you would hear Engineering now, there would be more continuity with the Sewerage Authority, Mr. Beckmeyer, and then the Board of Health's comments. So, Mr. Barnes--

SENATOR O'CONNOR: I have no problem with that. I am going down the list in the order you gave us. So, this will be Mr. Barnes -- okay. Let me ask you this, Mr. Barnes: Do you have anything additional to testify to what you testified last time?

M I C H A E L J. B A R N E S: Yes.

SENATOR O'CONNOR: Okay. All I ask, then, is that you limit yourself to that, because we don't want to rehash everything you told us last time.

MR. BARNES: I understand.

SENATOR O'CONNOR: Okay.

MR. BARNES: What we have done since the last public hearing we had was, we have written a letter to Colonel McCabe, identifying what the city has done as far as funding sources for this extension of the Mill Creek sewer. If I may, I would like to read the letter I sent to Colonel McCabe.

SENATOR O'CONNOR: Sure.

MR. BARNES: "The City of Jersey City has filed an application with NJDEP for the Fiscal Year 1988 Sewer Funding Program. Recently, a second application for the Marine Combined Sewer Overflow -- MCSO -- Correction Program Construction Grant Funds was sent to NJDEP, outlining the \$54 million program that Jersey City presented for funding. Each

application includes \$6 million for the construction of approximately 6000 feet of 8 foot by 12 foot of box culvert for the Mill Creek Outfall. This request excludes engineering, construction administration, and any deep water discharge requirements that may be required by the Coastal Resources Division of NJDEP.

"Any support you can provide to our application for 1988 NJDEP sewer and/or MCSO grants would be appreciated. I look forward to meeting with you again to discuss Jersey City's infrastructure problems as they relate to the development impacts of the State Park."

In addition to that, the city has finalized our 1987 bonding program, which includes one million dollars of city funds for Mill Creek.

That is the new information I have.

SENATOR O'CONNOR: Any questions? (negative response) Thank you, Mr. Barnes. Mr. Lou Manzo?

LOUIS MANZO: Thank you. My name is Lou Manzo. I am the Chief of the Jersey City Division of Health. I would like to read into the record a letter I sent to the Advisory Commission on May 7, 1987, and make a brief comment afterward, if I may.

"Our Division has been made aware of recent events concerning the possible developments of a marina at the tidewater basin by Liberty State Park.

"As you may, or may not be aware, this area is directly adjacent to the Mill Creek Outfall. This combined sewer and outfall is fed by the Jersey City Sewerage Authority, and at present is deteriorated, of an inadequate size, and in need of upgrading.

"To compound this problem, the water in the basin is not subject to the extreme tidal flows and currents as are other areas of New York Harbor. Fecal coliform counts presented to this Division by Joseph Beckmeyer, P.E., the Chief

Engineer of the Jersey City Sewerage Authority, substantiate the high levels of sewerage discharged during the region's wet wether period.

"The conditions that exist at present at the Mill Creek Outfall have contributed to the degradation of the environmental integrity of the tidewater basin and adjacent areas. It is the position of this Division that measures correcting existing conditions which are ravaging the environment and pose a threat to public health must be enacted prior to subjecting the area to further stress.

"Our Division has been informed that a proposed plan to remedy this situation currently exists -- Mill Creek Outfall Project #83-029. The thrust of this project would relocate the Mill Creek Outfall to the Hudson River. The project would satisfy this Division as a first step in correcting the environmental problems of the tidewater basin.

"In conclusion, this Division is requesting that all involved city agencies stand behind our recommendation that no development in the adjacent area of the tidewater basin should commence until Mill Creek Outfall Project #83-029, or other suitable projects to remedy the conditions resulting from the Mill Creek Outfall are completed."

In addition, gentlemen, if I may, I would like to put a few personal comments into the record. I ask the panel here today to consider the viewpoints of both sides on this issue, because I firmly believe a fair compromise can be arrived at. I think a good place to start that compromise is to provide the financial resources -- or a portion therefore -- necessary to construct the Mill Creek Outfall Project, and only then seek to accommodate development of a marina on the adjacent bank.

The integrity of a stream or a plot of land is entitled to preservation, whether it rests in the Jersey Pine Barrens or on the banks of Jersey City. We cannot own the elements. We are merely the keepers of God's good earth. The

only thing we will ever earn from it is what we are willing to spend to preserve it. The earth isn't something you take from, without ever thinking of giving back. The earth is something you protect every day of the year. A river is something you defend -- every inch of its course.

Before you make your decision today, you have to research our environmental heritage. We have to look back to the past and get back to some basics, if there is ever going to be any future developments that are worth having.

Thank you. (applause) Are there any questions?

SENATOR JACKMAN: No questions, thank you. Betty Kerns? (no response) Betty is not here. Rick Cohen, Director, Department of Housing and Economic Development.

R I C K C O H E N: I have a statement for you.

SENATOR JACKMAN: You aren't going to read it? Are you going to read the statement?

MR. COHEN: I was going to read the statement, yes.

SENATOR JACKMAN: Let me look at it; please pass it up. Can you give me the highlights?

MR. COHEN: I can read it very quickly. How's that?

SENATOR JACKMAN: Okay. It's about 14 or 15 pages.

MR. COHEN: But, they're short pages.

SENATOR JACKMAN: Okay. Let's see how fast you can be.

MR. COHEN: I talk very quickly.

The Jersey City Department of Housing and Economic Development is most appreciative of this opportunity to address the development practices and issues involved in the implementation of the Liberty State Park Master-Action Plan.

The questions and concerns that H.E.D. raises should not be taken as opposed to the necessary development of Liberty State Park. The Park provides the citizens of Jersey City, Hudson County, and the region with badly needed open space fronting New York Harbor.

In fact, contrary to the implications of the term "housing and economic development," the staff of H.E.D. are vocal advocates for the provision of open space all along the Hudson River and Hackensack River waterfronts. Developers have begrudgingly learned, when dealing with us, that the provision of more open space, enhanced public access, and the vital waterfront walkways are necessary up-front commitments with us.

The controversy that everyone has long discussed here seems to center on the pros and cons of a private marina on the Morris Canal Basin. While there is much that H.E.D. will add to this debate, everyone should recognize that the marina is only one element of an overall park master plan, and that the Park Master-Action Plan, along with the increasingly questionable, quasi-official Liberty State Park Business Plan, also deserve renewed and constant scrutiny.

No land use, recreation, or business plan is so perfect that it does not need the intercession of concerned citizens and public officials to reevaluate its assumptions and projections and modify and update its implementation mechanisms. The Liberty State Park Master-Action Plan needs that constant critical review, which is the truly beneficial aspect of this Senate hearing.

The current controversy about the proposed marina in the Morris Canal Basin has three basic elements: size, location, and ownership.

Jersey City members of the Liberty State Park Advisory Commission are concerned that the size of the marina might encroach on, and squeeze out, other uses of the Park, and fear the environmental impacts of as many as 850 boats in a narrow basin would be negative. They apparently believe that the 1984 feasibility study by Langan Engineering made a better case for a smaller marina in Black Tom's Channel. They are also concerned with the implications of private ownership of the marina element of the Park, and suggest that the New Jersey

Department of Environmental Protection can find the money to build and operate a marina as profitably as the private sector.

H.E.D. shares their concerns about specific potential environmental impacts, in particular water pollution and congestion. Other than tidal flows, little flushing occurs in the Morris Canal Basin. The Basin is fed by Mill Creek, where sewage overflows during storms and then stagnates there. In the short run, sewage, oil and gasoline leaks, and combustion by-products from as many as 850 boats in the marina would add to this existing organic burden.

Considering the Circle Line, a sailing school, boat launchings and slips, and existing commercial boats, congestion in the area is a real possibility. Environmental degradation and congestion are important reasons for setting an initial two-year phase limiting the marina to approximately 300 slips. During that time, water quality and congestion would be monitored before the marina operator -- either a private developer or the State -- would be allowed to expand.

In the long run, Jersey City plans a number of sewer improvements in the area. Most important is the rebuilding of the Mill Creek regulator and extension of the outfall pipe at least to the Basin, but preferably to the Hudson River itself. DEP's Division of Coastal Resources would be ill-advised to issue a waterfront permit for the marina without an agreement between the city, the Liberty State Park Development Corporation, and the marina developer for sharing the estimated \$4 million cost of the extension.

This strategy would complement the current Jersey City policy of requiring all developers on the north side of the Morris Canal Basin to separate their sanitary and storm flows, with the cleaner storm water piped directly into the Basin. In addition, Jersey City's link-up with a regional treatment system will allow us to convert the East Side Treatment Plant into a pumping station by July of 1988, eliminating some 50

million gallons per day of partly treated sewage from upper New York Bay.

The issue of the preferred location of the marina reenforces our point that no plan should ever be considered static. In its 1984 study, Langan Engineering recommended Black Tom's Channel for an initial 282 slip marina. The main reasons for this conclusion were the existing development located on the southern side and the unsightly land uses on the northern side of the basin at that time.

Obviously, that analysis is much less true today, with the creation of the new Circle Line dock, the dredging for the tall ships, and the other improvements made for the Statue of Liberty Centennial, and on the northern side, the planned residential communities at One Greene Street, Portside Terminal, and Liberty Harbor North.

Clearly, there are pros and cons for each location, but the reasons for choosing the basin have never been made clearly explicit. That is one of the things we bring to your attention. There are obvious environmental implications to the development of the marina. In addition, there are design and accessibility considerations. The proposed marina goes far beyond the idea of a small, affordable, accessible marina in a state park. This is a huge marina, with its requisite boat maintenance, fueling, storage, and commercial components.

As contemplated, it will consume a significant portion of the great lawn, while the structure will block the view of the New York skyline. The great lawn is one of the few spots in Hudson County where families can enjoy vast open spaces. This vista could be lost forever with the construction of the marina's commercial structure and storage facility.

For several reasons -- environmental consideration, site planning, design, maximization of open space, and accessibility -- we believe that the marina development proposal should not be exempt from the Jersey City municipal

planning processes. Liberty State Park lies within the Liberty Harbor Redevelopment Area, which allows marinas as a permitted land use, but requires that prior to construction, architectural drawings and specifications and site plans for the improvements must be submitted by the developers for review and approval for compliance with the purposes and design standards of the Redevelopment Plan.

The issue involved is whether the Liberty State Park Development Corporation, as an instrumentality of DEP, would have immunity from local land use regulations. The answer is that the State exercises only qualified immunity from municipal land use. I could go into that, but we will skip that part.

Perhaps a more significant issue for H.E.D. regarding the marina is its potential to lean toward an unnecessary and ultimately undesirable over-privatization of Liberty State Park. The proposed private marina will be created at great cost, with relatively few direct benefits to residents within the immediate area.

For a community like Jersey City, or most of Hudson County for that matter, the private marina will be a largely unaffordable recreation asset. Remember that more than 60% of Jersey City's households are considered low- and moderate-income households by area standards. The vast majority of Jersey City residents do not own a boat, and the few that do may find the costs of a slip in a private marina prohibitive. A more affordable marina where the Jersey City, Hudson County, and regional public could rent boats for a few hours, or for the day, would provide much more direct benefit and accessibility for local people.

The marina debate becomes very confusing when both proponents and opponents of the marina claim that they are following the Liberty State Park Master-Action Plan, although elements of the Business Plan seep in and out of various proposed actions. The fact of the matter is, the current

Master-Action Plan is only a 1983 revision of the original Master Plan. The 1983 plan sharply limited the types of recreation most needed by Jersey City and Hudson County residents contemplated within the development of Liberty State Park.

When Jersey City donated the first 150 acres of land for Liberty State Park, the city envisioned in the Park a full range of educational, cultural, and recreational activities. The need was obvious. Counting all municipal parks, playgrounds, schoolyards, and county parks in Jersey City, Jersey City had less than 1.5 acres of parks per 1000 residents, compared to the generally accepted National Recreation and Parks Association standard of 10 acres per 1000 residents.

The original Master Plan and Environmental Impact Statement of the mid-1970s continued the concept of a wide range of recreational activities in the Park, with swimming, tennis, and basketball placed in equal prominence with hiking, biking, picnicking, and even community gardening.

In the late 1970s, it was the original Liberty State Park Study and Planning Commission which first proposed a 125-acre golf course and two marinas. Around the same time, the Statewide Comprehensive Outdoor Recreation Plan -- called SCORP -- in 1977, shoved golf toward the bottom of Hudson County's list of recreational needs. But the Commission still recognized the obligation of the Park to meet local Jersey City and Hudson County recreational needs as well.

But in 1983, the Action Plan eliminated, in one fell swoop, virtually all of the community uses identified in the previous 20 years of Liberty State Park planning, sharply downplaying the urban nature of Liberty State Park. If you recall, the Action Plan rejected active sports areas as expensive to develop and operate, incapable of generating income, incompatible with the desired ambiance of the Park, and

inconsistent with the consensus goal that all of the Park uses should have a regional focus. But even self-financing golf courses and marinas do not serve the bulk of park users, whether from Jersey City or the rest of the State of New Jersey.

Marinas are obviously significant and desirable water-related recreational uses in a waterfront park such as Liberty State Park. But an expensive, private marina at the outset, rather than a public marina, was originally justified as an income generator, capable of providing revenues to develop other portions of the Park. Now, it appears that the marina may not be able to do much more than contribute a little to Park operations and maintenance, and perhaps not even that.

The Park planners originally had the same idea for the golf course. The Liberty State Park Business Plan originally called for a commercial golf facility, along with hotel and conference facilities. What has become apparent is that the golf course, too, will not be a money-maker for Liberty State Park, so the idea has shifted away from a private golf course to public links.

The sport of golf is quite costly, even if played on a public course. Few lower income residents in this area can afford to purchase the required equipment to play the game. If boating and golfing are the priority recreational uses in Liberty State Park, data from the Statewide Comprehensive Outdoor Recreational Plan imply that more than 50% of the population will have less than one occasion a year to use these proposed activities.

The golf course consumes a huge proportion of Liberty State Park, necessitates expensive equipment, and will require user fees. Much more flexible and preferable would be a network of bicycle, walking, and jogging trails which would open the bulk of Liberty State Park to a more diverse and representative population of the recreation-needy families of this region.

The retention of the golf course and the marina when their financial benefits to the Park have long been discarded, raises some fundamental concerns about the Business Plan. Sometimes the Business Plan is official; sometimes it isn't. But the concept of private financing and development of the Park survives even when the financial rationale has been rejected as implausible.

Jersey City is quite aware of the financial impacts of the development of Liberty State Park. Not only did Jersey City donate some 150 acres of potentially taxable property for the creation of this Park, it gave up property tax claims on hundreds of additional acres. Based on the property values estimated by Wallace, Roberts and Todd in the Business Plan, Jersey City's taxes foregone amount to several million dollars. Over time, the taxes Jersey City has given up to create Liberty State Park will constitute by far the largest continual subsidy to this regional open space resource.

Jersey City also provides police and fire protection and other public services paid for by Jersey City taxpayers. Developments in the Park such as a marina and a golf course will demand additional municipal services, as well as infrastructure for off-tract impacts. The Business Plan also lays the groundwork for commercial developments under the auspices of a tax exempt Park at the site currently used by Liberty Industrial Park as well.

If Liberty State Park property is developed for commercial, profit-making uses without significant financial benefits toward other recreational improvements for the Jersey City and Hudson County public, the reasons for maintaining the tax exempt status of these uses are questionable. If the Liberty State Park development program goes forward with a strong flavor of over-privatization, although more attractively called a public/private partnership, the city will receive no direct financial benefit, but will add to its already heavy service costs and its millions of dollars of lost tax revenues.

It is time to rethink the development of Liberty State Park before some serious, perhaps irreversible mistakes are made. No Master Plan can exist forever without the need for reevaluation and amendment, especially as economic realities and social needs change.

H.E.D. strongly recommends that the Master Plan for the Park be reopened to let the public back into Liberty State Park planning. A great deal of public money -- both Jersey City's money and the State's Green Acres money -- has gone into this Park, but the Park's priorities have grown increasingly remote from the recreationally disadvantaged population of this region.

Significant portions of the Park were acquired and developed with Green Acres funding. H.E.D. believes that the disposition of Green Acres land either in fee simple or as a long-term lease for private for-profit development is governed by the Green Acres legislation and regulations. These limit the ability of the State or its instrumentalities to divert parkland acquired with Green Acres funding for non-public uses. It would appear that the marina's limitations or exclusions regarding public access would necessitate the State to provide replacement lands, as it now requires of counties and municipalities when their lands are diverted from the open space inventory.

Green Acres requires local municipalities to have public input in the planning process. DEP should have to live up to the same with public input into Liberty State Park calling for the diversity of recreational activities that are needed within this immediate region.

Moreover, there is a need for a major rethinking of the quasi-official Business Plan which articulated the theory which looms as the danger of over-privatization. One major component of that rethinking should be a recommitment at the State level to public funding to develop and maintain Liberty

State Park. State bonds and Federal grants are absolutely necessary for the development of this gateway to two of this nation's major historical sites.

Strangely enough, the Business Plan contemplated State bond financing for components of the ostensibly privatized Liberty State Park. Shouldn't the development of recreation that is publicly accessible and affordable, including swimming, tennis, bicycling, jogging, skating, etc., be as worthy of State bonding as the for-profit ventures of the so-called public/private partnership?

Even the recent report of the President's Commission on the American Outdoors called for a billion dollars for Federal financing for parks. It is difficult to imagine that the State would refuse to recognize the needs of its most recreation-disadvantaged region and reject public funding in favor of a snowballing privatization of Liberty State Park.

At that point, I will end. I will be glad to take any questions. Thank you.

SENATOR JACKMAN: I have no questions. I gave you one minute over your 15 minutes.

MR. COHEN: Thank you; I appreciate the extra minute.

SENATOR JACKMAN: That's okay.

SENATOR COWAN: Do you have any more copies of that testimony?

MR. COHEN: I have plenty right here.

SENATOR COWAN: I would just like to comment, Mr. Cohen, on your very comprehensive statement, to say the least. I gather the overall point you are making here is public accessibility.

MR. COHEN: It's public accessibility, and it is recreation that meets the needs of the people who are intended to be the primary beneficiaries of this Park. Certainly, it is a regional park, but if you look at the land that was given, and if you look at the representations that were made back when

the original Land and Water Conservation Funds were obtained, the primary beneficiaries were the people within the immediate region. Their recreation needs, which were articulated early in the '70s, and even before, have largely gradually been dropped over the course of time, so that the recreation uses that tend to dominate in the Park planning tend to be exclusive, rather than inclusive of this population.

So, we would say not only public access, but recreation that responds to what the people in this region need -- not just Jersey City, but really Hudson County and the rest of the region.

SENATOR COWAN: And the full State.

MR. COHEN: Yes, and the full State.

SENATOR JACKMAN: Thank you, Mr. Cohen.

MR. COHEN: Thank you. (applause)

SENATOR JACKMAN: Let me make a suggestion to everybody. We are delayed by people applauding. As far as I am concerned, you know what all of our feelings are from the fact that we are here today to listen to the people who want to be heard. So, no applause is necessary, no more than I want any booing. On the basis of that, let's conduct the hearing and let everyone have his or her say. Some of us have to go back and forth to other meetings. I have another meeting at 12 o'clock, Senator Cowan has another meeting, and Senator O'Connor left for a meeting. So, we are trying to facilitate these opportunities.

I have to be honest with you; you know my feelings on everybody. As long as you have a written statement, give it to me in capsule form -- what you want to say. I will give you my word that, because there are other members of the Commission who are not here, we will make copies of this available to them. When we sit in executive session, we will discuss the subject matter repeatedly, so that each one will be given an outside view of what took place here today.

We feel that the citizens who want to be heard here today are just as important as a long typewritten speech, although Mr. Cohen was comprehensive, and did a good job. Now, is there anyone further from the city here who would like to speak -- from the city? (affirmative response) Jaime, you're next.

C O U N C I L M A N J A I M E V A Z Q U E Z: Thank you, Senator. I will be brief. First of all, let me thank you for the opportunity to speak before you this morning. Let me point out to you that the fact that there are numerous citizens here in the middle of a workday, shows the interest that the people of Jersey City have in this development.

I think in summarizing what you just said, Senator, we know the issues, and the public knows the issues, and the people on the Commission know the issues. You heard the Mayor speak earlier. The City of Jersey City is opposed to commercial development of this marina. I would only just reiterate for the record, two paragraphs from the City Council's resolution in opposition to this development:

"NOW THEREFORE BE IT RESOLVED" -- this is after all of the whereases, about a page and a half of them, outlining the same points that Mr. Cohen brought out earlier -- "that the Municipal Council of the City of Jersey City opposes the proposed commercial marina in the tidewater basin in Liberty State Park, which is not consistent with the Master Plan, for the reasons aforesaid.

"BE IT FURTHER RESOLVED that the Liberty State Park Development Corporation and the New Jersey Department of Environmental Protection be cautioned not to take any precipitous action regarding the proposed leases until the city and its residents present their objections at open public hearings by the Liberty State Park Public Advisory Commission, and that the Jersey City Law Department investigate the marina proposal for possible future action in the courts of our State,

and that all city agencies withhold permits and approvals requested by the New Jersey Department of Environmental Protection or the Liberty State Park Development Corporation indefinitely."

This summarizes the opposition the City Council has to the development. It also indicates the extent -- through litigation or the withholding of permits -- to which the city is willing to go.

Let me point out also, that in the recent vote of the Liberty Park Advisory Commission, on a six to three vote in favor of this-- Out of the six people who voted in favor, one is a Jersey City resident. You do not have to be a Jersey City resident to be on the Commission -- I think Mr. Cohen spoke about the regionality of the Park -- but two of those yes votes have only been on that Commission for one month, or less. They were recently appointed to that Commission. Many of us believe that they haven't had an opportunity to digest the material involved and the lengthy testimony that has been given in opposition to this.

The people of Jersey City are opposed to this; the elected officials of Jersey City are opposed to this, and we will go to the extent allowed to us under law to object and block the development of this marina.

Thank you very much.

SENATOR JACKMAN: Thank you very much, Jaime.

With everyone's permission, I would like to introduce a colleague of mine who sits to my immediate left, who is here as an observer -- Assemblyman Joseph Doria, who represents the Thirty-First District. Is that right?

ASSEMBLYMAN DORIA: That's right.

SENATOR JACKMAN: We are very happy to have Assemblyman Doria here today. Also, I notice in the audience, in the back -- and I don't do this normally -- the former Speaker of the house that I have been privileged to be the

Speaker of, Maurice Brady. Maurice, where are you? There he is, the former Speaker of the General Assembly.

Now, while you are here, just to get everybody happy, do me a favor: Put your signs up, and then put them down, and then don't put them up any more. All right? Put your signs up. Do you have a sign you want to put up here? Put it up, okay? "Don't Sell our Park, Save Our Park." Do you want to do the same thing over there? Now, put them out of sight. We don't have to do it no more. Okay? Everybody's happy. "No Yacht Club," okay, that's done. Put it down; we're out of business. Now everybody is happy.

Who is our next speaker? Is there anyone else from the city? (affirmative response) Are you listed? What is your name?

T E X A L D R E D G E: Tex Aldredge.

SENATOR JACKMAN: Tex, is that what they call you?

MR. ALDREDGE: Yes, Senator.

SENATOR JACKMAN: Okay.

MR. ALDREDGE: I am Tex Aldredge. I am an Environmental Technician for the City of Jersey City HAZMAT Program in the Division of Health. This marina project cannot be done as currently planned, unless we correct the problems in the area. We have two PCB dumps in the area, which have runoff directly into this waterway. DEP has currently submitted Superfund applications for one of the sites -- Summit Metals. DEP says, "It's okay; don't worry about it." They said that about chromium in 1939 in New Jersey DOH. Then, in 1955 again, they said, "You can use this cover on landfills; don't worry about it." In 1966, New Jersey DOH told the people working on the Valley Fair site that the chromium was dangerous to their health, but they didn't turn around and ban the use of it. That is the reason we have 99 chromium sites now, because of the State's inefficiency. They said, "Don't worry about it," the same as they are saying on the marina, "Don't worry about it."

I have one thing to say about that. The people of Jersey City, and this administration, are sick and tired of Jersey City being raped by the State for the benefit of the rich. They tell us, "Don't worry about it." When are they going to start telling us to worry about it, when we have bodies laying in the street?

Thank you for your time, Senator.

SENATOR JACKMAN: Thank you very much, Tex. Mr. Pesin, you are next. Let me make just a cautionary statement. You know that you testified before us before, Mr. Pesin, and you know I know you very well. So, I can take the liberty to say to you, there is no need to be repetitive. We already have your documentation. Is there anything new you want to add to what has already been given by you? (no response)

You and Audrey Zapp have played a very important part in the Advisory Commission the State has. I can assure you that your messages are taken to heart. We discussed the subject matter on a number of occasions. So, if there is anything further you want to add, Mr. Pesin, we would be happy to hear from you. However, I want to caution you, if you are going to give me a statement that is 15 or 20 pages long, I am going to ask you to give me the synopsis of it, rather than read it. If it goes over the 15 minutes, like it did the last time, I'll have to call a recess. There are a couple of members who are not here, and I don't want to be the only one listening. I will pass your information on to my colleagues. Morris?

M O R R I S P E S I N: I hope this information will be passed on. Unfortunately, we only have two members of the Commission here. It is very unfortunate that the most important public hearing in the city is only attended by two of our distinguished--

SENATOR JACKMAN: Well, we're from Hudson County, so we have it pretty well covered.

MR. PESIN: The important members are here.

SENATOR JACKMAN: Right, that's what counts.

MR. PESIN: My time didn't begin yet, please.

SENATOR JACKMAN: Okay.

MR. PESIN: Will you please give this out?

SENATOR JACKMAN: Yes.

MR. PESIN: Here are five copies. There are many pages, but in this there is a reply to Mr. Mattson that I beg all of you to read. It took one month to prepare this. I am not going to read that statement to Mr. Mattson.

SENATOR JACKMAN: Okay. Morris, let me make a statement, please.

MR. PESIN: Yes, sir.

SENATOR JACKMAN: You've got my word that this stuff will be passed on. Your statement will be passed on to my five colleagues, to make sure they have this information. I can assure you that you will get a reply back. Okay?

MR. PESIN: And that is important. The eight-page letter answering Mr. Mattson's statement of March 9-- Please, I beg you to read it.

SENATOR JACKMAN: Okay.

MR. PESIN: Last time, I was cut short because I only got 10 minutes. I think that after 30 years of my interest in the Park I am entitled to at least two or three minutes. How many minutes do I have now -- 15? I timed myself last night to have 10 minutes here, but do I have 15?

SENATOR JACKMAN: You've got anything you want, Morris.

MR. PESIN: All right, thank you very much.

SENATOR JACKMAN: You don't have to read the letter.

MR. PESIN: No, no. This is only four pages. That will be 10 minutes-- It will be 12 minutes, because I won't read it as fast as I did last night.

SENATOR JACKMAN: The letter, I will take care of.

MR. PESIN: Right, that is very important. I'll make sure that Joe Doria gets a copy of it, too. Joe has been a good friend.

SENATOR JACKMAN: He will.

MR. PESIN: In discussing the proposed marina, I shall confine my remarks to the Senate resolution creating the Study Commission.

First whereas, page 1: "The development of Liberty State Park presents an opportunity to establish and maintain a unique urban, environmental, recreational, and commercial resource for the citizens of New Jersey and the entire nation and the significance of preserving this parkland."

Beautifully said. This preamble is what our great Park is all about, and all of us are charged with the public trust of preserving it for the citizens. That does not mean for 900 boat owners to the exclusion of seven million New Jerseyans, but all of our citizens.

We are losing sight of the meaning and basic philosophy of our great Park. The DEP, on four previous occasions in 1977 and 1981, unsuccessfully attempted to commercialize this Park. To the credit of Governor Kean, he interceded, in 1981, and saved the Park. Unfortunately, today, I regret to say, the Governor remains completely silent when we need him the most. The people of New Jersey are being sold down the Hudson River by our political and commercial establishment. But, we shall overcome.

Second whereas: "Recent published reports have suggested that the proposed \$8 million marina project is at odds with the spirit, if not the letter of the Master-Action Plan governing the development of the facilities encompassing Liberty State Park."

The Development Corporation and the DEP have violated and distorted the 1977 Master Plan, and reaffirmed in the 1983 Action Program report, in their attempt to promote this marina. A look at the map of the Master Plan and on the Action Program cover, clearly delineates a permissible marina in the Morris Canal. The one-mile upland along the Canal is

specifically protected for the public as recreational parkland in the 1981 agreement between DEP and the U.S. Land and Water Conservation Trust Fund, -which granted \$10 million for the land, including the ferry dock.

The attempt to give away this land to a commercial developer is obscene and illegal, and will be resisted in the courts, if necessary.

Third whereas, page 1: "It has been alleged that the marina proposal, the product of a joint public/private sector partnership between DEP and the Development Corporation, provides that revenues from the development of a marina is tantamount to a corporate takeover, and constitutes a thinly veiled commercial exploitation of parklands in direct violation of the Master-Action Plan." This is in your charge by this resolution.

Senator O'Connor, the bill's author, couldn't have expressed it better. I attach a copy of Governor Kean's letter of June 18, 1983 to the Advisory Commission, which led to the creation of the corporation. It says, in part: "For this reason, I ask you to work with me in developing an effective public/private partnership approach, whereby revenues generated from limited private commercial development can be used to develop, operate, and maintain other public elements of the Park." This is important.

Gentlemen, as far as the marina is concerned, DEP and the corporation have failed miserably in the Governor's mandate and purposes. The testimony on March 3 before you, and the public statements appearing in The Jersey Journal, all reveal that Vincent Murphy and Mr. Mattson of the corporation, and DEP Commissioner Dewling, have all admitted that the marina will not generate funds to develop the Park, and this is important. So, this is not a partnership, but, as your resolution says, a corporate takeover or development by dismemberment.

Fourth whereas: "It has been further alleged that the Department and the corporation have failed to provide the Public Advisory Commission with the financial impact statement necessary to review and evaluate the marina proposed."

Many months have passed since this resolution was drawn, and the Ad Hoc Committee has, to this moment, not received this information. This stonewalling and secrecy is against public policy and debases the very foundation of our constitutional government. How can this Senate Commission intelligently make recommendations, or the Ad Hoc Committee honestly advise the DEP, when the lease, financial impact statements, and other vital material is withheld?

Let not the intelligent and honorable members of this Commission be hoodwinked and deluded by DEP and the corporation, and the lame, preposterous and untenable excuses that making public the lease will benefit the second bidder if the first bidder walks away. We would be naive and gullible to accept this hogwash.

On August 15, all bids were in. All bidders were foreclosed to change their bids. The second bidder walked away after denouncing violations of the State's bidding laws and complained to the Attorney General. Only one bidder was ever considered since August 15, and the "walking away" excuse was ludicrous.

Fifth whereas, page 2: "Because the future of Liberty State Park, a unique" -- what beautiful words -- "environmental resource in the public domain, has been called into question by the development proposals of the Department, it is appropriate that the Legislature establish a Study Commission to review developmental practices" -- and this is most important -- "and issues pertaining to Liberty State Park and make recommendations as to the propriety, legality, and advisability thereof."

This is the most important whereas. The time has come to question the legality of the Development Corporation. This will be determined in the courts. I maintain that the corporation:

1) Was an entity created by the Attorney General's office without legislation or executive order and is of questionable constitutionality or legality;

2) That the corporation has met and conducted business in secret sessions for three years, in violation of the Sunshine Law;

3) Has received and expended State funds without any oversight or control by appropriate State agencies;

4) That it has received \$117,000 from the Statue of Liberty/Ellis Island Foundation for the use of Park facilities rightfully belonging to the Department of the Treasury. This matter is presently being studied by the State Treasurer;

5) The corporation has expended \$18,000 for a public relations fund to promote the marina. The legality and propriety of this expenditure should be questioned by this Commission;

6) The corporation has claimed exemption from the New Jersey bidding laws as a nonprofit entity, though it is supported by State funds. This poses -- and is the basic heart of -- a very serious legal question;

7) Under the marina lease, the corporation has designated itself -- get this -- as the recipient of all revenues from the developer which rightfully belong to the State Treasurer. In other words, they want to grab the money first, take out their own expenses, and throw the rest into the kitty; and,

8) Most important of all, it places in the hands of nonelected individuals, without public participation or scrutiny, extraordinary power in the development of 800 acres of parkland worth \$240 million at current land values, which

really should be part of Jersey City. We have no qualms about it; we really love that Park.

Finally, the question of financing the Park, or the \$300 million myth. DEP and the corporation have bombarded the media that the State would be burdened with a \$300 million cost to develop the Park, and that public/private partnership was the solution. This was done to frighten the public, and the legislators in particular, in order to "sell" the marina idea.

Commissioner Dewling has stated that there is no money this year. But he has publicly called for the public to support current legislation to finance State parks. State funding of parks has not come to an end. The report of the Governor's Council on the Outdoors is now before the Governor. The end of State funding for parklands is not over, and it is up to the legislators -- particularly Hudson County legislators -- go get that money, as they get money for roads, highways, transit, and every other thing. This cry of no money is completely nonsensical.

But, here is the boomerang to Mr. Mattson's gross exaggeration. In his letter to the Senate Commission on March 9 -- the answer is in your possession -- he lists the following items to be done in the Park -- listen to this -- all non-revenue-producing projects, such as the C.R.R. Terminal, the amphitheater, expanded Park headquarters, access infrastructure, equipment of seawall, pathways, picnic areas, passive green space, restoration of train sheds, sewers, utilities, water, power, phone lines, etc.

Senators, if the marina admittedly can't produce developmental funds, who in the private, corporate sector is going to pay for all of the foregoing items? I would like to be shown that by those who are here from the Development Corporation. Where is that money coming from? They know darned well that it is going to have to be paid for by the people of the State, who willingly pass many Green Acres bond issues.

The last two paragraphs: Attached to this statement, as I said, is a seven-page letter answering the Mattson letter -- which I beg you to read -- and the actual unexaggerated 10-year capital plan estimates of Colonel McCabe, setting the figure at \$75,160,000. This is in contrast to the scary figure of \$300 million, that is a figment of Mr. Mattson's imagination. Read that, and then I ask you to call Colonel McCabe -- this is part of your duties -- to get a rounded-out picture, and to find out what the figures are over a 10-year period. It's not such a big deal.

I urge this Commission -- and this is important -- to advise DEP and the corporation today, to defer any action on the purported lease -- which they said at the last six meetings may be signed in a month -- until the final recommendations of the Senate Commission are filed and acted upon by the Senate. Otherwise, this entire proceeding will be considered an exercise in futility, and the prestige and authority of the Senate and the members of this Commission will be demeaned.

Thank you very much.

SENATOR JACKMAN: Thank you very much, Morris. Do you have any questions? (addressing Commission members)

MR. PESIN: Questions, yes. I would love to answer a few questions.

SENATOR JACKMAN: I have no questions, Morris. I know you well enough. I served with you on many boards. I know what your feelings are. I give you my word, and the word of the Commission members who are not present-- As I said, we have other meetings we have to go to. I have to go to another meeting today. I know Senator Cowan has to go to another meeting. But, I want you to know that every one of these statement is being taken down. I assure you that -- pro or con -- people are going to be given all of the consideration that you expect of us, and a reply will be made.

This is not -- and I am going to make a statement that I think my colleague, Senator O'Connor, will agree with -- the last hearing. Because of the nature of the subject matter, we have discussed this at other times in Senate caucuses, both in Republican and Democratic caucuses. We find that the importance of this subject matter is such that it demands more than one or two hearings. I have made a commitment to my colleagues -- and I am sure Senator Cowan will agree, and Senator O'Connor -- that because of the nature of this subject, and because it is Hudson County, we will give it more of our time than I expect my other colleagues, who have other problems they must confer on, will give to those other problems. Senator Gagliano, who is a member of the Republican Party, and who is from another part of the State, is busy today, but he sent his regrets.

I am going to make it convenient next time, so that we will have full attendance, and hold the hearing when no one has any other meetings. If anyone does, we will have to be guided by the majority, and he or she will have to then cancel their meeting so we can have a full attendance at our next hearing.

MR. PESIN: One more point, please. There has been a rush job -- a jamming process. I want to tell you, I just came out of the hospital last week, and I could not attend the Advisory Commission meeting. That meeting was timed deliberately to proceed this meeting, and the people who read about it in the papers thought this was all over. It is not over, by any means, because the Ad Hoc Committee, which was legally appointed by the Chairman, being stonewalled for seven months, was not given the opportunity to come out with a final report. This is all illegal, and this is all part of our forthcoming legal procedure.

I want you to know there has been a jamming process by everyone concerned, particularly by the members of the Development Corporation, who attended several meetings down

there. They got up and they said, "We are in a hurry. We may lose at the battle front." There is no hurry. We have given our lives to that Park. The city and the county gave their lives to that Park, and we don't want any jamming through process.

SENATOR JACKMAN: Morris, do you believe Chris Jackman?

MR. PESIN: I certainly do. I have the greatest confidence in our two great Senators here.

SENATOR JACKMAN: The State appointed an Advisory Commission. I think it is incumbent upon this Commission to discuss subject matters of mutual importance with each other. However, in fairness to other people, who may be pro or con -- whatever it may be -- they must be given the same consideration. Statements are going to be given to us to digest. I think it might be wise -- and I am going to recommend it to the Commission I am privileged to sit on -- to take the State Advisory Commission that was appointed by the Governor -- and you are part of it, and so is Audrey Zapp -- that Liberty State Park Public Advisory Commission, and groups of that nature-- We will coordinate our efforts mutually, and will discuss the subject matter.

I think -- and I think you know this -- the art of compromise is always the best way to approach anything. Nobody is all right. There is always an opportunity to make some contribution. I am sure you agree with that principle. I know I share your wants and your needs, and I know what hard work-- I look at you with great admiration, because I know you have spent a lot of time in that Park. I know what it means to you.

So, with that, thank you for your help. We will now go on to the next speaker. (applause) No need for applause. He knows how good he is. Is Connie Schimenti here? (affirmative response)

M. C O N C E T T A S C H I M E N T I: Gentlemen, I was born in Jersey City, raised in Jersey City, taught in all of the

Catholic and parochial schools, and at the Hudson County Community College as well.

Today I am here as Vice Chairperson of the Jersey City Cultural Arts Commission. In the 10 years of its existence, about \$200,000 was raised and spent on over 200 free concerts and festivals at both ends of Liberty State Park. Our volunteer members have devoted considerable time and effort in staging these events for many tens of thousands of people not only from our urban areas, but from many parts of New Jersey -- not only Jersey City and Hudson County.

These people have enjoyed a free green Park, unencumbered by the inroads of commercial enterprises. The proposed marina, with its hideous boat warehouses and luxury facilities for a limited amount of people, is an affront to the people of New Jersey who will be denied the complete and full use of the marina site.

With the removal of the ferry dock to the Central Railroad Terminal area, there will be a serious adverse impact on all festivals, concerts, exhibitions, and activities now held at the Terminal. Remember, also, that the thousands of New Jerseyans attending these events will have to compete for the limited number of parking spaces with hundreds of thousands of ferry users from all over the country -- perhaps the world.

This, in itself, is intolerable. To think that State officials callously exclude our citizens from 90% of the northern embankment, including the ferry dock, to accommodate a mere handful of boat owners, staggers the imagination. I can now understand why this vast giveaway of our parklands has been so stigmatized, which the "New Jersey Monthly Magazine" has satiracally headlined, "Welcome to the Huddled Masses Yacht Club."

With due respect to the entire Commission, I am making a direct appeal to Senators O'Connor, Cowan, and Jackman. You represent 550,000 residents of Hudson County, for whom this

urban Park was built, and which today serves the entire State of New Jersey. Your constituents are relying on you to save this Park against the onslaught of commercial interests. This Park could not have been built without Jersey City's contribution of 20% of the land of the Park. For this Park, we have relinquished hundreds of millions of dollars in possible ratables by Jersey City and Hudson County. Don't permit Trenton, under the guise of lack of State funding, to again discriminate against Hudson County by commercially exploiting our great Park. You have not done this in any other State park.

We call upon our Hudson County Senators to recommend to the Senate that Trenton keep its hands off "our people's Park." We also ask you to seek more State funding of parks, not only for the people in Hudson County, but also for those throughout our State.

Whatever you do, gentlemen, you will be forever remembered by your constituents. Thank you very much.

SENATOR JACKMAN: Thank you very much. Let me reassure you that because of the nature of the subject matter, and because of the fact that there is another Advisory Board operating, and there are other people who have input which they send us by letter or forms-- I think we are going to coordinate all of those letters and forms on the other side, from those who want to make a marina and who constructively feel they are going to be adding to the beauty of the Park. It is their right to make that statement, and we have a right to digest it. We then have a right to discuss this matter further.

Let me make a statement: I know there will be other meetings, because I am going to have to digest the subject matter that is on the tapes being made here today. We will be receiving a transcript of them within a couple of weeks. I think it would be wise-- I mentioned to my colleague to my right that I feel we should notify-- It will be after the primary, so it doesn't look like a political situation, okay?

I like to do that so it doesn't look like you are trying to make little chits for yourself. I don't buy that. I think it might be wise to have this meeting afterward, so that people will be available. And, if it becomes necessary, I think it is incumbent upon us to have a meeting at night, so that other people may participate, who couldn't participate earlier because they were working.

So, we'll have another meeting, and it will be in Hudson County, because the subject matter is in Hudson County. We don't have to go to Bergen or any other county to have this discussion. You have my word that there will be another meeting -- at least another meeting, and possibly two -- so we can receive further input. Again, I want to tell you that we have received input from the other groups, from those who feel a marina would enhance the beauty of the Park, etc. There are certain moneys that the State doesn't have, or is questioning. Sometimes I wonder. Again, I assure you that you have a right to have a discussion.

I don't like to put on an act, because I don't sneak out and I don't lie to people. But, I have another obligation. As most of you might know, there is a swearing in taking place up in my hometown of West New York. I have been invited to be there to take part in the function of that swearing in, but I can assure you that the testimony that is going on here is going on the record. You have my word that we will have another meeting in this facility. Preferably, I think it might be wise to have it at night, so that other people who cannot be here during the day, who have to work, will be given the opportunity to speak. If that meets with your approval, okay.

MR. SWEENEY: Senator Jackman?

SENATOR JACKMAN: Yes, Mr. Sweeney.

MR. SWEENEY: I am Joe Sweeney. I am coordinating in this forum for the City of Jersey City. Some of your comments

are well taken. Those who believe that the marina should exist have a right; I totally agree with you. Also, a night meeting would be wonderful; absolutely wonderful. We hope we can have a night meeting, but I hope you are not going to ask that this be recessed now.

SENATOR JACKMAN: Oh, no, no.

MR. SWEENEY: Oh, fine, because we have some other things--

SENATOR JACKMAN: Let me tell you what we've got here, Mr. Sweeney.

MR. SWEENEY: Okay.

SENATOR JACKMAN: When I leave, Senator Cowan stays here. When he leaves, Senator O'Connor will be back. He had to go to a union function just up the boulevard in Jersey City. He will be on his way back. When Senator O'Connor comes back-- Somebody from Hudson County will always be covering this. Okay?

MR. SWEENEY: Fine.

SENATOR JACKMAN: No recesses.

MR. SWEENEY: We did not want to be caught high and dry in the marina.

SENATOR JACKMAN: You've got my word on that, okay?

MR. SWEENEY: Thank you.

SENATOR JACKMAN: Senator Cowan will now take over.

SENATOR COWAN: Next, we will have Audrey Zapp, a member of the Advisory Commission. Audrey?

SENATOR JACKMAN: Audrey, where are you?

UNIDENTIFIED SPEAKER FROM AUDIENCE: She's coming.

SENATOR COWAN: Are you ready, Ms. Zapp?

A U D R E Y Z A P P: Yes, I am. It is kind of thinning out here. Everybody is disappearing.

SENATOR COWAN: Do you have copies of your testimony? (witness hands copies to Senator Cowan) Okay, very good.

MS. ZAPP: I am not reading all of this, but I want these things put into the official record.

SENATOR COWAN: There are two parts to this?

MS. ZAPP: Yes. This just goes into the official record; I am not going to read it. It is a review of the Master Plan for the record, so that when the Commission convenes and decides to discuss the Master Plan, it will tell you the whole history. I would like it just placed in the transcript.

I want to just briefly tell you what has been completed in the Park. The southern end of the Park has been completed. I guess you have all been in Liberty Park, so you will know exactly what I am talking about. The marine walk has been completed and the overlook. The Environmental Center has been completed. The sea wall still has to be completed in the central area of the Park. The golf course is not completed. Then we go on to the northern end-- Of course, the Science Center has not been built yet. The Recreation Park has not been built because Jersey City still has the car pound.

Then we go to the northern area of the Park; that is, from the footbridge on Jersey Avenue into Audrey Zapp Drive. The footbridge was completed in time for the July 4 celebration. It is right over here. (demonstrates) Now, completed from the Jersey Avenue footbridge on the west, and Audrey Zapp Drive on the south, and the Morris Canal -- the tidewater basin on the north, and the Central Railroad Terminal on the east-- The Master Plan designed the grasslands to be unstructured and open, in order to provide contiguous open space, both visually and physically, to promote a sense of continuity and to afford continued movements in the public open space for sitting, picnicking, kite flying, baseball, and football, allowing citizens free public access to do their own thing.

Now, the clipping I have in the back of my little message is my documentation. It is from The Hudson Dispatch. It speaks about Colonel McCabe talking about this particular

area being opened, and having used public moneys. Preparation of this site will include seeding lawns, installing lamps, and building a railed wall bordering on the canal and the harbor. This entire section, from the footbridge all the way to the Terminal, including the Circle Line dock, and from Audrey Zapp Drive, has been completed, using public moneys.

It is already built, and not one agency -- not one agency -- has disputed the fact that this Master Plan, which was designed by Bob Geddes, and reenforced with the Action Program of '83, designates this land use as specifically open green public space, with the marina in the water. Not one agency has brought forth any documentation to this day to show that this is not accurate. What I am saying is, when it isn't broken, don't try to fix it. Liberty State Park has already been built in the northern end.

Now, we come to the marina that is being proposed by the Development Corporation and the developer. Because of the various components that are being proposed -- and you know them; I won't go into all of them -- the grassy outdoor boat storage facility and the marina headquarters complex and the restaurant on the site of the Circle Line dock are not in the Master Plan for Liberty State Park. These uses are not permitted in the Park's Master Plan. If you ever sat on a planning board, you know there are permitted uses and there are uses that are non-conforming. These happen to be uses that are not permitted, and are not in conformity with the Master Plan. These uses are not only incompatible, but they constitute a major revision of the Liberty State Park Master Plan adopted by the NJDEP and approved by the Liberty State Park Advisory Commission.

The specifications operate to substantially alter the uses and purposes of the Park detailed in the Master Plan, and the pictures I have here-- Senator Cowan, would you mind just looking at them? (Senator complies) That is the area we are

talking about. You can see the walkway. You can see the cherry trees that were planted by the telephone people. That is something that is right there. "One picture is worth a thousand words."

So, you are going to have to wrestle with a plan that has been implemented and with a Park that has already been built. And, if you want to be responsible, or if you are going to allow any company to come in and dig up a Park that was built in conformity with the Master Plan-- If we can allow this, then I think there must be something wrong with the planning system and with the entire review process in State government.

Now, as far as the letters-- Some of the things we have gotten from people are letters. They are particularly protesting the Liberty State Park design that is being proposed by the marina. The Friends of Liberty State Park have the first letter. They support the construction of the marina boat slip operation within the confines of the Morris Canal tidewater basin, as envisioned in the Liberty State Park Master Plan.

We enjoy using the green open space at the northern embankment of the Park. Do you see what color this is? You don't see buildings anywhere. You don't see any high corrugated buildings. Bob Geddes from Princeton designed this Park to be green. It was a gift to the people of the State of New Jersey. It is a fitting backdrop for the Statue of Liberty and for Ellis Island. It is the best that New Jersey can give. Certainly, an ugly corrugated building on parkland-- Governor Kean would not allow this in his front yard, and why should the people of New Jersey allow this on their parkland?

What we are saying is, we use this land. We use it for kite flying, for picnicking, for ball playing, and for other activities. We support the concept and design for the area's free public access found in the 1977 Master Plan, and

unanimously reaffirmed in the Action Plan. We support the concept of continued public ownership. We want this Park to be owned by the public who paid for it in the first place with State money and with Federal money. It is very simple. It is not a complex plan. It is something that has already been built.

We support the continued operation of the Circle Line boat at its present location. We feel that Federal moneys and State moneys were used to build the facility. We support the retention of it, and urge that the ferry remain at its present site.

We use the existing Morris Canal/Hudson River Walkway, already constructed and designed in compliance with the Liberty State Park Master Plan. The walkway includes lights, water fountains, railings, and so on.

We support the maintaining of existing scenic resources and views at the site. We enjoy the views of the Morris Canal.

This is probably the first time this has been mentioned, but I think this is important because it appears in almost all of our letters. We recommend that the Liberty State Park Senate Study Commission -- and especially Senators Cowan, O'Connor, and Jackman, and Assemblyman Doria, and thank heavens you're here; I can include you in this scope -- strongly support an Action Plan whereby the Hudson Senate and Assembly delegation, as a team project, sponsor a bill to appropriate "X" number of dollars from the General State Fund, to assist in the building of Liberty State Park.

Now, if we are against taking this Park apart piece by piece, this is only the foot in the door. We have so much more that still has to be built. If we are going to do this with every single component -- have to come up here and use the energies of the people-- We shouldn't use our energies in a negative way. We should be embracing this plan. We should be

working with DEP. We should be working with the Hudson County Senators and our Assemblyman.

I have so much energy. Can you imagine if I used it to try to lobby for Liberty State Park, going to Trenton, meeting with your colleagues, showing my pictures, and telling them about the people who are using this Park? Don't they deserve some money? I would be willing to give you 24 hours a day to do this. I make this promise to you: If we can start to sponsor a bill to appropriate "X" number of dollars-- I understand from Capital Budget and Planning, and some of the people I have been talking about, that this is done every day. Appropriations are given for special legislation, and somebody said, "And twice on Sunday." I may be green in this area, but I am going to learn.

And, of course, there is the Van Vorst Park Association. We have a letter from them. And then we have letters from the Essex Street Block Association and Hudson County Citizens for Clean Air. We join with our friends from the Citizens Committee of Hudson County, and support the Hudson delegation sponsoring the legislation.

One of the things I am going to leave you with is a letter from a new immigrant. It says: "Dear Mr. Pesin and Ms. Zapp:" This lady lives in Jersey City. "I am a new American who came from Moscow. I enjoyed very much going to Liberty Park, which reminded me of the state park in Russia.

"When I read that a private developer is going to take a good part of the Park and deprive the general public from enjoying it, I was shocked.

"How can such a thing happen in the United States, where everybody is supposed to have a good life? How can it happen that a Park which is supposed to be enjoyed by all people, can be taken away from the many and given to a few for their own profit and enjoyment?

"I know from your previous work that you will do your best and protect the general public, which will be thankful to you." As I am reading from this letter, I am thinking of the Development Corporation. Do you know, I think their heart is in the right place. I have known Mr. Murphy for a good many years. I know he is a very intelligent man. I think if he were to join us in helping to sponsor such legislation-- I think they would put the full weight of the Development Corporation behind us. It would be a very good way to have a team effort here, instead of having this kind of a split decision-making process. Everybody on the same boat; everybody cheering and trying to get Liberty State Park built.

This Park can't speak. I know that if this Park could talk, it would say: "Let's join hands." I am willing to join hands with Mr. Murphy, and I am willing to join hands with the Assembly and with the Senate. Let us get some money for Liberty State Park. Let the Development Corporation build a marina. There are plenty of things they still have to do. They have the golf course. They have a lot of wonderful things in the Park. Their energy could be used in this direction. I think we could all work together on the same track and build Liberty State Park.

Thank you so much for your time.

SENATOR COWAN: Thank you, Ms. Zapp. Assemblyman Doria?

ASSEMBLYMAN DORIA: That was a very good presentation, Audrey.

MS. ZAPP: Thank you.

SENATOR COWAN: Regarding the thought of reaching for more money, I am sure you recall that at our first hearing, the fact was brought out about the drying up of the funding. There doesn't seem to be any means right now, but certainly with -- as I like to relate-- The State is on such a roll now. Here we have the most heavily visited park in the State -- Liberty

State Park -- with a tremendous panoramic vista. It is the gateway to the nation, and it seems rather, shall we say, inappropriate to me that there couldn't be some source of funding to assist in various ways, in a very cooperative manner, as you indicate that you would like to work, with the Development Corp itself.

I think that will be something -- as you suggest -- that we will be looking at, particularly now with the budgetary process going on -- looking at within the next month, to come to some agreement as to a State budget, which we have to have as mandated by our Constitution.

MS. ZAPP: That would be fine.

SENATOR COWAN: Perhaps if we could make an approach in that direction with everyone involved, the process could be started, even though perhaps not reaching the ultimate that everyone would like. At least it can be said that the spirit of compromise has been expressed to try to move in a direction to get some further funding for the Park.

MS. ZAPP: But, starting the ball rolling, I remember when I was on Governor Cahill's Green Acres bond issue. It was a citizens committee that was appointed by the Governor. It was the first bond issue, and people had to be educated. People weren't even sure about parks and so on. But, going out to the public, reaching out to them and explaining what it was all about, people embraced it. Although some of the other bond issues did not get voted upon favorably, the Green Acres did. It showed that there is nothing that people can't do when they work together with government and the legislators.

I know that with the fine caliber of people we have representing us in Hudson County, I don't think there is anything we can't do, if we set our minds to it. Thank you.

SENATOR COWAN: Thank you, Audrey.

MR. SWEENEY: Senator Cowan, after Audrey -- I don't think I listed this with Mr. Jiggetts-- We have a film of the

Philadelphia developer which we would like, at some time during this hearing, to show to the Senator and Mr. Jiggetts -- a film of the marina that exists in Philadelphia. The same developer, as of now, has been selected as the developer of the tidewater basin. If you would allow us to put that on, then we could come down to the finale, or a recess, although Senator Jackman said there would be no recess.

We also have a list of approximately a dozen people who would like to speak. So, I just ask you for these courtesies. I know everyone is very busy, but any way you want to do it -- break, film, and so on -- the public is here, and certainly I know, as you elected officials know, how important the public is.

SENATOR COWAN: Thank you, Mr. Sweeney. We have a list of a number of concerned citizens which was submitted to the Commission. We also have two additions here. I would like to start with those, and then we can discuss what you propose as far as the film is concerned. The first concerned citizen who contacted the Commission was Monica Larzelere. Monica, would you please state your name and your affiliation for the record?

M O N I C A D E V L I N L A R Z E L E R E: Okay. My name is Monica Devlin Larzelere. I am a member of the Harsimus Cove Neighborhood Association, but I would prefer to speak as a citizen -- as a wife, a grandmother, a resident of Jersey City.

SENATOR COWAN: All you have to do is state your name and address then.

M S. L A R Z E L E R E: My address is 278 Fifth Street, Jersey City.

While I am speaking, I have some photos I took. I went to the marina in Philadelphia, because after attending the meeting at the Park Commission, I was pretty sure that minds had been made up. This development was going through, and it

was going to be this developer. I wanted to see what type of product he put out. I went last week. I checked at the office to see if they would enable me to have a tour of the facilities. This was denied me. They felt that Malcolm Lazin had to give me the tour himself, or make arrangements for it.

I have to say that this disturbed me a little bit. If I were a potential renter of a boat slip, I am sure they would have taken me through the facilities.

I said that I would like to speak as a citizen, a wife, and a grandmother. I feel that this Park is our legacy to our children's children. We should take care to provide facilities that we are truly proud of. As a result of a vote of the Advisory Commission and the presentation at the Cordero School, coupled with the fact that press articles stated the marina is approved -- Mr. Hartnett has served his mission -- I decided that the Philadelphia Marine Center-- I also researched the Philadelphia papers, basically The Philadelphia Inquirer. The secrecy with respect to the contract and plans for a State park is incomprehensible to me. This developer is performing surgery on a park, and we have nothing to say.

Mr. Lazin's marina in Philadelphia is his reference for doing work at Liberty State Park. I will give you a little background information on the marina in Philadelphia. From The Inquirer, February 14, 1986: "Malcolm Lazin could be excused for being a tad boastful standing inside the new boat shopping mall his company has just built on what had been a dilapidated, rat-infested area. To quote Mr. Lazin, 'They had to bring in the Pied Piper to get rid of the rats.'" I think this Commission should be concerned with the fact that these are two different areas.

Liberty State Park is a park. Downtown Philadelphia was a warehouse area that was rat-infested. The people there welcomed this development there with open arms. There was one

block of housing in that area. They were anxious for the development to begin. Their minds are not changing.

One of the other things I found out when I was reading the paper was, of the \$20 million that went into this initial project, \$10 million came from Bell Atlantic Properties. Bell Atlantic Properties is the unregulated part of Bell Atlantic, which New Jersey Bell is a part of. We have a gentleman, Mr. Hartnett, who is not only on the Board of Trustees, but who is also the Chairman of the Advisory Commission. He is the Vice President and General Counsel and Secretary of New Jersey Bell. I am only asking you, does this present a conflict?

I also question the fact that we have one architect on the Board of Trustees -- Mr. Hillier. I am led to believe that the people in Philadelphia were very excited, because he does have an excellent reputation, and he is responsible for the plans for Pier 19. Now I ask you again, is this a conflict?

SENATOR O'CONNOR: Well, let me make sure that I understand. Are you suggesting that Bell is involved in the Jersey City marina project?

MS. LARZELERE: No, sir. I'm saying that the developer who was selected, was selected without the public or anybody being able to see this contract. It has been treated with a great deal of secrecy. I am just saying that there is a lot of money in the parent company -- in that development, half of it. I am not accusing anyone or anything. This is what I managed to find out. I would be very hopeful that the Development Corporation checked everything out before they made the recommendation. I am not accusing anybody of anything. I am just bringing this to your attention, and hoping that maybe you can pursue it. If there isn't a conflict, fine.

SENATOR O'CONNOR: All right. But your suggestion that a conflict exists is because the Chairman of the Advisory Commission, Mr. Hartnett, is involved with the Bell companies? How is it again that--

MS. LARZELERE: Not directly. New Jersey Bell is a portion of Bell Atlantic; that is the parent company of New Jersey Bell since divestiture. I am saying that the Atlantic Properties that has put up \$10 million to the development in Philadelphia, is part of the Bell Atlantic complex.

SENATOR O'CONNOR: Okay. Are they, in any way, involved with the Jersey City project?

MS. LARZELERE: The information is so closed on Jersey City, that I could not tell you that.

SENATOR O'CONNOR: All right. I just wanted to make sure that I understood what you were getting at.

MS. LARZELERE: When you can't get answers, you raise questions. (applause)

The next issue I tried to pursue was the type of work of the developer. I think some of those pictures speak for themselves. The question of his compliance with his lease agreements-- I did not have the time to research this fully. Again, I am just hoping that I can put out some thoughts that you can pursue for us.

Our boat safety agreement with the Corps of Engineers: It is my understanding that before the pier was opened down there, there was an agreement that there was supposed to be some type of a TV system, so that when the boats went out into the harbor it was a safety issue. This has not been done as of yet. This is the second year of the marina.

Parking facilities were to be provided. They have not been provided as of yet. If we do go with this developer, are we going to allow these things to happen?

Handrails are not provided, and I think you will notice in the pictures that apparently last year there was nothing. This year, they put up barbed wire.

Also, apparently in the agreement -- the leasing agreement -- certain utilities are to be provided. This has not been done as of this time. I was speaking to a gentleman

down there who has moved from the center marina to one of the side marinas, and he doesn't even know if he is going to have water to wash down his boat this year.

The fuel, which I was very concerned about -- the fuel in the Park-- Well, this is their second year down there, and those boat people don't have fuel yet, so maybe I don't have anything to worry about. Last year, an attempt was made to provide fuel, and it was via truck, at the edge of the road, just with his hoses going down into the vehicles, and there was a problem. I have to say, apparently a boat was loaded with the wrong fuel, which can create problems. In pumping it out, the vendor -- because it was a vendor who was used -- allowed a lot of that to spill into the water. To Mr. Lazin's credit, apparently after this happened, he discontinued use of that vendor. But, is he complying with his lease agreement? Is he providing what he was supposed to?

I was concerned -- and I mentioned it at the Park Advisory meeting -- about people setting up residence in a boat. This is done all over, and it presents problems. From the limited time I spent down there, and from questioning people, I was only led to believe that perhaps there is one individual doing that at this time, so it is not a problem. But, if you allow one to do it, where do you draw the line?

Garbage is a real problem down there. Apparently a lot of people, both the boat slip renters and people who live in the area, have brought up this problem. There is no reason-- The garbage is on public property. It is on the street. That is where the dumpsters are. That is not very appealing. I mean, we have to make sure that whoever comes in here makes provisions to clean up after themselves and for disposal. It's fine to say, "I am going to do it," but when? Are we going to have to be citizens going out every day checking this to make sure that whatever lease agreement we have is complied with?

Well, this is strictly hearsay; something that I did not look at myself. I understand that a process was started to bury the fuel tanks. What they were going to do was bury them underneath the Ben Franklin Bridge. Now, I don't know if that creates a problem in your mind, but to me, if there were any type of an explosion-- I mean, there are cars on top of that bridge. There is also public transportation, as well as you have the boaters underneath. I think that is a hazard. The process was stopped.

In Sunday's paper -- the Philadelphia paper -- which I did not get a chance to read, I understand there is now a process going through where originally the developer was going to do the walkway, but now it seems that they want to transfer this to state and Federal funds. I am bringing this up: Will we run into the same situation, where we are going to have to provide State funds for the walkway?

In summation, I request that you thoroughly research Mr. Lazin's compliance with these lease agreements with the City of Philadelphia and with his renters; also, that you check possible conflicts of interest and the closed door policy by the Development Corporation. Waterfront developers in Jersey City are pretty open with the public, so I think we really react when someone closes the door in our faces, and we can't speak to them unless we represent somebody. I represent myself and my family, and I think I have a right to question what is happening. As a user of that Park, I have a right to question.

I thank you for your time -- the time to listen to the concerns of the people who use this Park, and the children for whom this Park provides an alternative to being on the street. And, this is the case. There are parents who put bicycles in their cars and bring them down to the Park, so that their children can ride without them worrying. You have to consider these aspects.

I would like to say that we should work together to provide facilities for boat owners to the benefit of the public, not to the detriment of the public. If I didn't believe this could be done, I would not have taken the time to go to Philadelphia. I would not have read all the articles I read; all the reports I read. And, I wouldn't be here. Please let the public be part of this process.

I would also like to ask just one thing: When Senator Jackman left, he said, "Don't worry, we are going to have more hearings on this. They will probably be at night, if need be, and you will have a full Commission." But I would like to ask-- Again, as a layman, I don't know, but is there any way of delaying the signing of this lease until we have those hearings, or are we going to have the hearings as an after effect?

Thank you.

SENATOR O'CONNOR: Thank you. Are there any questions?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Are you going to answer that last question?

SENATOR O'CONNOR: I beg your pardon?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Are you going to answer that last question?

SENATOR O'CONNOR: I don't know the answer to that question myself. We don't control DEP. We are members of the Senate. We are a Commission that was established by the Senate. We will be doing our work and reporting back to the Senate. As such, I can't tell you what DEP, which has the ultimate decision in this matter, may do or may not do. I would hope that DEP, which will certainly be aware of this hearing, would be sensitive to the needs that everyone is expressing here today. But, I can't answer for them. They are in the Executive Branch of the government; we are in the Legislative Branch.

I would suggest, perhaps, that one way of drawing their attention to that, would be to correspond with them -- maybe perhaps a letter to the Governor or to the Commissioner of DEP.

UNIDENTIFIED SPEAKER FROM AUDIENCE: What if we can't do that? Can't a member of the Senate Commission do that?

SENATOR O'CONNOR: I beg your pardon?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Can't you request it of the Governor?

SENATOR O'CONNOR: Yeah, sure, we can request anything but, again, I would think that it would be in your interest to let the Governor and DEP know what your desires are.

MR. SWEENEY: Senator O'Connor, may I, just as a private citizen-- As you know, I do not work for the city; never have. There seems to be a little dilemma here. Here we have representatives of the people listening to our complaints, and yet, are we passing the buck -- our elected officials? "Well, that is DEP that has that. That is the EPA what has that." You have powers, like the power of the people, which in two weeks you will feel as elected officials. You have powers to ask, and say these things to these department heads. If you want future hearings, fine, but let's be fair and declare a moratorium. You are our representatives. I am asking you to go along. I am sure that woman will be only too glad to write to Commissioner Dewling of DEP, but certainly I want our elected officials not to pass the buck to any departments.

SENATOR O'CONNOR: All right, Joe.

MR. SWEENEY: I want you to be heard loud and strong. Let's go moratorium across the board, sit down, and resolve some of these things.

SENATOR O'CONNOR: Joe, I appreciate your point of view, and you are absolutely correct. We have the authority to do that, and I am certain that each of us, and collectively, will take some action. I don't know what you are suggesting,

Joe, but I'll say this: This Commission would not be in existence had it not been for the initiatives of those who are sitting at the table. So, I don't know what you are suggesting. We have never abrogated our authority. We are going about this. Hearings have been held. In deference to those who wanted to have this hearing here, it's here. You heard Senator Jackman say that we will meet at night, and we will meet at night.

MR. SWEENEY: Fine, fine. What I am saying, Senator, is, you are the elected officials. You have the power to put pressure on appointed officials.

SENATOR O'CONNOR: You are familiar enough with the political process, Mr. Sweeney, to know that it is not just a letter from an elected official that will stop an action. The Governor and department heads listen to people. The more they hear, the more they are apt to listen. You know that is the case.

MR. SWEENEY: Right. Well, later on, I will reflect on the general provisions of committees, and the power you have, and I will ask you at that time in the summation of the hearing. I will remind you of the powers you do have, and information I hope this Commission will bring forth to the public -- at the wind down. Maybe it will make a little more sense then.

SENATOR O'CONNOR: Go ahead, Senator Cowan.

SENATOR COWAN: This was given to us today. Of course, I didn't see what date it was, but I believe it was from The Newark Star-Ledger. It is an article by Al Frank regarding, "Citizens' Panel Backs Liberty State Park Marina." He indicated the vote was taken six to three, recommending the State to approve the contract for \$30 million. Also, the same article states: "I would hope that this would mean there would be a contract signed by the end of the month." Is that this month that we are in right now?

What has been suggested here is that some steps could be taken in the direction, of course -- just as the Chairman has mentioned, and to reiterate what he said-- In the process of following up, perhaps they could hold off on the signing of any agreement. There was an indication of a further hearing here today, Mr. Chairman, while you were not present: If we are going to continue with the hearings, it might be taken under that sense in an advisory capacity. The parties here who feel that way, certainly should write to the Governor and to Commissioner Dewling, and, of course, to the corporation itself -- the Development Corp itself. If they would just give copies of those letters to us, certainly that would enforce anything that we would attempt to do. I think that is the meaning that is being presented here now. Okay?

MR. SWEENEY: Keeping it out of the realm of politics -- the hearing that has been suggested by Senator Jackman -- before or after the election process -- is perfectly all right as far as the citizens of Jersey City are concerned. We don't want to put someone on the spot. But we do want further hearings. We would like, as has been suggested by Senator Cowan, to have a moratorium -- not the end of the month, something that is signed, sealed, and delivered before all the points are brought out. There is still much to be said. That is all I ask.

SENATOR O'CONNOR: Assemblyman Doria?

SENATOR COWAN: In deference to the Chairman, Senator O'Connor was not here when Senator Jackman was making statements about further hearings, and about a night hearing. That was what was mentioned here.

SENATOR O'CONNOR: Right. Assemblyman Doria?

ASSEMBLYMAN DORIA: I just want to reiterate what Senator Cowan just said, and what Senator O'Connor just said. I just want to make it clear to you, Mr. Sweeney, we could write as many letters as we want, and we could petition the

Governor as much as we want. If I were to say to you right now that the Governor would do exactly what we say we want him to do, I would be lying. All we can do is ask him to take steps not to sign the contract. It would be false for us -- for any of us -- to claim that we could stop him from doing it. I just want to make that clear. You are trying to create the impression that a moratorium could be done by us -- Senator Cowan, or Senator O'Connor, or any of the Senators, or myself. Even if the Senate of the State and the Assembly passed a resolution to the effect that there should be a moratorium on signing this contract, the resolution would have no impact in law unless the Governor agreed to it. We cannot force the Governor to agree to anything, unless we pass a resolution or a bill over his veto by two-thirds majority.

So, I just wanted to make it clear for the general public here, that there is no moratorium. We cannot enforce a moratorium legislatively on the Executive Branch of government. It is not passing the buck; it is telling the people the truth. I think it is important to let the people know what the truth is, rather than create false hopes that something can be done.

Now, I agree 100% with Senator O'Connor and Senator Cowan. I will write a letter, and I think all of us should write letters as elected representatives, and obviously all of you should write letters as concerned citizens. But, all we can do is ask, and petition that this be done. We have no legal authority to prevent the corporation from taking any action. We cannot, obviously, prevent the New Jersey Department of Environmental Protection or the Governor's office from taking action.

I just wanted to make that clear, because it seemed that there was a misunderstanding. It is good to get the facts clear in this type of a situation.

SENATOR O'CONNOR: All right. We are going to move on to the--

MR. SWEENEY: May I just quickly respond, Mr. Chairman?

SENATOR O'CONNOR: Mr. Sweeney, we are going to give you all kinds of opportunities at your time. I want to move on to the next speaker, who is Donald Rohrabach.

D O N A L D R O H R A B A U G H: Donald Rohrabach is my name, and I live in Jersey City. I have two parts here I would like to-- First of all, I want to give you a letter that has been addressed to Senator O'Connor, and I will read it. It is from a concerned citizen not from Jersey City:

"Dear Senator O'Connor: Mrs. Thomas and I are disturbed and indignant over the plan to build a monstrous boat repair facility in Liberty State Park. We, living here in Allendale" -- that is in Bergen County -- "are fortunate in having two large, green, natural areas within the confines of our small town. Not so the people of Jersey City. To take a part of Liberty Park and despoil it with what is planned is outrageous. It will cause eye pollution and deprive the residents of Jersey City of the use of this section of the Park. What is suggested will only aid the rich 'boat people' and will in no way give comfort to the common man.

"We have summered in the beautiful Connecticut town of Groton Long Point. About 30 years ago, a steel corrugated boat warehouse was built across the water in the town of Noank. To this day, this mars the wonderful view that once was. Please don't let this be done to the people of Jersey City, and to the owners of this Park, the people of the State of New Jersey. Very truly yours, Stiles Thomas"

I want to sort of give a little background and a little philosophy. I am a new resident of Jersey City. I came from the community of Ridgewood in Bergen County. I have enjoyed all of my life the shaded streets, green lawns, and all the wonders that this community had to offer. I have gone to State parks in New Jersey, and I have always traveled through very wonderful scenic areas to get to these parks. But I had to do it by car, not always accessible.

I came here to Jersey City, and I live in a brownstone. I live now in what they call the "asphalt jungle" of a city. In developing my little piece of property -- which is only 20 by 75 feet -- I restored the little land around the side of the building and planted some trees -- a little bit of green. In my endeavor to be a part of the community, I have helped to try to fight the loss of a park and a swimming pool that was in the park. Green Acres gave back to the city a new parcel of land supposed to be the equivalent, but only with a ball field. Also, a large chunk had to be taken out for a parking lot, again diminishing green land.

I also went down to Trenton to help to fight for a bunch of trees, a small, little park that was in the middle of a shopping center. We were able to save the six, seven, eight trees.

Here we have a piece of land that is situated in the heart of a very high density area. There is absolutely no way of going through green acres or green land to get to this piece of land. And now you want to take and make it smaller. We have already heard the figures.

SENATOR O'CONNOR: Excuse me. When you say "you," I assume you mean the Development Corporation, and not a member of this Commission or the Commission in general.

MR. ROHRABAUGH: In general. You have to travel through the heavy dense areas to get to this piece of green land, and you are going to now cut it back. I feel you should be taking into consideration what was just talked about by Rick Cohen -- one acre to 1000 people, when it should be 10 acres to every 1000 people. What you are doing is taking this little parcel, and it is a little parcel when you compare it to the size of the surrounding area. What I really want to reiterate is that you cannot get to it by going through nice, shady streets and lots of green land.

Thank you.

SENATOR O'CONNOR: Lorraine Garry? (Ms. Garry not present) Richard Reidy?

R I - C H A R D R E I D Y: Good afternoon. My name is Richard Reidy. I live at 58 Pitt Street, Bloomfield, New Jersey.

Up until several months ago, I was a lifelong resident of Jersey City. My family lives here now, and I have very deep roots here in this community.

Briefly, my credentials are that I do have a degree in recreation, and I taught at Ohio University for many years. I served briefly in the Department of Community Affairs here in the State of New Jersey as Assistant Supervisor of Sports and Recreation. Currently, I work for a public relations firm, and serve on the Board of Directors for the New Jersey Waterfront Marathon. I am also a logistic director, and consequently a cost designer. Even though I am not here in any official capacity for any one of the above groups, I do want you to know that the Marathon Committee is currently working under what we consider a crisis situation, because of the concerns we are examining regarding the effects of Liberty State Park on the marathon course right now, which next year -- 1988 -- will be the site of the United States Olympic Trials, a first, and probably last time that this will happen in any recent history, or any history that we can probably remember.

This has been a program that was established by the State to bring a new image and media attention to our area, and we are concerned-- Granted, we are studying it now, but we are concerned that this is going to have a devastating effect on that program.

As a private citizen, though, I am very, very concerned. Being a city kid all my life, I didn't know what an acre was. I went down and spoke with the people from the Development Corporation, who were very cooperative, at least in providing me with information. They indicated to me that the 50 acres was 20 acres of water and 30 acres of land, which I

thought was even better, because that is less of the Park they are going to be intruding upon. Then I actually saw what it meant. That is the entire lawn. That is the lawn from the top to the bottom part of the Park, virtually.

What that is going to entail is the reduction of open spaces for the utilization of the people in this area. My understanding is that with the development that is going on now around Hudson County, i.e., Newport, Port Liberte, and many other development areas, there is going to be a major influx of people into our area. Consequently, the need for recreational area -- open space -- is going to intensify. Right now, Hudson County has the smallest acreage per individual as any place in the State. Referring back to a series of articles that was done in The Newark Star-Ledger, to quote Helen Fenske, Assistant DEP Commissioner: "Once these open spaces are developed, they are lost forever as places where people can get away from the crowded conditions of urban life."

Well, I am very concerned about that. I am a newlywed, and I plan on having a family. I would like to have a place where I could take my children to enjoy whatever they want to enjoy. I don't necessarily see, in my near future, the owning of a boat. I also understand that most of the private developments in the area -- again, Port Liberte, Harborside, Newport -- all have marinas in their master plans. This is going to put an exorbitant number of boats in our area, but that again may -- I only say may -- restrict the usage of that area, or limit the use.

What I am really concerned about, though, is having the future of the people of this community considered, and their options. These people are able to go down there, and with the open space, they can choose for themselves the recreational undertaking that they wish for that day. Again, you have heard things like softball, baseball, kite flying, Frisbee throwing, and kicking a soccer ball. These are all the types of things we have to consider.

I am very concerned that this operation is being rushed through. I am not totally opposed, because I don't know all of the facts; most of the people here don't know all of the facts. Maybe with more information, a lot of fears will be calmed and a lot of people will see things more understandably.

So, I urge everyone here -- the Senators and everyone here from the public -- to do whatever they can as far as letter writing is concerned. I don't think we have a whole lot of options, particularly if the lease is going to be signed at the end of the month. That is virtually a week away. Once that is done, we can kiss it good-bye. I am not even sure how long the lease is for, but I daresay it is for a considerably longer time than most of the people around here wish to surrender that area.

I am going to close by simply saying that if there is any option available to us, delay this. If it is that good an idea, it is going to be a good idea a little later on. It will hold up under scrutiny and under public examination. So, if there are any suggestions even that can come out of this on how we, the public -- besides simply writing letters -- can take an active, forceful stance on this issue, we encourage you to tell us. We look to you for guidance in this area. So, please, if it is that good an idea, it is going to hold up against any kind of scrutiny. To rush a situation-- You wouldn't walk right into a showroom and buy a used car right on the spot. You would walk away from a heavy sales pitch. That is what we are asking and looking to do here.

So, again, thank you for your time. Please, give the public here, including myself, some leadership in any way you can on how we might be able to take a more active stance in delaying this issue. Thank you for your time.

SENATOR O'CONNOR: Thank you. Questions?

ASSEMBLYMAN DORIA: May I make a statement, because I have to leave?

SENATOR O'CONNOR: Assemblyman Doria.

ASSEMBLYMAN DORIA: Unfortunately, I have a number of other commitments. I want to thank the Chairman, Senator Cowan, and Senator Jackman for allowing me to sit in at today's hearing up until this point. As I say, I have a number of other commitments.

I just want to make a couple of comments. Number one, I think that writing letters-- I encourage everyone to do that. I will be writing mine this afternoon. However, I do not want to create the impression that that is guaranteed to stop the signing of this contract. I just want to make sure that everyone understands that. It is easy to say, and it is politically expedient to claim, that something can be done. I don't want that impression to be created. I don't want you to think that I can do something that I can't.

But, I do want to say that I will be writing that letter, and I will be asking the Governor to please hold up on the signing of the contract until all of the facts can be gleaned; until the Commission has finished its deliberations; until we are all made aware of what is involved in the contract. That is my major concern. I think that everyone should be aware of what is in the contract. I think the corporation is making a major error by not allowing this contract to be reviewed by both the Advisory Council, as well as this Commission. I think that should be done, and I am going to urge that that be done, so that we will all know what is involved here, and exactly what the terms of the contract may be.

I think there were a number of very valid questions presented by Ms. Zapp concerning the legal existence of the corporation; the fact that it does not operate under the Sunshine Law; the fact that it does use moneys that have been appropriated, possibly, for other purposes. Obviously, it has to fall within the purview of the laws of the State of New

Jersey. Again, I am not an expert on this, but I think these things should be reviewed. I think that obviously we all support the Park being maintained as an open space. But, at the same time, we have to realize that we have to come up with money to do this.

There is a surplus in the State budget, as I understand it from the figures I had yesterday, of approximately a half a billion dollars. I feel that some of this money should be appropriated. We should be able to get some of this money for use here at Liberty State Park, and for all of the parks of the State. (applause)

Again, as Senator Jackman said earlier, applause is not appropriate at these kinds of hearings. Thank you, but--

I do think we have to look into these things. I don't think we can make any commitments or promises. All I'm saying is that I am going to work to do the best I can to find out how this marina is going to impact, and to make sure that the public at large has input into the process, and also has the use of the facilities. As I say, I am not a boat enthusiast, and neither am I a golfer. My only hobby, probably, is politics. So, I am prejudiced, basically, to say that a park is a place that I like to walk in. That would be my use of a park. I think that all of us should have the opportunity to use the facility, while at the same time we should develop Liberty State Park. I know I worked very hard, together with Senator O'Connor and Senator Cowan, on the Science and Technology Center, and that is moving along. That is a purpose which I think is very appropriate to the Park. Obviously, the Aquarium is another thing we hope will eventually be built in the Park, for the use of the general public.

The marina, I think, has a place, but we have to look at exactly how it is going to fit in. So, those are my feelings; that is my input. I want to thank Senator O'Connor for allowing me to participate -- and Senator Cowan. I appreciate everyone's input. Thank you.

SENATOR O'CONNOR: Thank you, Assemblyman Doria.

J A M E S M c D E R M O T T: Excuse me, please? You say that you have no power to stop the signing. Does DEP come before the Senate and the Assembly for their funding?

ASSEMBLYMAN DORIA: DEP comes before both the Senate and the Assembly for their funding, but, again, you have to understand, we are only a part of the total numbers 40 and 80. The funding process is only one part of the totality of how things are done. We can vote against the funding; remember that, we can vote against the funding. But, unless we have 21 in the Senate and 41 in the Assembly, we cannot prevent it. In the past, you know, with special purposes such as this, our colleagues do not go along. Okay?

MR. McDERMOTT: But we would like to think that our representatives have some power there--

ASSEMBLYMAN DORIA: We have a great deal of power, but, again--

MR. McDERMOTT: --and could persuade-- (balance of comment indiscernible; no microphone close by)

ASSEMBLYMAN DORIA: If I were to say to you that we could do that, I would be lying. Remember that. I could claim right now that we can do all of that. Okay? You know, people like to play political games. I can claim that as much as I want to right now, and when it doesn't happen at the end of July, all you can do is say, "Well, it didn't happen." Okay? I just want to let you know that I would be lying to say that we can guarantee it. Anyone who says that to you is lying, I can assure you. (indiscernible comment from Mr. McDermott in audience) I don't believe in grandstanding. There are some people who like to grandstand. I am not a grandstander. I believe that if you can get something done, you do it, but you don't claim you can do something when you don't have the authority to do it.

SENATOR O'CONNOR: Sir, would you state your name for the record, so your comments can be part of our transcript?

ASSEMBLYMAN DORIA: Thank you.

SENATOR O'CONNOR: Thank you, Assemblyman Doria.

MS. ZAPP: Senator?

SENATOR O'CONNOR: Just a second, please.

MS. ZAPP: Oh, I'm sorry.

SENATOR O'CONNOR: Yes, sir?

MR. McDERMOTT: My name is Jim McDermott.

SENATOR O'CONNOR: Jim McDermott, okay.

MS. ZAPP: Senator O'Connor, may I say something?

SENATOR O'CONNOR: Well, we are going to take one more witness, and then we are going to break for lunch.

MS. ZAPP: Before Assemblyman Doria leaves, I just want to-- I was sitting here thinking, and I know we have to--

SENATOR O'CONNOR: Just a second; just a second, Audrey, you will be recognized.

MS. ZAPP: I'm sorry.

SENATOR O'CONNOR: I just want everyone to know that after we have finished with Audrey, we are going to hear from John Tichenor, and then we are going to take an hour's break for lunch. We will resume at approximately 1:30 -- or one hour after we break. Yes?

MS. ZAPP: Joe, before you leave, I wanted you to know that the Governor gave audience to the Liberty State Park Development Corporation on two occasions, to discuss their side of the marina proposal. We have that from reliable sources. Now, do you think we could prevail on our legislators to go with us -- a delegation of a few people -- to meet with the Governor, to start to tell him exactly what this marina is? I am sure he has a jaundiced view from hearing only one side of the issue, without having heard the other.

May we plead for an audience with the Governor, and would you think about perhaps trying to arrange such a meeting with the Governor?

SENATOR O'CONNOR: I am somewhat offended by the nature of that request, in that you and Mr. Pesin brought this whole problem to our attention, I believe it was in January or February. As soon as you brought it to our attention, there was an immediate meeting that followed. Senator Cowan was there; Assemblyman Doria and Assemblyman Charles were there; and I was there. We went to tour the site. Immediately after that was done -- immediately after that was done -- a Senate resolution was introduced and passed by the Senate, and this Commission was set up.

There has been nothing that you requested that--

MS. ZAPP: No, I said that you didn't meet with--

SENATOR O'CONNOR: Just a second; just a second. I am speaking, and when I am finished, you will have your chance.

MS. ZAPP: I don't know. I think you are misunderstanding what--

SENATOR O'CONNOR: Just a second. There has been nothing that you or Mr. Pesin has asked of us that has not been done. So, to suggest that you have to plead with us to have a meeting with the Governor--

MS. ZAPP: Oh, it was just a term.

SENATOR O'CONNOR: --misleads the people who are here. I object to that, of course.

MS. ZAPP: Do you mean the word "plead"?

SENATOR O'CONNOR: Yes. You don't have to plead. You ask, and it will be done. I don't want the impression to go forth that-- I don't want any false impressions.

MS. ZAPP: Please, Senator O'Connor, that is the way I talk. It is "Audrey lingo," and you'll have to start getting used to the way I speak. I am sure you must know how I talk by now. I always plead for the people. That is my word; I use it on everyone. To anyone who is around, I always say "plead."

SENATOR O'CONNOR: Okay.

MS. ZAPP: I just want you to understand. I'm asking. Thank you.

SENATOR O'CONNOR: Okay, we will go on to the next witness -- John Tichenor.

MR. PESIN: I want to extend my deepest thanks.

SENATOR O'CONNOR: Morris, I--

MR. PESIN: One minute. Joe Doria, and you in the Senate--

SENATOR O'CONNOR: Just a second, Morris. I am chairing the hearing.

MR. PESIN: All right. I merely want to clear up this last thing. Audrey--

SENATOR O'CONNOR: Morris--

MR. PESIN: All right.

SENATOR O'CONNOR: May I go on with the next witness, and then recognize you?

MR. PESIN: I would appreciate it. Thank you.

J O H N T I C H E N O R: My name is John Tichenor. I am a Jersey City resident. I live at 745 Garfield Avenue. I am speaking as a private citizen. I am employed by a multi-national insurance company as a Senior Staff Marine Surveyor. My job is to report on events and activities along the waterfront, principally in the Port of New York, but I frequently travel to other cities along the East Coast. I graduated with a BFA and a MFA in Fine Arts, including the study of design and architecture. I have taught in high school and at the college level. In summer months, I continue my activities in the arts as an artist. I appear as an itinerant photographer with an 1890s photo wagon at fairs and festivals in parks along the East Coast. I feel I am eminently qualified to speak on the subject of the Park and the proposed marina.

Were the great national poet and New Jersey resident, Joyce Kilmer, alive today, and if an English oak had been planted at the time of his birth, it wouldn't reach the top of the 48-foot proposed boat warehouse at the time of his death 32 years later. It takes time for trees to grow and it takes time

for parks to develop. It is unfortunate that Bernard Hartnett, the new Chairman of the Public Advisory Committee, appeared to be under pressure to force a quick decision on the marina, before he and the new members of the Commission had an opportunity to be made aware of the vast ramifications involved. Upon his appointment, he stated, in print, that he was neutral on the marina, and yet during the first meeting he was ready to call for a vote on the subject of the marina.

Mr. Hartnett made an amazing statement about the Park being undeveloped 10 years after its dedication, but fails to mention that over a million and a half people have visited the Park. This inconsistency is most glaring. Could it be that this open, so-called undeveloped Park is what the people of New Jersey want? I think the people of New Jersey want the view and they want the great lawns. We are the envy of all of the suburbs. Out in the suburbs, they all have big lawns. We in Jersey City have the biggest lawn in our Park.

One thing about the great lawns and what they do is, they provide scale for the City of New York, and creates the great view. Without the lawns, the city would lose its scale. As an artist, I think it is easy for me to understand that, but I don't think it is so easy for the politicians to always understand that. The beach down at Barnegat Light-- We need the beach to provide the magnificent view of the Barnegat Lighthouse. In Washington, the mall is what makes the Capitol and the Lincoln Memorial such great structures, and provides such fantastic views. On the national level we have a deficit, but we are not leasing out sections of the mall in Washington to private developers because we don't have funds for our parks.

Presently in Hudson County, along the so-called Gold Coast, we have several big-time developers showing us spectacular growth with bricks and mortar on private lands. They are painting commercial vistas for us with bricks and mortar. They are building new cities. They are giving us new

views. For our public land, we need people in charge with the vision to plant seedlings, the patience to enjoy the saplings, and who will enjoy growing old with children playing under trees that were intelligently planted and intelligently developed. We need both active and passive recreation areas in our great urban Park, and throughout the Master Plan of 1977, it calls for a marina -- a modest people's marina in a people's green Park. That was what was supported at public hearings in 1977, and reaffirmed in the Action Report of 1983.

Let's stick to it. Let's have the patience to see the Park grow green. Also, let's tell the Philadelphia developers ready to grab our hard-won parklands that we will resist their efforts and those of DEP and those of the Development Corporation.

Regarding the Philadelphia Waterfront Development Corporation, we don't really know who they are. What is their track record? Why are we giving up our land for 99 years to these people when we don't know anything about them? How can they run a marina? My contacts along the waterfront say that the Coast Guard has cited the marina for failure to put up the navigational aids they had promised in Philadelphia. I also understand that the Army Corps of Engineers has cited them for not dredging deep enough.

What does the contract allow them to build in the remaining 98 years? They are being given the right to build this marina because they are supposedly making capital improvements. The main capital improvement -- the dredging -- was done for the fourth of July celebration, so that the tall ships could come in. The main capital developments now will be these buildings they are going to build on the land. The water part -- the pilings, the floating docks -- are not going to represent great capital improvements. Sam Lefrack (phonetic spelling) up the street here, has put in enough pilings for the foundation of his parking lot to build a marina. I don't think it is a great capital improvement.

As to DEP, I wonder what they are doing? They are supposed to be protecting our environment. Here is 57 acres in the most densely populated area in the United States. The Green Acres Program is desperate for public funds, as they state in the paper, and yet DEP is giving away our Park. At the first meeting, chaired by Commissioner Hartnett, I was shocked, as sitting behind him I watched as the Assistant Commissioner of the Department of Environmental Protection passed a large note saying, "Executive session -- get the public out. Don't let the public hear about the marina."

I think the job of the Department of Environmental Protection is not to keep the public out. My family has been here in New Jersey in this area for 300 years. We have enjoyed it here because of the freedom and the openness that we have here. Let the government fight it out in the open. Let's see it right here. If you are not from Jersey City, this is a great place to see government in action.

The public is intelligent. I think the Department of Environmental Protection should be doing things like environmental studies. Have they studied air quality? What is the effect of 900 boats burning leaded fuel? Water quality, the sewer drain upstream-- We've heard enough about that. Have we checked with the Coast Guard for comments on the effect of 950 boats in the harbor? What does the Captain of the Port have to say about that? July 4, over the weekend, we had 40,000 boats in the harbor. My input was sought because of the 40,000 boats. This is going to be one-fortieth, but what is that going to do to the major harbor we have here? Shouldn't we seek some advice from the Coast Guard?

The Development Corporation -- while it might be legal for them to open bids in secret-- As one great New Jerseyan, Woodrow Wilson, said: "Secret meetings breed thievery." I just caution them. The corporation's role is a public/private partnership. It seems that we are getting a partnership

between the State and the private development commission, and the public seems to be damned.

The gentlemen who are in the private Development Corporation are some of New Jersey's finest business leaders, and yet they are asking us -- the Commission -- to sign on the dotted line: "Don't worry about the contract." They would not advise that to their private clients. Put up a 57-acre complex without a traffic plan. In last week's Jersey Journal, the private Development Corporation called on DOT to do a traffic study on the Park, yet at the meeting I went to, when the marina was discussed, Mr. Mattson stood up and said that studies have shown that "X" number of parking places will be needed for "X" number of boats. Where are these studies? Were they just pulled out of the air? It took 10 years to enact a plan, and I don't think we need any snap judgments at this time. We need intelligent development.

A Mr. Murphy stated, after last week's meeting, I understand with regard to outsiders gassing up at the marina: "It would be restricted to only those renting a strip." On the New Jersey waterfront, people have always taken a line for any sailor from another port. Truly, when the folks from the shore arrive in their boats -- those Jersey taxpayers -- we will want to be able to extend our hospitality to them here in Hudson County, and give them a tank of gas so they can make it home. That is what State facilities are for.

What will the facilities be? Well, they will be the owner's apartment, the convenience store, the nautical store, the yacht brokerage, the restaurant, the bar, the lounge, the repair yard, the winter storage, showers for boat owners. And, how long can the people stay on the boats? Will the big corporate boats have captains and crews? Can people live on the boats? Will there be houseboats? Could you just live there? With the new bridge, it will be easy access to PATH. You could probably live there very cheaply. Will these people pay taxes?

In Hudson County, we have big-time developers building our Gold Coast. We have world-class developers, as they like to be called, who are putting up high-rises and condos, like Samuel Lefrack in Newport City, Arthur Peerodors (names spelled phonetically) -- a plan further up the coast -- Daniel K. Ludwig, and the Port Liberty group. All of these developers have plans for yacht clubs and marinas. You can be sure, from the caliber of these developers, that they will be first-class operations. You can also be sure that they will pay taxes, as I do.

I ask you, gentlemen, hold off on the signing of this lease until your Commission makes its report to the Senate, the Governor, and the people of New Jersey. We don't need a rush job on our Park. Thank you.

SENATOR O'CONNOR: Thank you, Mr. Tichenor. Morris Pesin?

MR. PESIN: One brief moment.

SENATOR O'CONNOR: Morris, let me just caution you. We do have quite a few people still on the list.

MR. PESIN: One minute, honest. I want to thank -- and the people should know this-- Joe Doria, you and Senator Cowan were down at the Park with us, and were it not for your Commission -- Committee and so forth -- the lease would have been signed. We are indebted to this deliberative body for holding up that lease.

Now, you were not here when I requested, as did others, that-- Joe is right. You can write to the Governor, but three letters of ours -- Audrey's and mine -- went unanswered. All letters sent to the Governor down in Trenton go right into the wastepaper basket. We know that. But, one thing I mentioned before is, the moral power of your group-- I dare anyone to say no if you, very politely, ask them. We have a long way to go. The entire Senate has to receive our recommendations. I dare them to say no to you. The moral power of you and the whole Senate, and the people who are

behind you-- I just dare them, because I think that this whole proceeding would be an exercise in futility, and it would be demeaning to you and the entire Senate if they dared to sign that lease.

SENATOR O'CONNOR: Thank you. There are a number of people who signed up to address us. I have a list that includes 10 people who signed up today. May I see, by a show of hands, how many people wish to address the Commission today? Nine, okay. That being the case, we are going to take a break for lunch. We will resume in one hour. Senator Cowan?

SENATOR COWAN: I would just like to make a statement before we recess. I will not be back after the recess. I have a rather very important engagement, which was planned quite a while ago -- an important meeting with NJT. But, I certainly will be reviewing the transcript, and will look forward to the next hearing.

SENATOR O'CONNOR: Thank you, Senator Cowan.

J O H N G M I T T E R (speaking from audience): Senator O'Connor?

SENATOR O'CONNOR: Yes, sir?

MR. GMITTER: I have a very brief comment about something that came up with the previous speaker, about--

SENATOR O'CONNOR: Sir, please come up to the podium and identify yourself.

MR. GMITTER: I am John Gmitter from Bayonne. The previous speaker brought up about the service station at the marina, which we are hoping will not get there. The only thing that wasn't brought out here-- I heard everything, except maybe for the first few minutes, but nobody said anything about all these boats going in there -- or yachts is what they are going to be, more likely-- You will need a facility to maintain this marina of 3000 to 5000 gallons, possibly more, to supply these boats. The boats only use leaded gasoline. Nobody heard that before. That alone should keep that marina out of here.

I was at the last meeting of the Advisory Commission, and they mentioned about the Sunshine Law, and all that. I think they settled that, and there is going to be a notice in the paper also for people to come down to wherever they hold a meeting -- to come down when the Advisory Commission meeting is in session at Liberty State Park, which would be a great help to everyone.

Thank you very much.

SENATOR O'CONNOR: Thank you, Mr. Gmitter. All right, we will break now, and we will resume at 1:45. Before we do, however, may I just read the list of those who have signed up, to make sure that this is it in terms of those of you who want to testify? I have: Jane Pappidas, F. X. Reddington, Don Rohrabach -- who I think has testified already -- John Lyon, Lorraine Garry, Rich Reidy -- who has testified already -- Edamay Bialko, Eve Kroici, and Yolanda Collonson. Did I miss anyone?

UNIDENTIFIED SPEAKER FROM AUDIENCE: My name is not there. I signed the list.

SECOND UNIDENTIFIED SPEAKER FROM AUDIENCE: I signed the list.

SENATOR O'CONNOR: Will you give your names to staff then, please? We will recess now.

(RECESS)

AFTER RECESS:

SENATOR O'CONNOR: Our first witness this afternoon will be the Council President, the Honorable Glenn Cunningham. Councilman, let me thank you for affording me the opportunity to sit in your seat.

COUNCILMAN GLENN CUNNINGHAM: You're very welcome, Senator.

Senator, I would like to first commend you for coming forth and having these hearings and allowing the public the opportunity to speak before you today.

I do have some comments, but they will be very, very brief. In December, 1986, the City Council of Jersey City, New Jersey voted unanimously for a resolution. The resolution opposed the proposed commercial marina at Liberty State Park. Jersey City is the home of Liberty State Park. The Council therefore believes that it has a special interest in the future of this great public Park.

The City Council believes that the citizens of Jersey City and, indeed, the majority of the citizens in the State of New Jersey, desire that the Park remain green, with opportunities for active and passive recreational activities. We believe this was the intention and the hope of city officials when the city donated 150 acres of the most valuable waterfront land in America to the formulation of Liberty State Park. We didn't give up the potential ratables of this area of our waterfront so that private commercialism, which benefits a small number of rich people, could dominate our Park.

The City Council opposes the leasing of 57 acres of our Park to a private developer, which we believe is in opposition to the Park's Master Plan. The leasing of this parkland to commercial exploiters will deprive the majority of Jersey City and New Jersey residents of the free and open use of this area, and may have an adverse impact on surrounding areas of the Park. There are also noise and air environmental concerns that must be considered.

Furthermore, the Jersey City Division of Engineering has stated that the proposed marina would cause flooding of sewers from the tidal waters and unsanitary conditions that could require the City of Jersey City to spend up to \$6 million to correct.

I am also concerned that this giving away of parkland to private exploitation, which once again I must remind you only benefits a few, may violate State and Federal laws and guidelines due to the millions of dollars received by the Park in Green Acres funds and Land and Water Construction funds.

In conclusion, let me remind you that Liberty State Park was intended to be used by as many people as possible, especially those who can least afford to pay for the more expensive leisure activities, a good example of one such activity being yachting and boating.

Please support the majority of the people of Jersey City and New Jersey. Thank you for allowing me to address you.

SENATOR O'CONNOR: Thank you. Next on our list is Jane Pappidas. I apologize if I pronounced your name incorrectly.

J A N E P A P P I D A S: That is perfectly all right. My name is Jane Pappidas. I live at 74 Essex Street. I am also the Secretary/Treasurer of the Essex Street Block Association. We have agreed unanimously on this subject; however, I am speaking privately.

Five years ago, my husband and I stood on the stoop of an abandoned building, looked across some water and wide-open space, and saw the Statue of Liberty. We bought that building. At that time, we didn't know we were looking at the northern section of Liberty State Park. We were from Manhattan, and we didn't know about Liberty State Park. Our friends looked pityingly at us when they were told we were moving to Jersey City, so we took them out to Liberty State Park. Their pitying look turned to envy.

Jersey City has suffered long enough from a poor image. Give yourselves a treat, and visit the Exchange Place PATH Station. It has been wonderfully decorated with images of Jersey City drawn by highly talented local high school students. This is our real new self-image. The old attitude

toward our city, that it is a slum, that it is corrupt, a lesser city, decrepit, abandoned, all those things-- That is the attitude that would allow outside interests to give away 57 acres of our Park.

On behalf of Essex Street, and the historic Paulus Hook, and the old residents, and the very new residents to come, I demand that an environmental impact study be made on this proposed marina.

I look at the northern section of Liberty State Park every single day, and it is always being used. Even this morning in the rain there were joggers. It has also been chosen as the site for the Olympic Marathon Trials. This area cannot be given away to a few boat owners, whose fumes we will be forced to breathe forever. Jersey City is being renewed. Let's continue that Renaissance and make it a great city for everybody. Up with our side of the river.

Thank you.

SENATOR O'CONNOR: F. X. Reddington.

MS. PAPPIDAS: Oh, I have his letter. This is from Frank Reddington, 140 Essex Street. He is a homeowner, and he is also a Jersey City policeman.

"I live 100 feet from the proposed marina at 140 Essex. I feel that the marina is an elitist insult to Jersey City. I see boat people sitting on their boats sipping white wine, as the general public of Jersey City sits five feet away on the other side of the fence cold sober.

"I also see the general public kicked out of the Park at 10 o'clock, while the marina, as is its nature, is open 24 hours a day for parties.

"I suggest that the marina be placed west of the footbridge at Jersey Avenue, and that the boats be stored under the Turnpike.

"Thank you." That was from Frank Reddington.

SENATOR O'CONNOR: Is the letter something you can leave with us?

MS. PAPPIDAS: Yes.

SENATOR O'CONNOR: Our next witness will be John Lyon.

J O H N L Y O N: Gentlemen, my name is John Lyon. I live at 287 Barrow Street -- a block away from here, in downtown Jersey City. I took a vacation day today to come to tell you about my concerns for this marina, and some of the concerns of the other people who are living down here in downtown Jersey City.

Here in the downtown ward, we have four historic districts -- Van Vorst Park, Hamilton Park, Harsimus Cove, and Paulus Hook. All of us, since we have been getting some information about this Park from time to time, have discussed it at our meetings. Some of us have passed resolutions asking that the Park be kept down to the size it appeared in, in the original Master Plan. The Van Vorst Park Association, of which I am the Secretary, wrote to Richard T. Dewling, Commissioner of DEP, on April 20: "Dear Commissioner Dewling: At our regular meeting in March, we voted unanimously to send a letter advising you that we strongly oppose the proposed private development of a marina beyond the size outlined in the original Master Plan for Liberty State Park.

"The Van Vorst Park historic district in downtown Jersey City encompasses an area in which approximately 2000 people reside. About 200 of us are active members of our Association.

"Last year, with the construction of the Jersey Avenue footbridge, our members gained easy access to the northern embankment of Liberty State Park. We may now walk or bike ride into the Park and avoid the circuitous route required by automobile.

"We are deeply concerned about the threat of a boat repair building of any size on the northern embankment, much less one of the size proposed. We see no reason to move the Circle Line docks to make way for a restaurant, and we also question the need for a headquarters building of the magnitude that is in the plans.

"We urge you to use your good office to scale this proposed marina back to a size that will allow the Circle Line docks to remain where they are, and will also allow continued use of the restored railroad terminal and its outdoor plaza, with comfortable parking areas for each.

"We believe that public hearings should be held on this important project, and those hearings should be held at night when our members will be able to attend." I signed as Secretary. Copies were sent to Governor Kean, Bernard Hartnett, Morris Pesin, Audrey Zapp, and Glenn Cunningham.

The reply to that letter came from Helen Fenske on May 7, thanking us for the letter and suggesting we attend a meeting of the Liberty State Park Public Advisory Commission being held on May 8, at 10:00 a.m. She suggested that we express our concerns to the Commission at that time. Unfortunately, the letter was written on the seventh, postmarked on the eighth, so we received it well after that particular meeting.

The four neighborhood associations downtown are also combined in their efforts within the Downtown Coalition of Neighborhood Associations. On April 30, there were three letters sent out by the Downtown Coalition: One to Barbara Kauffman as Vice President of the Development Corporation, inviting someone from that group to come to give us an explanation as to what the plans are. "We are hearing many conflicting statements about the marina that is proposed for the northern embankment. We hear that the boat repair building and headquarters building will limit public access to the waterway along the canal. We hear there is a proposal to replace the Circle Line dock with a restaurant, but with no firm plans for where the Circle Line boats will go.

"We would welcome a presentation by the Development Corporation on this proposed marina. We would hope this could be done early on a weekday evening, when many of our members

could attend and ask questions following the presentation. If you are amenable to this request, we would like to arrange a meeting at a location downtown. We will be happy to make the necessary arrangements.

"We are asking at the same time in a separate letter" -- which I will cover in a minute -- "that the Liberty State Park Advisory Commission postpone any decision on this marina until after you have had a chance to make your presentation. Since this group is authorized" -- this group meaning the Advisory Commission -- "to hold public hearings, we are requesting that they do this sometime after your presentation has been made. Similarly, we are asking Senator Edward O'Connor to hold his public hearing after your presentation, and to move his hearing to an early evening hour." Copies of that went to other people.

In our letter to the Advisory Commission, the same date, to Bernard Hartnett: "We are concerned about the proposed marina in the Park. You will see that we are requesting a presentation by the Development Corporation. We have many questions that disturb us about the plans we have heard. We ask that you and the members of the Advisory Commission plan for a public hearing on this marina after we have heard the presentation from the Development Corporation. Executive Order 163 authorizes your Commission to hold public hearings to provide full opportunities for interested members of the public to be heard.

"We earnestly request that you plan such a public hearing. Such a hearing should be held in the early evening, with a downtown location preferable; elsewhere in Jersey City satisfactory.

"The Advisory Commission would, we presume, refrain from voting on this proposed plan for the marina until after a public hearing can be held." Now, that was April 30, a Thursday. The following Friday, of course, they did vote, and decided to approve.

My purpose in covering all of this is to make sure--

SENATOR O'CONNOR: Excuse me, may I interrupt? At the same time -- and maybe I missed this -- you wrote a letter to me. Correct?

MR. LYON: Right, yes.

SENATOR O'CONNOR: Is that one of the ones you made reference to?

MR. LYON: Yes, the one to you was also the same date. "We note that you have scheduled a public hearing for 10:00 a.m., Tuesday, May 19, to collect testimony relating to the marina proposed for the northern embankment of Liberty State Park. You will note in the enclosed copies of our letters, that we are requesting the Liberty State Park Development Corporation to make a presentation to members of our group, and to answer questions we may have following the presentation.

"We are also requesting the Public Advisory Commission to postpone voting on the marina proposal until after that presentation has been made, and the Public Advisory Commission itself has held a public hearing.

"We would appreciate your holding your public hearing at an early evening hour, rather than at 10:00 a.m., and preferably also after the presentation to us by the Development Corporation." Copies of the letter to you, to Barbara Kauffman, Bernard Hartnett, Senator Cowan, and Council President Cunningham.

SENATOR O'CONNOR: I would just like to have the record reflect that. While the Commission did not have a meeting in response to that, I did, at your request, and at the request of Janice Munson, have the Development Corporation come for an evening presentation to the Downtown Neighborhood Coalition. That was last Wednesday. It was held in School 37 at 7:00 p.m.

MR. LYON: I was getting to that, Senator.

SENATOR O'CONNOR: Okay, I'm sorry.

MR. LYON: That was, I think, on May 12. I believe that was a Tuesday, down at the Cordero School. About 30 downtown residents did come to the hearing. We didn't really have much time. I believe we got news of the acceptance of this request for a presentation sometime on Friday. At least I didn't hear about it until Saturday or Sunday. Rounding up some people to get them to a meeting on Tuesday isn't all that easy, particularly if on that Friday -- or certainly on the Saturday -- you read in the newspapers that the marina has already been approved. I'm sure that we might have had some more people coming out, if they didn't think it was already settled.

Some interesting things appeared. Little by little, we find out various things that are going on in these plans. Two members from the Development Corporation did come, with two sort of simplified overview drawings of that part of the Park where the marina is going to be. Some of the interesting things that I have found -- I am now speaking for myself, not for the Van Vorst Park or for the Downtown Coalition-- They are planning to sign the contract, and then have the public hearing, which sounds like it is kind of out of sequence. Two, they are planning something called a "full service marina," which means they are going to have boat repair and storage buildings, which neither Newport nor Harsimus Cove South nor Port Liberte nor Harborside -- all of whom are planning to have marinas -- see the need to have on private development -- the boat repair and storage facility they are planning to put in the Park. We have a real problem with that one.

We also heard that in order to get grass on that part of the great lawns-- There is no way to get grass on those lawns unless we have a marina. You just couldn't go out and put grass there; you have to have the marina.

When you hear the ratio of the parking spaces they are planning for the boat slips at point six per slip, you have to really question those kinds of projections. I would guess that instead of having 100 cars for 167 slips, you would probably have more like two and three people in separate cars riding down to one boat. So, rather than point six, I think your factor might be three. The grass they are talking about planting, I'm afraid is really going to be asphalt for a bunch of cars for those 900 boat slips.

From what we hear, this public/private partnership, that was supposed to finance the construction of developments within the Park, is really not working at all. I think we have to look at the whole project again. I think we have to look at it with public input well before contracts are signed.

Thank you.

SENATOR O'CONNOR: We called earlier for Lorraine Garry. Is Lorraine Garry here? (Ms. Garry not present) Okay. Edamay Bialko?

EDAMAY BIALKO: I am Edamay Bialko. I reside at 82 Neptune Avenue in Jersey City. My family settled in Jersey City in the middle 1850s. I was born and raised in Jersey City, and live here still. I have always believed that urban centers would come back. Now that there is a Renaissance in Jersey City, I hope it will not be reversed.

I use Liberty State Park -- all sections -- for medically prescribed walking, almost daily. Just last week, I was able to add a bird to my life list, which I sighted at the north end of the Park. I have a friend in New York who comes to the Park for walks. There was a nibble of parkland by Port Liberte blocking access to the fishing pier. Now, a bite is proposed to take a huge chunk of the north end of the Park. What next? Will we eventually lose the entire Park?

Do we need this pollution of paint fumes, petroleum products, and human waste from the boats? Governor Brown, of

California, abandoned the Governor's mansion as a residence because of paint fumes. What of the visual and sound pollution? What will happen to events held at the Park -- the New Jersey Waterfront Marathon, ethnic festivals, Tuesday night concerts, train, auto, and dog shows, etc., all of which are available to the public? What will happen to the Statue of Liberty ferry, which attracts people from the entire country and other nations? Why, in homage to the almighty dollar, are developers constantly allowed to destroy all that is beautiful and of historical significance in Jersey City, New Jersey, and the entire nation?

Thank you.

SENATOR O'CONNOR: Thank you. If your forefathers came over here in the 1850s -- you said?

MS. BIALKO: Yes. They had a farm where the Mallentack (phonetic spelling) Chemical Company is.

SENATOR O'CONNOR: They may have been on the same boat as my great, great grandfather. He came here in 1852. So, we have similar roots.

Eve Kroici?

MS. LARZELERE: She had to leave. She had to go to work.

SENATOR O'CONNOR: Yolanda Collonson?

MS. LARZELERE: Yolanda had to leave also, but she left her statement, which I hope you will allow me to read.

SENATOR O'CONNOR: Please do.

MS. LARZELERE: This statement is for Yolanda Collonson, 335 York Street, Jersey City:

"We have to thank public officials and private individuals for Liberty State Park. Their foresight has saved, for the public, an irreplaceable site of great beauty with even greater potential. Governor Kean has been an exemplary Governor. The rape of Liberty State Park is shocking, and a black mark on his fine record.

"How is it possible to balance an aluminum Quonset hut with the most beautifully restored Railroad North Terminal and its much-used attractive plaza?

"The contemplated use for the marina destroys all the potential for beauty and serenity planned for this wonderful Park.

"Don't let it happen. If money is needed, add Liberty State Park as a discretionary deduction to our State Income Tax Form."

Thank you. Yolanda was also going to read a letter from my husband, so I am hoping you will allow me to read that also.

SENATOR O'CONNOR: I would be just as happy to have you read it for your husband.

MS. LARZELERE: Well, I didn't want to bore you with my voice numerous times.

"I will not write in opposition to a marina, as I believe that has already been decided. Also, it is a matter for each person to decide, and let the majority have their way.

"Rather, I would like to speak on the way this seems to have been arranged. One is reminded of the scandals in the Bronx and in Queens, where politicians made deals to the detriment of the public and to the betterment of self and friends. To the south of us, in Washington, D.C., we are treated to the spectacle of persons who felt that they could do as they wished and answer to no one. Now, here in New Jersey, we are treated to the same idea, albeit on a smaller -- maybe -- scale.

"We are told that competitive bidding was avoided because no plans were formulated. This may be so, and may not have been illegal.

"Then we are told that we cannot see the contract or lease, as 'If the deal falls through, other bidders will have an unfair advantage.'

"This argument fails in the cold light of logic. The financial aspect could be left out, and all other details presented to the public for inspection and debate. No harm could possibly come to the bidder, as costs and prices would be unknown. An additional benefit would be the idea that if the bidder dropped out, at least ideas and costs would be known.

"It is inconceivable, in this day and age, that any public body could act with the arrogance that has been displayed throughout this entire affair. Usually people who act as if they have something to hide, really do have something to hide. It would behoove the State Attorney to appoint a special prosecutor to investigate the entire affair." It is signed H. F. Larzelere, 278 5th Street, Jersey City.

Thank you.

SENATOR O'CONNOR: The next speaker is a former colleague of mine, Frank Holstein.

F R A N K H O L S T E I N, E S Q.: Senator, it is a pleasure to be with you, and I say hello to you from our past good memories together, with hopefully more to come. Thank you all, honorable members of this legislative Commission, for the opportunity to be heard today.

I am an attorney here in New Jersey. I live in Teaneck; my office is in West Orange. I used to be in the Hudson County prosecutor's office, and came to know this community of Hudson County with a great fondness and love in general, and in particular, Liberty State Park, and I share your your great sense of pride and your great sense of accomplishment in this beautiful Park. Most recently, I have been appointed as special counsel in regard to these matters by the City of Jersey City.

I would like to first thank you and compliment you for your patience here today, in hearing out all of the speakers, and giving all a chance to be heard.

I want to talk about the Master Plan and a couple of other aspects, and will try to focus my remarks more particularly on legislation and, respectfully, without being presumptuous, your possible legislative contributions that could be made to help us.

All of you have extensive prior experience as legislators, and in government, and in your communities. You know, for instance, that any municipality, if it is going to adopt a master plan for that particular municipality -- that State statute provides a very specific process for the adoption of a master plan for any municipality. You know that as a part of that process, your Legislature has specified, over the years, that full and complete public hearings are absolutely mandated, and then the master plan is officially adopted by the mayor and council thereafter under State legislation. You can't have building in the town -- in any town -- that deviates from that master plan, unless you then go forward through the same public participation process and amend the master plan.

It appears, reasonably, that the proposed marina complex, as now put forward, clearly violates the Master Plan that was adopted after long and extensive public hearings that were held in the 1970s, under the auspices of the Department of Environmental Protection. I think it is wrong and improper that there should now be contemplated a development proposal -- that is, the marina complex -- that is in deviation from the original Master Plan. But, there is dispute and debate on that issue. We can spend thousands of dollars of wasted taxpayers' money litigating this issue in the courts, but alternatively, and more constructively, we would ask your serious consideration, as a legislative function, to confirm and reconfirm, and make clear and specific, that for any proposed development in Liberty State Park, or in any other State park in the State of New Jersey -- any other State park in New Jersey -- that the same checks and balances and public hearing

protections that we utilize if the County of Hudson is going to adopt a master plan, or Jersey City, or West New York, or Teaneck -- that those same vigorous public hearing protections be mandated clearly for any proposed Park development, so that the Master Plan means something, and cannot be easily thrown aside.

That was -- respectfully, and without being presumptuous -- a suggestion I have for, I think, constructive legislative action. Why do you want to have to fear in Liberty State Park, or any State park in our great State, that you will wake up tomorrow and find willy-nilly, unilaterally that someone has proposed to go forward with a development plan inconsistent with the Park's Master Plan?

We also, through this esteemed Legislature, have already existing statutes for public contracts. The County of Hudson, the City of Jersey City, West New York, or Teaneck-- You can't even put out a contract to buy \$2600 worth of number two pencils, without putting it out for public bidding and opening the bids in public. Everybody knows the specifications, because they are published documents. Everybody knows what the contract is going to say. That is because of the foresight and intelligence of our esteemed Legislature.

But here in Liberty State Park, suddenly the rules of the ball game have been changed. So, we can again spend thousands and thousands of dollars, and litigate this issue in the Superior Court of New Jersey, but I think there is a better and more constructive way. So, again, respectfully and without being presumptuous, would you please consider legislative action to make clear that any proposed public works that affect the development of any of our State parks, including Liberty State Park, must be rigorously subjected to a process of public bidding and the already existing public contracts laws, so that we don't have to debate and discuss and argue and spend

lawyers' fees to litigate this in the Superior Court; so that in the public interest, we all know that the rules of the ball game that apply for ordering \$2600 worth of pencils, or stationery for the City of Jersey City, where you have to put it out on public bid, also apply to a multi-million dollar proposed marina development, or any other development, which certainly affects the public interest much more than some boxes of pencils.

In addition, we have the Sunshine Law. With the extensive service experience in government that you people have had, you know that except for personnel matters, the City of Jersey City or West New York or Teaneck or West Orange cannot proceed to enter into any contracts, cannot do any business that affects the public interest, behind closed doors. In fact, even workshop sessions of the various boards of education of your communities, if they are talking about any matter or policy or concern, you know they have to do it in open public meetings. Therefore, why shouldn't anything that affects Liberty State Park be clearly subject to the Sunshine Law, and I think it is. But, again, should we spend thousands of dollars of your taxpayers' and your citizens' moneys to litigate this issue in the courts of New Jersey, or can we have a legislative declaration, through resolution or new statute, that makes that perfectly clear?

We have here today a most bizarre process that we now confront. A State agency -- the Department of Environmental Protection -- conveys and grants and gives away, without any public hearings, or even enabling legislation from your Legislature, not only 60 acres of land of Liberty State Park to the Waterfront Development Corporation, but has entered into a contract, which contract it steadfastly keeps secret. Who is this Waterfront Development Corporation? Did any one of your constituents elect the Board of Directors of the Waterfront Development Corporation? Are the trustees of the Waterfront

Development Corporation accountable to the public, as you are as elected officials? Why should they have such unchecked power? You don't. You are accountable to the people, and you discharge that function magnificently. But, why should it be conveyed away to a private agency -- the Waterfront Development Corporation -- which you don't elect, I don't elect, nobody elects, and which is not accountable in any way, shape, or form? You gave DEP certain rule-making power, but you didn't give it to the Waterfront Development Corporation.

The Waterfront Development Corporation, however, receives public moneys. Its entire staff is 100% funded by the esteemed legislators' appropriations from our Legislature. Why should this Waterfront Development Corporation be allowed to meet for the last two years in secret meetings closed to the public, with its surveys, findings, studies, evaluations, and negotiations all being kept secret, when its sole function is public and governmental, when its sole budget comes from our pockets as taxpayers, and when it is not accountable in any way, shape, or form to the public will? Don't you think that the next time -- and it may be tomorrow, for all I know, on your legislative agenda -- you are going to appropriate 25 cents for this Waterfront Development Corporation, you should put in a couple of -- you should please consider -- I am not trying to be didactic or pedantic or presumptuous -- but why don't you at least consider, in your next appropriations bill for the Waterfront Development Corporation: "If you want even 75 cents of our taxpayers' money, your meetings, proceedings, contracts, leases, surveys, and everything else you do, will have to be as open and public and subject to the Sunshine Law and the Public Bidding Law as any one of the municipalities in your constituencies"? Why not?

Who appointed the Waterfront Development Corporation as the custodian of public lands? Did you? Did the voters? Who?

The Waterfront Development Corporation, in turn, turns around and subcontracts with still another private developer, again without any benefit of the Sunshine Law or public bidding or anything of the kind. Again, I think those actions are totally invalid. But a couple of lines in the next appropriations bill from this eminent legislative body, specifying that they can't do this kind of thing in secret without public scrutiny could save us all millions of dollars in lost hours of litigation in the Superior Court of New Jersey.

I am almost finished. I know I am trying your patience, gentlemen, and I will come to a conclusion on my remarks.

This Commission that I have the honor to appear before, performs today one of the historic and grand and honored traditions of any legislative committee -- oversight. You have the power to exercise this and get the information you need in future hearings. But I think the voting power of the Hudson County legislative delegation could be, in the best sense of compromise, horse traded with this Administration in Trenton, to slow down, so that we do not rush the judgment to sign this lease until some of these very important public interest questions are debated and discussed and resolved. I understand that you are not miracle workers. You can't push a button and have your way. But I mean, the Administration needs your consensual votes on various appropriations, and we would ask that the maximum checks and balances power you legitimately have, to the extent you have it, be exercised in this endeavor, understanding that you are being honest with us when you point out correctly that you are not able to just push a button, on the other hand, and just do whatever someone says.

You know, the last two things I want to talk about are the power brokers and the concept of private/public partnership. A very great book was written about Robert Moses, the power broker. He drafted a set of rules and regulations

for the Long Island State Park Commission that gave them the power to build Jones Beach. Everyone went to Jones Beach, and said, "It's beautiful." But no one scrutinized or put any checks and balances on his charter. I am analogizing to the Waterfront Development Corporation. One day they woke up and found that whole communities were being bulldozed because of the Long Island Parkways, and many other roads he built. He also wrote in his charter that he had carte blanche power to build any road any place any time through any community, and do any other kind of development. Battery Park, at the tip of Manhattan-- He was going to bulldoze that.

So, the concept of checks and balances, especially with reference to a private entity -- the Waterfront Development Corporation -- whose members are not elected or appointed by you public officials-- This is a very fearsome power without real checks and balances. We come before you today to request that you give serious consideration, by legislation, to making those checks and balances, and putting them into place as soon as possible.

Finally, the buzzword of private/public partnership. The way that is worked in most areas of the country, is that the public entity -- the elected public officials -- are the ones to determine the agenda of how the public lands are to be utilized and developed. Then you go out and get the private sector to actually do the work. But here we reversed that process. The Waterfront Development Corporation, in fact by-passing the citizens' Advisory Commission, keeping secret its proceedings and its contracts and its studies and its internal policy memos -- keeping all of that secret-- It is a private organization which said, "Hey, you folks, we know best. We are not public officials; we are not government officials; but we know what is best for you folks."

That is the antithesis of democracy. We would like some legislative help, so that that doesn't become a precedent

everywhere in New Jersey. When you want to ignore the public will, when you want to ignore citizen input, when you want to ignore the Sunshine Law and the Public Bidding Law, when you want to ignore public accountability and scrutiny, you tiptoe out and form a private development corporation, and say, "Ha, I gotcha. I am not subject to your silly Sunshine rules."

Thank you very much.

SENATOR O'CONNOR: Frank, before you go I want to thank you for your comments, which I think couldn't have been clearer or more concise or more right on the money. I will tell you now, as an individual, as opposed to as the Chairman of this Commission-- Obviously the Commission cannot take any action until we take a vote and they vote to do so, but as an individual I will be requesting, today, a meeting with the Governor on this subject. It is my hope that at such time -- assuming I am granted a meeting with the Governor -- and I am certain that Senators Cowan and Jackman will join me in that request, and would like to be part of that meeting-- I would hope that you would be one of the individuals who would come to the meeting, and also Audrey and Morris, recognizing the fact that not everyone here is going to be able to come, obviously, to a meeting with the Governor. But, I hope that you would be available for that type of a meeting, if we can get one.

Now, let me ask you this: Given what we know from others who have testified about the imminent nature of a contract and the expressed intent to sign that contract by the end of the month, or sometime thereabouts, have you, as special counsel now, contemplated the institution of a lawsuit that would be something in the nature of an injunctive action against DEP or the corporation, or both?

MR. HOLSTEIN: Senator, the resolution of the Mayor and Council of the City of Jersey City appointing me as special counsel encompasses that kind of authorization. I don't want to leap to litigation, unless all other avenues are reasonably

explored, because to me what I just said over the past several minutes, in terms of precedent and charting the future, is more important than an individual case. But, we are prepared, if we have to, to mount litigation. However, I sincerely meant what I said, which is that you gentlemen know that nobody-- You said some hours ago that you couldn't guarantee the results of legislative action. Nobody can guarantee the results of court litigation. But these matters are so -- as you have sensed, all of you -- important to the public interest, that we look for executive administrative remedies, as well as legislative remedies, as really the long-term chore of much greater importance, not just for the marina complex, but for all time, and for all State parks.

I might also say that the State House Commission -- and I am playing catchup; I am sure you gentlemen know its functions much better than I do -- but the State House Commission, as I understand it, on which many legislators sit as a Commission -- many members of the Legislature are on the State House Commission -- would have to approve the lease -- the proposed lease -- for this marina to develop. So, respectfully, there is another opportunity, with your colleagues and brothers and sisters in the Legislature, to engage in advice and consent and friendly persuasion.

Thank you.

SENATOR O'CONNOR: My only point, Frank, was, you made about four concrete suggestions for proposed legislation -- public contracting, the entering into contracts, public bidding, and the like. These are all things which would certainly merit consideration. But, I would like you to know, for example, that the Senate will not meet again in another session until after June 8, I believe. We have Committee hearings on this Thursday, and then we have a break until June 8. So, in terms of anything concrete happening by way of legislation-- It is impossible to have a bill passed in that period of time.

MR. HOLSTEIN: To the extent that indications could be given on the power of the purse strings in the Legislature, certainly every administrative agency, the one time, among others, that they show you great deference and respect, is when they come and ask for money. I only respectfully suggest that that clout could be of great help to us also.

Thank you very much.

SENATOR O'CONNOR: Thank you. The next speaker will be Roy Beeler.

R O Y B E E L E R: I am Roy Beeler. I am a lifelong resident of Jersey City. I am also Coordinator of the Jersey City Joint Activities Program, which, in essence, is a desegregation program that brings together school children of 19 public schools and six nonpublic schools, for the purpose of the study of the natural environment. I do not speak as a representative of the Board of Education, but on the program's behalf. I have witnessed, through the seven years of this program, 7000 children having visited the New Jersey School of Conservation for three days at Stokes State Forest. They visited the Gateway National Recreation Area at Sandy Hook. Each and every time I have seen their reaction to green and open space. I don't think I have to remind anyone here what that feeling was once like. We can all reflect back to that even though we are adults. Probably it might even be easier, because when we were children there was much more green and open space.

Perhaps this interest group called "children" has lost its voice in decisions such as this. There is a very subtle wall being built around Liberty State Park that I am afraid might become obvious. It is a marina, which is a yacht club, I guess; it's a golf course some day, I am afraid I've heard somewhere along the way. I think there is a sign being hung on this wall that says, "No kids allowed." I feel that very deeply.

In closing, I would like to share an event with you that happened on May 6, when we had the students of the Bergen School and P.S. Nos. 9, 14, and 27 together, for the purpose of planting two ginkgo trees in the area we are speaking of adjacent to the marina section. After they planted these trees, without being motivated or spoken to by any of the teachers, they decided they wanted to name them. They huddled together, and they came back, and they called one "Today," and the other "Tomorrow." I think they might have said it all.

Thank you.

SENATOR O'CONNOR: Thank you. Mr. Beeler, I do intend to take you up on your invitation. I know we have corresponded, and you have invited me to come to one or more of your programs. I will take you up on that.

MR. BEELER: Glad to hear it.

SENATOR O'CONNOR: John M. Hale will be our next speaker.

J O H N M. H A L E: Good afternoon. John Hale. I am a resident of Jersey City. The address is 293 Verrick Street. I am speaking as a private citizen, but I am a past President of the Van Vorst Park Association, one of the civic associations downtown here, which encompasses the area that City Hall is a part of. The Downtown Coalition of Neighborhood Associations is a group that has been explained to you before. It is an Association of a number of the downtown civic associations. I was part of the beginning of that organization. I have been a spokesperson on behalf of those organizations in front of the State House Commission on a couple of occasions. Mr. Rohrabach, earlier today, referred to the saving of some trees. That was Maluso (phonetic spelling) Park. We kept the developer from paving that area over, and I am very proud of that.

I also happen to be a businessman. I have been a banker with Chase Manhattan for 18 years, and part of my job is

to review business proposals and projects to see whether or not they are economically viable, or to see if they are viable in the broader sense. I mention that because I would like to refer back to some of my experiences on looking at development projects, or proposals, in the same way that we are looking at a proposal today.

It is always difficult speaking at the end of a day because everything has been said before, and I think most eloquently by the counsel who spoke just recently about the broader question of, "What are we doing here, and what is it going to mean for the future as a policy question on how to develop Liberty State Park, and how to develop parks in general?"

I would like to speak about that, but I would like to tag on a little bit of my own personal experience about what the proposed development will mean to me as an individual homeowner downtown, but I will do that at the end.

Public/private development is one form of government. It works; I have heard of it working. It can be an effective way to get the development done, but in my comments today, I would like to see about how it has evolved -- the Liberty State Park Development Corporation -- how it has evolved, and also the alter ego, the Advisory Commission, and how that came about, and where we find them now.

I have read the articles of incorporation of the Liberty State Park Development Corporation, and they are doing just exactly what their charter says. In those articles of incorporation, they say they are responsible for developing the Park, bringing in private development, leasing land, buying land, subleasing it, all of that. They are doing exactly that. I can't imagine, however, that the Legislature and the Executive Branch of the State of New Jersey have given that power -- or meant to give that body absolute authority and absolute power. They cannot have meant that.

What, for example, the Development Corporation has decided has been alluded to today. I mean, we don't know; I don't know. I have certainly posed the question-- Senator O'Connor, when you created the forum for the community hearing from the Development Corporation directly last week, I certainly posed the question, "Well, who are these developers?" The counselor asked that question before, too. We don't know who the owners of the Development Corporation are, the proposed body -- corporate entity -- that is going to lease the land. We don't know who owns it. We think maybe it is somehow associated with New Jersey Bell. That is the first I heard of that. That may be. Is it perhaps a preferred customer of one of the banks that the Chairman of the Development Corporation runs? I mean, who knows? Surely the Legislature and their executive board did not mean them to have that kind of authority to be able to do that kind of thing.

We know they didn't have that intent because they created the Public Advisory Commission. The Public Advisory Commission is supposed to be the body, as I understand it, that is a liaison with the public to the Development Corporation. We know for sure that they are not fulfilling their charter, because they are the ones who have decided to not have a public hearing, to specifically exclude public hearings from their deliberations, and they went ahead and voted on a hurry-up basis. That meeting was called at 10 o'clock in the morning, on a Friday, with very little notice, and was one of those that I was not able to attend.

SENATOR O'CONNOR: There was also a considerable period of time when the Advisory Commission was undermanned -- understaffed.

MR. HALE: For example, giving an indication of how seriously that body was being taken. I am disappointed in the Advisory Commission in another sense. It seems to me that they are not complying with their mandate also, in that they have

refused to take the responsibility of questioning the Development Corporation -- publicly or privately -- to know for themselves what that developer is proposing. As a banker, if some developer came to me and said, "Don't worry about it, it will come out all right," I would laugh at him. I want to know who you are; I want to know what your credentials are; I want to know what your character is. I want to know all of the financial elements involved. If I am a member of the Advisory Commission, I have a right to know that.

One member of the Advisory Commission, Helen Manno, went so far as to say she didn't think the Advisory Commission needed to worry about it. She said, "We can trust them," and voted with the majority of six. I find that absolutely outrageous.

I would like to make one other comment that came to my mind. It is with reference to Mr. Larzelere's letter, which his wife read just a minute ago, when she commented and suggested that maybe it isn't necessary for the Advisory Commission, or the public, for that matter, to know the details of the financial dealings and negotiations. I say that is absolutely not right. We must know all of the financials of it. I mean, that is the whole essence of it. The developer was supposed to have developed this thing to throw off funds, and if the projections don't show a throw-off of funds, then the public needs to know of it. If there is not enough throw-off of funds, then we question whether or not it is worth it for us to give up what we are giving up. And, what are we giving up?

I live a block from the Jersey Avenue Bridge, and I walk over there frequently. I picnic on the great lawns, and I enjoy walking along that bulkhead down to the water and those long vistas. I do it frequently -- three or four times a week. If this proposal goes through -- this is my personal experience of it -- I won't be able to walk along that bulkhead

from the Jersey Avenue Bridge because it will be fenced off. I won't much longer be able to sit on the great lawns, because while they are still in the development plan, we know -- you and I know -- from what little we have been told, that the great lawns are under the control and the specific direction of the developer. The developer can commercially develop those great lawns. They will not necessarily be kept as green in his hands.

So, my suggestion-- What do I want? I would suggest that you, as a Study Commission, make your recommendations to the Legislature, and that the Legislature specifically -- as the counselor mentioned before -- require that the Liberty State Park Development Corporation be fully subject to the Sunshine Law. There is no reason for them not to be. For all of the reasons that have all be said, I encourage that.

Another reference was made that I thought was a good one, and I made a note of it in my own mind for my closing. This same thing is happening at the Federal level. Right now, we citizens are suffering from a small group of people with the power of government who decided that they know better than the people what should be done, and kept it. Please, don't let Liberty State Park become New Jersey's Contragate. That would be a shame.

SENATOR O'CONNOR: Thank you, Mr. Hale. Next on our list is Mary York.

M A R Y Y O R K: My name is Mary York. I am a local resident. I have been in this community for about 24 years, and have had a longstanding interest in Liberty State Park, right from the early '60s. I wanted to say my piece today because I know what has gone on in the past, and I am astounded by what is taking place right now.

Two items, very briefly. Unquestionably, Liberty State Park is one of the finest things that could have happened in this area, creating a green haven -- and there are those key

words -- a green haven for the people. It was an impetus, as the later years moved along, for the recovery of the waterfront that was taking place, which had been neglected for many, many years in the past.

Now, the main purpose for my being here today, and the main reason for the hearing being held, is, what is the business about this marina? I will tell you very flatly, I do not approve, and this is a statement coming from a lady who loves boats -- sailing boats to canoes. It is so inappropriate. Today's evidence reaffirms what I was thinking in the first place. It is definitely too much land surface being given over for this one particular project, and it is being taken away from the general public on this long-lease project.

It becomes off limits. It is an off-limits area once that happens, except to a select group. As far as I am concerned, you are fencing in so much land from the rest of the public who will visit those spots. It is so important with this Park, because from the very beginning it has been a family type of a Park. You walked in there, and it was a pleasure to see a mother, a grandmother, children. The people knew how to entertain themselves. There is a feeling around today that people don't know how to entertain themselves any more. A park is useful for so many things -- a green park. When I talk about a park, I am not talking about a mobile park, or a Park More, or what have you. Everything is being called a park today. A real park is a green, natural park.

I think Liberty Park is particularly important because it has this vista area that should not be in any way hidden from you. We are living -- and I am sure you will agree with me -- in a very stressful society in these decades. So many different things are happening. Do you know how restful it is to come to a place like that and contemplate? It might only take in this particular area. Every year that I have visited

the Park, I have met with people, talked with people. They were there for various reasons. A gentleman jogging around because he had an accident and was trying to regain his health. A child with a family coming in at sunset, very happy, enjoying this late evening visit, and the child coming in on roller skates and looking up at the Statue of Liberty with her first lights, swinging out her hands and saying, "God Bless America," and bursting out into a song. This is the kind of thing I see.

From the very first week of the opening of this Park, I saw the interest in our people -- the people in our community. That is what is important. Whether they are here, or around us, it is important that we take care of their needs. They have expressed their high esteem that we even got off the ground floor. They were enchanted with what they saw there. So, it should be a green haven.

I will go on to say, too, that Liberty Park is not a large Park. In the beginning, I recall the plan was for 500 acres. Then it became 800 acres, I think about two years later or so. What we are talking about here with these mammoth projects-- If you were talking about a 2000- or 3000-acre park, that might make more sense. But what we are doing is stealing from green parkland and converting it to concrete buildings, or what have you. It is not the right kind of a park. In fact, the 800 acres, as far as I am concerned, is probably greater reduced by the roads that had to be built, and by the parking lots that had to be created in the first place. That is why I am adamant personally.

Incidentally, anything I say here, I also give as a report to the Business and Professional Women. They put their shoulder to the wheel when I showed interest in the creation of this Park. From the very beginning, I felt it should be a public group that should show whether we should have Liberty Park or not. They accepted my suggestion. We sent

resolutions. I am going back to the early '60s now, from the National President all the way down to the municipal officials. We told them how we felt, it was definitely needed, and we were not alone. I had shining examples. I had read about Mr. Pesin and what he was striving to do. I began to meet people like Audrey Zapp and others -- Mr. Conrad. They also had been thinking about it. And we got to the public; we found the public.

In this last week, do you know what happened to me? People have been approaching me on the street who know me. They say, "Mary, what is going on with Liberty Park? What are they doing to our Park?" See, it's their Park, but is also a lot of other people's Park as well.

I am troubled by something. I never did quite understand-- This last four years, I was fund raising for the Statue of Liberty's restoration, so I am not on top of everything. But, the creation of the Liberty State Park Development Corporation-- I don't have a clear picture of that. Today there was a lot of clarification already in my mind what it is for, but, you know, money can be the root of all evil sometimes in some of the things that happen. I do understand now -- but correct me if I am wrong -- that this was a special group of businessmen, or other important personages outside of State offices, created to determine how the Park should be developed. There is a word that I am finding fault with. Developed for what? To cram up the Park? That is what development means to me here. I am sure the Master Plan showed how the Park should be built, what bulkheads should be placed, what roads, and so on, but when I see, at a later date, a Development Corporation-- What are they doing? Is there main purpose to lease our parkland to see how quickly they can fill it up? Because if it is, that is the wrong thing. That is not a green haven park. We don't have that much park.

The other thing is, money always comes into the picture. If they have the ability to do what they are doing, and they are doing it, I believe, very irregularly if they are not consulting an Advisory Commission that has been around since the inception of having commissions, where is this money coming from? Is it this group that has the money to dole out to have a developer-- I gather these people are not developers; they are contracting this out to someone else. Where is that money coming from? Is this State money? The Legislature approves State money, like for ventures and so on. Am I correct, Senator?

SENATOR O'CONNOR: I don't know whether you are asking your questions rhetorically, or whether you want me to respond to them.

MS. YORK: No, only for this one thing. I wanted to ask about the money.

SENATOR O'CONNOR: Okay. The Development Corporation is a private, nonprofit corporation. Its start-up funds came by way of an appropriation from the Legislature.

MS. YORK: Do you mean for their-- The funds for what?

SENATOR O'CONNOR: The funds for the operation of the Development Corporation. It has an Executive Director.

MS. YORK: Operation-- Do you mean like time and effort, or gratuity, or whatever it is? It isn't anything for that, is it, or is it a gift to a developer, once they--

SENATOR O'CONNOR: No, no. The funds I refer to are operational funds for the Liberty State Park Development Corporation. It has -- or it had an Executive Director. He has since left for other employment.

MS. YORK: Are they salaried?

SENATOR O'CONNOR: Yes, they're salaried.

MS. YORK: They are salaried?

SENATOR O'CONNOR: Yes. There is an Executive Director, an assistant, and a secretarial staff.

MS. YORK: I didn't even think of that. I think in terms of volunteers, so I am glad to have a clarification on that. I am going to go a step further, where they suggest that certain things should be in the pot. It wasn't only the marina, but it seems there were other mammoth developments. The golf course becomes an off-limit. A family can't move around -- have the children walking around in an area like that, so that is off-limits right away, if that materializes. The science building I have heard about-- I don't know too much about that, but I think that is a considerable area. Some of these things-- Nobody is thinking in terms of what to do around the peripheral area of the green Park. There is room for improvement. There is a lot of land surface there that could be recovered, improving the image of Jersey City and this area. Instead, they are putting these things in the Park. You know, that is what troubles me.

But, coming to the Development Corporation selecting an individual developer, I presume, to take care of a certain project, that developer is a businessman, I'm sure. And, like any competent businessman, he is going to be paid for this work. Who gives that money? Is that out of the State funding? Does that come out of the State, or haven't they done anything like that?

SENATOR O'CONNOR: As I understand it, a contract would be entered into between the developer--

MS. YORK: Yeah?

SENATOR O'CONNOR: --and DEP, with another contract, I would presume, between the developer and the Development Corporation.

MS. YORK: Well, do I see a tie-in there, that now it goes to DEP and the proposed developer who will do a certain job? Is that the way it is working out?

SENATOR O'CONNOR: I didn't hear the first part of that, I'm sorry.

MS. YORK: Do I understand that DEP -- a State Department ---and the developer would be brought together to work out, you know, the contractual work that will be done?

SENATOR O'CONNOR: That's right.

MS. YORK: Well, now, DEP gets its money from where?

SENATOR O'CONNOR: You know, let me have staff respond, because they--

MS. YORK: I'm sorry. Go ahead.

MR. MOLLOY (Senate Majority Staff): Initially what happens is, the Department of Environmental Protection enters into a lease with the Development Corporation. The Development Corporation is given the responsibility to secure an outside developer. Then they enter into a contract -- the outside developer with the Development Corporation itself. That is how it works. There will be no funds from the Development Corporation to the developer. In fact, it is designed that the Development Corporation gets any receipts from the developer, because they will be charging money for the developer to come in.

MS. YORK: They are not budgeted for anything. So, who is giving the money to the developer then? Who is going to give him the money?

MR. MOLLOY: The developer is responsible, when they execute the contract, for making payments to the Development Corporation. Marvin, do you want to add to that?

MR. JIGGETTS (Secretary to the Study Commission): Yeah. The certificate of incorporation of the Liberty State Park Development Corporation says that-- It authorizes them to negotiate and enter into contracts with others for the implementation of plans for the development of Liberty State Park. What they are going to do is enter into leases.

MS. YORK: Enter into what -- into leases?

MR. JIGGETTS: Liberty State Park--

MS. YORK: Yeah?

MR. JIGGETTS: The Liberty State Park Development Corporation has the authority to negotiate and enter into contracts for the development of Liberty State Park. That is in their certificate of incorporation.

MS. YORK: I am a practical woman; I was a businesswoman for 46 years. All I know is that when someone is going to do a job, whatever it is they enter into a contract for, somebody's got to pay. Who pays?

MR. MOLLOY: The developer will be making any payments that are going to take place on the site. The developer makes the payments when he enters into the lease. They will be paying rent through the Development Corporation ultimately to the State.

MS. YORK: The developer will be paying--

MR. MOLLOY: The developer makes the payments. The marina operator would make payments.

MS. YORK: The marina operator would make payments?

MR. MOLLOY: That is correct. That is where -- if there are going to be excess moneys--

MS. YORK: So, in turn, what we are doing is leasing land -- State land -- to a developer -- that makes sense -- and we want reimbursement as a State. Now, the developer--

MR. MOLLOY: Essentially, that is correct. It is confusing because you have a Development Corporation, which is a nonprofit corporation, involved as an intermediary here.

MS. YORK: Yeah. I am excluding the--

MR. MOLLOY: They are, at least theoretically, designed to be more technical. They are supposed to provide the professional input that is directed through the Department of Environmental Protection. They make recommendations through the Department of Environmental Protection. The bottom line is, moneys will be coming from an outside developer to the State.

MS. YORK: To the State?

MR. MOLLOY: Right.

SENATOR O'CONNOR: All right, just a second.

MS. YORK: And the developer will, in turn, want to make a profit on what he is doing there, or is he going to sell it to somebody else?

SENATOR O'CONNOR: That's right.

MR. MOLLOY: That is correct.

MS. YORK: So, you see, there are practicalities here. I guess the inducement for the State is, it is going to get money. I don't know.

SENATOR O'CONNOR: Theoretically, the inducement is that the profit that comes to the State will be turned back to the Park for development. That is the theory.

Morris, did you want to respond?

MR. PESIN: I know Mary's problem. She wants to know where the money comes from. The developer goes to a bank in Philadelphia, or wherever. He borrows \$8 million, and he is given a lease to put in a marina, out of which he pays a percentage of his profits to the State. That is the problem.

MS. YORK: Well, that is typical of a lease. I thank you. I didn't mean to take so much time. I heard earlier--

SENATOR O'CONNOR: May I ask you to sum up?

MS. YORK: My last thought is, I heard statements made earlier that there wasn't money in the budget for Liberty State Park. There was that talk earlier. Do you recall it?

SENATOR O'CONNOR: Yes.

MS. YORK: My question is, isn't there a definite allocation by the State for all State parks in New Jersey? Wouldn't that include Liberty State Park?

SENATOR O'CONNOR: There is. I think what DEP had suggested at the earlier hearing was that money is not there in the amounts that would be necessary for the large-scale development of the Park. So, they projected a development that could take 20 or 30 years, given the present moneys available.

MS. YORK: I am talking about a year-to-year kind of thing, so I gather maintenance and so on--

SENATOR O'CONNOR: Capital improvements-- The money is not there, says DEP, at the present time.

MS. YORK: On behalf of the Statue of Liberty, she is so happy that we created this in the State of New Jersey -- Liberty State Park. If for no other reason, we should fight for her existence as she should be.

Thank you so much.

SENATOR O'CONNOR: Thank you. Our next speaker will be Marjorie Westling.

M A R J O R I E W E S T L I N G: My name is Marjorie Westling. I live at 262 Van Nostrand Avenue in Jersey City. I am here this afternoon representing the Jersey City Women's Club, the Van Nostrand Block Association, the Citizens' Committee of Hudson County, of which I am Vice President, and the Jersey City State College Community Orchestra.

Ada Huxtable, architectural editor and critic for The New York Times, called Liberty State Park in Jersey City "the most dramatic open space in the metropolitan region in the next century."

The Park is a miracle, a great American park, from the national network of natural wonders -- an emerald necklace emerging as one of this country's finest features. We take these parks very much for granted. Ms. Huxtable wrote: "In any account of coming events, Liberty State Park must stand as one of the most important, for it will be one of the decade's major achievements in landscape architecture for public use."

The Liberty Park referred to was the core of the large Greenpark, designed by Geddes, Brecher, Qualls, Cunningham, architects from Princeton, who, with vision, created the Park's Master Plan in the naturalist tradition of America's great pastoral landscape parks.

The Greenpark, according to their design, featured gently rolling grasslands; curving woodlands and clustered plantings; water lagoons; wildlife wetland preserves dotted throughout with picnic areas; and walkways, trails, and bikeways. The Greenpark was designed to bring a sense of nature to the urban harbor setting. This is the Liberty State Park as envisioned in the Park Master Plan and reaffirmed in the Park's Action Plan of 1984 adopted by the New Jersey DEP.

Liberty State Park is now being seriously threatened with the planned marina development complex proposed by the Liberty Park Development Corporation and the NJDEP. The plan calls for large-scale private commercial development which would take over 50 acres of attractive green open space parkland.

A monstrous 300-foot-long, six-story-high galvanized metal boat storage building would blight the beautiful landscape, and another three-story yacht club type building containing bedrooms, game rooms with fireplaces, bars, and executive suites would be used exclusively by the chosen developer and his guests.

The developer would have complete control of a one-mile stretch of green parkland, waterway, bikeway, and river walkway along the Morris Canal. The proposed marine complex will feature a private restaurant which will replace the public Circle Line ferry sailing to the Statue of Liberty and Ellis Island.

The entire 50-acre site will be taken out of public ownership and will become the leased private land of the developer. All of the improvements, including lighting, sewerage, walkways, shrubs, water facilities, docks, bulkheads, and other amenities were paid for with public funds. The chosen developer will take over all of these public improvement facilities.

We cannot, and shall not permit this to happen. Public outrage can prevent this development, and I feel certain it shall. In all the polls that have been conducted in recent years, the environment and preservation of parkland is at the top of New Jersey residents' concerns.

Open space preservation is not a luxury; it is a necessity, particularly in our densely populated area. The people of Jersey City, Hudson County, and the State of New Jersey must have a voice in the planning of the people's Park -- Liberty State Park.

Let all of us help them to keep our Liberty Park green and open to everyone.

Now, we have some signatures we received from the citizens of Bayonne, Weehawkin, Jersey City, and Hoboken, and we would like you to see them.

SENATOR O'CONNOR: You would like to read them?

MS. WESTLING: No, no, no. We want you to see the extent of them.

SENATOR O'CONNOR: Okay.

MS. WESTLING: They are all expressing opposition.

SENATOR O'CONNOR: Did they double space or single space? (laughter)

MS. WESTLING: Single space.

MS. ZAPP (from audience): We would like to have them go across the room. A lot of these are the pioneers from the New Jersey Bell.

SENATOR O'CONNOR: Who were so active with the Statue of Liberty, right?

MS. WESTLING: They are asking for a moratorium.

SENATOR O'CONNOR: Audrey, if you are going to speak, you ought to speak over here, because otherwise I don't think the mike will pick you up. Do you want to come back up?

MS. ZAPP (moves to microphone): Maybe what we can do, either preceding our visit-- I am optimistic that we are going

to meet with Governor Kean. Maybe we could either send these petitions ahead of time to his home, or bring them with us. We will have to start to think of that strategy.

SENATOR O'CONNOR: I would encourage you to bring them with you. The dramatic effect we have seen here is not to be wasted.

MS. ZAPP: Thank you.

MS. WESTLING: With some of them, the signatures are also on the back of the sheet.

SENATOR O'CONNOR: Okay.

MS. WESTLING: I have one request.

MS. ZAPP: New Yorkers have signed these also, because they come over to the Park.

SENATOR O'CONNOR: Okay.

MS. WESTLING: I think it would be advisable to hold the next hearing in the evening. I know at least 100 people who could have been here today, but they had to go to business.

SENATOR O'CONNOR: We are going to have a night hearing, but you are going to see that the problem is one of attendance. We have staff who come from long distances. We have members of the Commission who come -- as I told you earlier -- from all the way down in Gloucester County. So what is going to happen -- I will predict it for you -- is that you will have very few members of the Commission actually in attendance. But, you know, we will have a night hearing. Are you finished?

MS. WESTLING: That's the end.

SENATOR O'CONNOR: We have one more witness who signed the list, and that is Connie Schimenti.

UNIDENTIFIED SPEAKER FROM AUDIENCE: She spoke this morning.

SENATOR O'CONNOR: She did? Okay. Then I believe we are down to Joe Sweeney, who wants to wrap up.

MR. SWEENEY: Howard Moskowitz will come back at another meeting. He was here all day -- the lawyer.

SENATOR O'CONNOR: He was here for the morning session; I saw him, right.

MR. SWEENEY: I have been asked by one of the members of the Hamilton Park Neighborhood Association to read into the record a comment made to Senator O'Connor, Senator Cowan, and Senator Jackman: "Dear Senators: At our January meeting of the Hamilton Park Neighborhood Association, a vote was taken in opposition to the private development of the marina, boat repair facility, restaurant, etc.

"Though the meeting by the Liberty State Park Corporation, which Senator O'Connor arranged, explained some changes in sizes and numbers, the overall consensus of the HPNA members present was that they still view this proposed project with opposition. However, since changes have occurred, I will again ask the Association to vote on the current plan.

"I will forward to you, after the June 3 meeting, the decision of the members.

"Please take into account our preliminary vote when you consider this proposed project. Very truly yours, Jeni L. Branum, President, Hamilton Park Neighborhood Association"

I want to thank the Chairman for his patience, and the members of the staff for being with us for the past six hours or more. But, above all, I want to thank the public who are still here and, of course, who will carry the message to those who are not here. It gives me great pride. I have sat as an adversary to many of these same people, but you have to look beyond adversaries or beyond people you agree with. It is determination. The people of Jersey City-- It is unbelievable when we have a cause and a belief, just how determined we become and how well we present research and do our jobs, in order to convince elected officials, who only sit in these positions of power because we put them there.

Hudson County, over the past 50 years -- and really I don't care what the rest of the State has to say -- has sent down to Trenton, I think, the most knowledgeable and most astute politicians, who know what politics, power, and doing a good job are all about.

I just want to clarify, for the Assemblyman who was here today -- and I spoke to him privately-- In no way would I ever think there was a guarantee. I may think of a guarantee, if it ever comes to pass that I am looking at the tidewater basin and I see somebody walking out there on the water. Then I may ask for a guarantee. But until that time, I am not naive that any panel -- any hearing group -- can guarantee me anything.

Our Council said the word, and I am not going into detail; I am talking to one of the representatives from Hudson County. The word is "appropriations," a powerful word -- a powerful word. Can we get our meetings? Can we have a sit-down with certain people? Yes, appropriations, that is the door that can be opened. We in Hudson County have opened many, many doors. There is no way that we cannot continue to do this.

In the general provisions of a hearing committee, a joint committee of the Legislature or a standing committee of either house, or any special committee directed by resolution -- which Senator O'Connor has stated -- to enter upon any investigation or inquiry-- It shall have the power to compel the attendees -- meaning us -- before it, witnesses, and the production of such books and papers as it may deem necessary, proper, and relevant to the matter under investigation. So, when I ask that the members of the delegation from Hudson County, with the powers of appropriation that I know they have, because there are people in South Jersey who need certain things, and this is how the political game is played-- This Commission can, when I request it -- requests like Morris and Audrey and others have made -- find for us the principals of

this corporation. Maybe it is not as readily done as getting on the phone to Dun & Bradstreet, but that can be done in 24 hours if you know the right people, to find out the financial line on A, B, or C.

But, our Senators and Assemblyman certainly can find out for us who these principals are. They can also provide us with a copy of the lease. In the conversation before, when Ms. York was here, I think it was said by a member of the staff that this was a nonprofit entity -- this corporation that was formed by Mr. Dewling. Correct me if I am wrong. I could see then where they would be exempt from bidding. This is one of the special privileges of a nonprofit entity. Again, it goes far beyond just the bidding. They very likely could be exempt from all sales tax. They could be exempt from site preparations, whether it is on State land or that to be acquired up near the (indiscernible) area. It would bring in riparian rights, which the State instituted five or six years ago -- if my memory serves me -- where they laid claim to certain parcels of land close to water, and people had to pay to own that particular land. People found out, in developments down in Bricktown, I believe, and Barnegat, that they didn't own the edge of their property as it came close to the water.

At Morris Canal Basin, they have the same situation. On the south bank, it is the State. On the north bank, a private developer. Approximately four years ago, I sat while the developer on the north side of the basin was told that an act of legislation was the only way -- on the north bank of the Morris Canal -- that he could acquire that. The land on that side belonged to the State of New Jersey for 99 years. I don't know if it is 10 feet, or 20 feet, or whatever.

Now, on the south bank, here again there is riparian land. Is the developer going to pay for that portion of it? I don't know law, but if the fellow on the north development had to get a special act of legislation and then that was put into

his cost as far as the land when he bought it-- He is a private developer, and there is a nonprofit organization which doesn't have to take these things into consideration.

Site preparations-- Every developer who comes into town pays, in most cases, except when there is Federal money available, and the city would use some of this to assist the sewer systems, and so on. We know that all of that Federal money is dried up. Again, this nonprofit corporation, will they help to pay for the necessary outfall? Nonprofit -- they wouldn't necessarily in a court of law have to pay for it.

There are so many things that--

SENATOR O'CONNOR: Mr. Sweeney, did you want an answer to the one thing, because counsel tells me that--

MR. SWEENEY: Well, riparian-- Go ahead, I think that is what he was talking about.

MR. MOLLOY: Riparian rights come into effect when you are dealing with an entity other than the State trying to secure ownership of land. In this particular instance, the State will always own the land of Liberty State Park. Therefore, riparian rights do not really come into question here.

MR. SWEENEY: Oh, okay. I understand this particular grant went back when the Morris Canal was in full swing. The Federal government was involved in this because the railroad later took it over, and they dealt with interstate commerce. As I say, these are points that I don't know how well they stand today.

MR. MOLLOY: I am only referring to the issue of the Liberty State Park itself. Liberty State Park -- the land itself -- is State owned and it is State run. Riparian rights only deal with whether or not an entity other than the State will have control over that property. I am not talking about the other private developer you were referring to earlier as three or four years ago.

The land itself, since it is only being leased out, arguably the State says that it is still going to remain State land. So, riparian rights is not so much of a major issue.

MR. SWEENEY: Okay.

MS. ZAPP: Excuse me. May I say something?

SENATOR O'CONNOR: On this issue?

MS. ZAPP: Yes, on riparian. I looked into that. Parks and Forestry are the ones that have to apply to the State Tidelands Resource Council on riparian rights, and it is questionable whether Parks and Forestry have access to the riparian land. So, you see, even though it is a department of the State, they may have to go before the Tidelands Resource Council on this. You know, we will have to research it a little further, but there is a possibility of that.

MR. MOLLOY: I am not referring to the bureaucratic process; I am referring to the ownership rights, which that particular group talks about.

MS. ZAPP: Of the underwater land.

MR. MOLLOY: Riparian land deals with ownership rights, so that somebody down the shore has a problem with ownership if the State claims ownership over riparian land because it is within a certain flood plain level or tide level. That is not really the issue. I just hope that was helpful, that's all. It is not a question of--

MS. ZAPP: Well, it can be the issue, though, because it is a different department. Even though Parks and Forestry is within DEP, the Tidelands Resource Council still has to review all riparian--

SENATOR O'CONNOR: Okay.

MR. SWEENEY: I think what Audrey is saying here is really, when a developer comes in to do something, he takes a search, because there may be more people than just the State involved in certain areas. There may be Federal something back there 90 years ago, or whatever. But, this nonprofit entity

seems to have had carte blanche, and once they are nonprofit, yes, they can be given all of these things.

We would like -- and I implore the Senator, and I know that it can be done, even though there is no guarantee, as I said -- to find out the principals. We can have a copy of the lease.

I want to end up now with something that, in a way, was discussed before. It is sad, and yet the determination of the people of the city, as I said-- It seems that lame duck administrations, whether they are Democrats or Republicans -- forget the politics-- The previous administration to this came in to give us a doll factory and some theme parks, and so on, but a determined group of people stood tall, and this went by the board. Again, here we have a lame duck administration. It is time to go ahead and try to do something. Again, there is very little communication. The group that was involved in the doll house had to do all their research, and everything else, and finally they hit the soft spot and it was all moved aside.

This, too, is a controversial thing. If the meeting of the minds and people could sit down and there could be dialogue, certainly there are ways to satisfy both the public-- As the great Constitution says, in the preamble, "to promote the general welfare," not the private welfare. They are included as general. The general public are we, the little people. It protects us. Back to the lame duck. Certainly I would not want to see a lame duck in our tidal basin. If there was one, in a natural form, I am sure someone would come, pick it up, and take it to the proper people to have it fixed.

I don't want to think of future generations looking at a lame duck as it stands today proposed, and saying, "What were those people thinking of in 1987?" If we do it, let's do it right; let's do it together. No one is against the private sector, and I cheer them on for being capable of living in Port Liberte, or Newport, or Harsimus, because down the road they

are going to help us in the inner city survive with their tax
ratables. But don't forget the general public.

Thank you.

SENATOR O'CONNOR: Thank you, Mr. Sweeney. That
concludes our hearing for today. I would like to personally
thank all of you who came and stayed throughout the hearing.
We will adjourn now, and reconvene at a date to be announced.

(HEARING CONCLUDED)

APPENDIX

THE JERSEY CITY SEWERAGE AUTHORITY

555 ROUTE #440 • JERSEY CITY, NEW JERSEY 07305
(201) 432-1150

PAGE 2

COMMISSIONERS

PETER SORIERO
CHAIRMAN

ERNEST SMITH
VICE CHAIRMAN

WILBERT MURPHY
TREASURER

RICHARD HARRISON
COMMISSIONER

JOHN LONGO
COMMISSIONER

CHARLES DAVIS
EXECUTIVE DIRECTOR

JOSEPH BECKMEYER
CHIEF ENGINEER

FECAL COLIFORM SAMPLING AT MILL CREEK (TIDE BASIN) JERSEY CITY, NEW JERSEY

| | <u>DATE</u> | <u>TIME</u> | <u>SAMPLING LOCATION</u> | <u>TIDE</u> | <u>RAIN</u> | <u>FECAL COLIFORM</u> <u>#/100 ML</u> |
|--|-------------|-------------|--------------------------|-------------|-------------|--|
| | 3/ 6/87 | 10 am | Jersey Avenue | High | No | 472 |
| | 3/ 6/87 | 2 am | Johnston Avenue | High | No | 151 |
| | 3/ 9/87 | 10:10 am | Luis Munoz Martin Drive | Low | Yes | 413 |
| | 3/31/87 | 10:30 am | Jersey Avenue | Low | Yes | Too Numerous to Count |
| | 3/31/87 | 2 pm | Jersey Avenue | High | Yes | Too Numerous to Count |
| | 4/ 6/87 | 10:45 am | Johnston Avenue | Low | Yes | 177,200 |
| | 4/ 6/87 | 1:45 pm | Jersey Avenue | High | Yes | 288,800 |
| | 4/13/87 | 10:30 am | Johnston Avenue | High | Yes | 42,000 |
| | 4/13/87 | 2:15 pm | Jersey Avenue | Low | Yes | 15,000 |

I

DIVISION OF ENGINEERING

MICHAEL J. BARNES, P.E.
MUNICIPAL ENGINEER
May 12, 1987

ANTHONY R. CUCCI
MAYOR

Colonel Jerome McCabe
Liberty State Park
State of New Jersey
Division of Parks & Forestry
CN 404
Labor & Industry Building
Trenton, NJ 08625

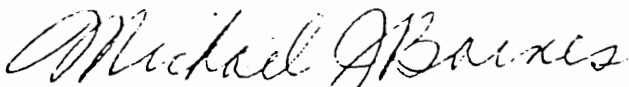
SUBJECT: MILL CREEK OUTFALL

Dear Colonel McCabe:

The City of Jersey City has filed an application with NJDEP for the FY 1988 sewer funding program. Recently, a second application for the Marine Combined Sewer Overflow (MCSO) Correction Program Construction Grant Funds was sent to NJDEP outlining the \$54 Million program that Jersey City presented for funding. Each application includes \$6 Million for the construction of approximately 6000 ft of 8ft x 12ft of box culvert for Mill Creek Outfall. This request excludes engineering, construction administration, and any "deep" water discharge requirements that may be required by the Coastal Resources Division of NJDEP.

Any support that you can provide to our application for 1988 NJDEP sewer and/or MCSO Grants would be appreciated. I look forward to meeting with you again to discuss Jersey City infrastructure problems as they relate to the development impacts of the State Park.

Very truly yours,



MICHAEL J. BARNES, PE, PP
Municipal Engineer
Division of Engineering

attachment
tb

cc: Tom Norris, NJDEP
Abdus Safi, Supervising Engineer
Joseph Beckmeyer, JCSA
✓ Joe Sweeney, 74 Bartholdi Ave. JC, NJ

DIVISION OF ENGINEERING

May 11, 1987

MICHAEL J. BARNES, P.E.
MUNICIPAL ENGINEER

ANTHONY R. CUCCI
MAYOR

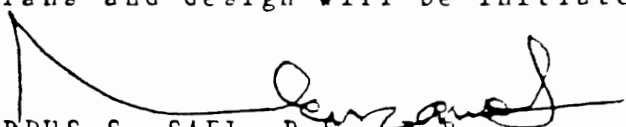
State of New Jersey
Department of Environmental Protection
Division of Water Resources
CN 029
Trenton, New Jersey 08625

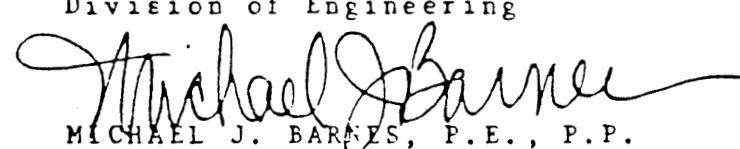
**SUBJECT: MARINE COMBINED SEWER OVERFLOW CORRECTION PROGRAM
CONSTRUCTION GRANT FUNDS**

Please refer to Nicholas A. Binder, P.E. letter dated April 16, 1987 requesting applications for Construction Grant for Marine Combined Sewer Overflow Projects FY87-88:

Attached please find the proposed improvements needed to correct the Combined Sewer Overflow System in the City of Jersey City. The cost of improvements based on preliminary estimates is \$54 Million excluding engineering, design, and construction administration. This cost estimate for correction of overflow system was also a part of the FY88 Waste Water Project Status and Cost Update, submitted to you under cover of our letter dated March 30, 1987.

Please advise if you require additional information. The detailed plans and design will be initiated as soon as we hear from you.


ABDUS S. SAFI, P.E., P.P.
Supervising Engineer
Division of Engineering


MICHAEL J. BARNES, P.E., P.P.
Municipal Engineer
City of Jersey City

mct (#86-045)
attachments

cc: George Crimmins, Executive Director w/attachments
Hudson County Utilities Authority
634 Summit Avenue
Jersey City, New Jersey 07306

12. North Tract (5 Existing Outfalls)
CITY OF JERSEY CITY

DIVISION OF ENGINEERING

INTERDEPARTMENTAL MEMORANDUM

DATE : March 27, 1987
TO : File
FROM : Michael J. Barnes, PE, PP, Municipal Engineer
SUBJECT : Combined Sewer Outfalls (CSO)

The following is a list of CSO work to be performed:

1. Secaucus Road
3000 feet of twin 8'x12' \$6.9 Mil
2. Manhattan Avenue
2200 feet of 60 inch \$1.1 Mil
3. St. Pauls Avenue
1150 feet 68 x 108 @\$1000/ft \$1.2 Mil
4. Broadway (Current Project
100% Designed) \$1.1 Mil
5. Duncan Avenue (Deep Water) \$1.0 Mil
6. Clendenny Avenue
1950 feet of 120" @\$1000/ft \$2.0 Mil
(Deep Water) \$1.0 Mil
7. Sip Avenue
Parallel Exist 48" with 60"
Install Regulator (New) &
68x108 Culvert 2000 ft. \$3.0 Mil
8. Brown Place
3000 feet of 60 inch @\$500 \$1.5 Mil
9. Richard Street
5600 feet of 8'x10' @\$1000 \$5.6 Mil
10. Mill Creek
6000 feet of 8'x12' @\$1000 \$6.0 Mil
(See Report)
11. 2nd Street (with Bay & Pearl)
2000 ft 8'x10' with New Regulator \$5.6 Mil
660 feet deepwater



12/8/82
Daggs' Land Award
on 12/9/82

STATE OF NEW JERSEY
OFFICE OF THE GOVERNOR
TRENTON
08625

THOMAS H. KEAN
GOVERNOR

December 8, 1982

Dear Liberty State Park Advisory Committee Members:

There are few projects anywhere which are as exciting as Liberty State Park. This Park provides a link to America's culture and history through its proximity to the Statue of Liberty and Ellis Island, while at the same time allowing access for the public to our great Hudson River waterfront.

However, Liberty State Park is at a critical stage of its development. It is for this reason I write you to outline my concerns, and ask your assistance.

Started in February, 1976, the Park has gone through two stages--land acquisition and clean-up--at the cost of over \$63 million. Limited public use has centered around the south embankment while the historic Central Railroad Terminal building was being restored on the north embankment.

We are now at the point of determining how Liberty State Park shall be developed, what public facilities and activities shall be built, and at what cost. Inherent in all the past plans for the Park was the construction of a seawall at the cost of \$25.3 million. It was hoped \$17.8 million of this would be federal appropriation matched by \$7.5 million of Green Acres funding. This funding remains uncertain.

In light of diminished financial resources to enter into the third phase of Park development, we are faced with either maintaining essentially the present limited status of development within the Park, which is unacceptable to me, or turning our minds to exploring some creative approaches which will allow the Park to become the magnificent public resource all of us have envisioned from its inception.

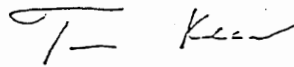
For this reason, I ask you to work with me in developing an effective public/private partnership approach whereby revenues generated from limited private commercial development can be used to develop, operate,

and maintain other public elements of the Park. Commissioner Hughey and his staff have already begun to explore this idea, and I am confident that an excellent plan will emerge.

Foremost in my mind is the fact that this is public parkland with very special historic, open space and waterfront amenities which benefit the entire State. Liberty State Park is the front-runner to revitalization of the entire New Jersey waterfront on the Hudson River. It will be the Park of the twentieth century that will attract millions of visitors each year from all over the world.

I am convinced we can devise a plan consistent with and supportive of the public recreation and cultural objectives of Liberty State Park. I look forward to your complete support.

Sincerely,



Thomas H. Kean
Governor

CULTURAL ARTS COMMISSION



CITY SPIRIT PROGRAM

THE CITY OF JERSEY CITY

CITY HALL
280 GROVE STREET
JERSEY CITY, NJ 07302
(201) 547-5018

ANTHONY R. CUCCI
Mayor
MORRIS PESIN
Director

May 19, 1987

Hon. Edward O'Connor
Chairman Senate Study Committee

C.E.O. Chester Mattson sent a letter to you on March 9, 1987 regarding the Development Corporation's role in Liberty State Park. Inasmuch as this is made part of the record of the March 3rd hearing please enter our reply thereto for the record.

POINT 1

P1 "There is a Master Plan for Liberty State Park. A revision of the original 1977 Master Plan, it is called the Liberty State Park Action Program, dated June 30, 1983." (Mattson Letter Page 1)

"The purpose of the Action Program, stated on Page 2 and discussed on March 3 by Dr. David Wallace, was to set priorities for next steps in the Park's construction and operation, to outline guide-lines for future development, and to establish the basis for a long-range strategy. A major goal was to keep park construction alive by finding ways by which private funds could replace rapidly depleting public dollars." (Mattson Letter)

We are losing sight of the trees for the forest. We are dealing here specifically with a marina based on the 1977 Master Plan, and Mr. Mattson spends four pages of his letter discussing the Action program which he admits was to "outline guidelines for future development" and long-range strategy. These guidelines are a matter of policy and not part of the 1977 Master Plan. Mr. Mattson is merely confusing the issue of the Marina lease with matters of future policy. The issue is whether the Marina violates the Master Plan and whether the lease is a land giveaway or corporate takeover, as set forth in the Senate Resolution creating the Study Committee.

Mr. Mattson is wrong when he says that the Action Program is a revision of the 1977 Master Plan which was approved by every State Agency after 10 public hearings and leading consulting firms.

See - Page 1 of Action Program - Purpose of Action Program "To outline guidelines for its further development".

P2. Methods of Procedure (Action Program)

"Governor Kean in a letter to LSPPAC stated his intent to see development of the Park continue particularly with opportunities for public private sector partnership".

The Action Report failed to complete the letter dated Dec. 1983 which continued "whereby revenues generated from limited private commercial development can be used to develop, operate and maintain other public elements of the Park" (Governor's letter attached).

In this, the Corporation has failed to accomplish the Governor's mandate. Vincent Murphy, Mr. Mattson and Commissioner Dewling have admitted publicly at Senate Hearing of March 3rd and in the Jersey Journal that the proposed marina will not generate funds to develop the park but merely some maintenance funds.

This is the reason why Mr. Mattson refuses to provide the Ad Hoc Committee or the Senate Committee with copies of the contract or financial impact statements. Not only is the Ad Hoc Marina Committee being stonewalled but also the Senate Committee (more on this point later).

P.3 Action Program - Conclusion re Master Plan. "Major features of the 1977 Master Plan were unanimously reaffirmed".

Mr. Mattson's use of the term revision is, therefore, misleading. The Report recommended after several workshops, the inclusion of a golf course, aquarium and Science-Technology Center.

P.20 "The Marina now under study (Langan Associates) be immediately developed, possibly by the private sector". (Action Program)

This conforms with the Langan Recommendations for a State built marina.

P.16 "Marina development along the South and possibly the North embankment". (Action Program)

Front cover of Action Program Report reaffirms the 1977 Master Plan which shows Marina in the Morris Canal. Further proof is the \$50,000 DEP Langan Associates Marina recommendations 1983 based upon the 1977 Master Plan. (Langan Report submitted at March 3rd hearing.) Mr. Mattson's statement that the Master Plan is called the Action Program dated June 30, 1983 is erroneous. It is a reaffirmation of the 1977 Master Plan. A reading of the Action Program reveals it as a report to outline guidelines for future development, which was discussed at workshops "without" public hearings. (See last 2 pages of Action Program.)

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

POINT 2

"With Liberty State Park approximately 20% developed through the expenditure of \$85 million in State and Federal Funds, there is now a severe shortage of funds for further development." (Mattson Letter Page 2).

Mr. Mattson devotes 2 full pages discussing the deplorable situation on lack of State Funding, diversion of funds to the Sea Wall, etc. He goes into details of soil problems with the golf course and the inability of the Science Tech. Center in being unable to generate a fee structure presently.

What is Mr. Mattson trying to prove except to divert the attention from the Marina to the admitted lack of generation of funds to develop the park by Messrs. Dewling, Murphy and Mattson. If there are no Green Acres funds to develop the Park, why does he not set forth figures from the public/private partnership concept to finance the development of the Park.

For three years the Corporation has reportedly been negotiating with the Golf Club Corporation of America. Why no action? Why the delay? How much revenue is anticipated?

Let's deal with the first experiment, the Marina, a Public Private Partnership. Is it partnership, a giveaway of parklands, a corporate takeover? The cat is out of the bag. Messrs. Dewling, Murphy and Mattson have admitted that no development funds can be generated from the Marina. And for this we are donating 57 acres worth \$16,000,000 - . Why is the Corporation persisting on hiding the figures of the Marina lease?

What makes the Corporation believe that this so called public/private partnership will succeed except by making an outright gift of land to develop the park to private entrepreneurs. If the Marina is an example, then the Corporation will have failed on the Governor's Mandate to generate funds to develop the Park. If there are no State funds to develop the Park where is the proof that private sources are able to accomplish this?

We recommend that the Corporation study the guidelines for the Development and Financing of Liberty State Park wherein the Liberty State Park Study and Planning Commission concluded on Page 58 as follows:

"It was the conclusion of the Commission (which was supported by the views of both consulting teams) that although there may be some private development of industrial, office, residential or commercial real estate projects which would be economically feasible for the back areas of the park in that there presently exists, or will in the near term, a market potential in which a development would result in a satisfactory return to a capital investor and provide local employment opportunities and tax revenue, no such projects would produce revenues to offset the capital costs of the development of the park in sufficient quantities to justify the sacrifice of park land."

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

POINT 3P.4 - The \$300,000,000 Myth

"There are substantial costs remaining conservatively speaking and from only rough estimates and costs." (Mattson Letter).

Mr. Mattson makes the outrageously exaggerated claims after listing the projects, that \$300,000,000 will be required to complete the Park. He cites no specific figures from the DEP or State experts like Col. McCabe and others. He exaggerates in order to frighten legislators, officials and taxpayers that the State will be saddled with these costs.

In the interests of accuracy, we attach herewith a memorandum based upon estimates we received from Col. McCabe upon our request for "Major Projects to Complete the Master Plan" for a 10 year period (1987-1997). The total submitted is \$75,160,000. We suggest that the Committee discuss this with Col. McCabe the most knowledgeable source regarding Liberty State Park.

In any event based upon admitted statements of Commissioner Dewling, Vincent Murphy and Mr. Mattson that there will be no marina developmental funds for the Park. Advocates of public/private partnership must reveal their formula on how this miracle can be achieved without liquidating the Park, or resulting in a corporate takeover of public parklands.

We ask the Corporation who in the private sector, will undertake the burden of developing the Park by paying for a limited seasonal use non-commercial "Ampitheatre, C.R.R. restoration, expanded Park headquarters, access infrastructure, equipment of Seawall and pathways, picnic areas, passive green space, restoration of train sheds, expand grid of sewers, utilities, water lines, power and phone lines, food service facilities, etc." (See Page 4 of letter.)

The only Public/private project which could be possible is the golf course which we do not oppose and which may serve the public. We are told that attempts to interest the Golf Club of America after several years have still not materialized. Will the \$4,000,000 to \$5,000,000 still cost problem (Bottom P.3) discourage the private sector in investing in a golf course? This fact alone indicates that we cannot expect the golf course to generate funds. The Science Tech. Center which will be an educational and cultural asset is now in non-profit corporate hands and is indeed a welcome attraction for the park which will serve the entire state and will not impact adversely on the use of the Park because of its isolated location..

The public and legislators must realize that the State and the people will have to over the years, as it has done in the past, finance the recreational, cultural and environmental needs of the people. Any other way must result in the liquidation of our public parks.

POINT 4

P.4 (Mattson's Letter)

"There is a Liberty State Park Advisory Commission". The only one who has apparently not recognized this is Mr. Mattson. From July 2nd when he advised the Commission that proposals for a Marina was advertised in June, until Oct. 15th Mr. Mattson failed to comply with the Corporation's Certificate of Incorporation which says:"

"To seek the advice from and to consult with the LSPPAC with respect to the Development of LSP and the operation of its facilities, etc."
This was flagrantly disregarded until Oct. 15th when officials, the media and ourselves received a groundbreaking for a Marina ceremony. This invitation alerted us to the fact that a fait accompli took place. The ceremony for some reason was cancelled, alerted us and led to the creation of the Ad Hoc Marina Committee by Vincent Apprussese, the former Chairman of the LSPPAC.

Until this very date Mr. Mattson has not consulted with us, obviously because the lease has already been ready for execution. Whatever we know of the proposed Marina, was the permission he gave to Mrs. Zapp to copy certain sections of the prepared through unexecuted lease.

To this date the Ad Hoc Committee has been stonewalled by the Corporation and Mr. Mattson in the refusal to honor its request to produce a copy of the lease, and a financial and economic impact statement.

In failing to do this he and the Corporation and the DEP have failed to comply with the Governor's Executive order setting forth the review process of the LSPPAC.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

POINT 5

"There is a Liberty State Park Development Corporation."(Mattson Letter P.5)

Mr. Mattson spends 2 pages on the Corporation and its bidding practices. He did not say that the Corporation was created by the DEP without legislation and has met in secret since its creation and without being subject to the Sunshine Laws although it is financed with State funds and has at its disposal 800 acres of public park and lands worth at current price \$240,000,000.

"X

The Senate Committee in particular, the creator and guardians of our laws must be concerned over the claim of the Corporation that it is exempt from State bidding laws. The N.Y. Times of March 22nd - "The Development Corporation which is headed by Chester Mattson maintains that, as a non-profit organization it is exempt from public scrutiny of bids."

This means that the DEP which created the Corporation is exempt. The Attorney General's office was advised by the DEP on the formation of the Corporation cannot be expected to render an impartial opinion on this question. We therefore, urge the Senate Committee to avail itself of independent legal sources to determine the legality of this situation. This is a threat to our State bidding laws in that every department in our State can create a similar non-profit setup to avoid the law. The Attorney General's office lately upheld this concept, since it created the Corporation and had no other choice.

Page 5 - Mattson's Letter on Bidding

"For a given activity like the Marina now proposed, the process works as follows:

Page 6 Mattson's Letter 1st para.

"The Advisory Commission whose advice must go to and be considered by the Commissioner and the DEP is kept informed of the project as it unfolds xxxxx etc."

This is an amazing statement by Mr. Mattson who did not in any way from July 2nd until Oct. 15th seek the advice or consult with members of the Advisory Commission at which time he announced a groundbreaking ceremony for a Marina. From then until today he not only did not seek our advice but in fact stonewalled and resisted our attempts to seek information. This makes 10 months. His only contact with us has been at several Ad Hoc Meetings in answering our questions seeking information. "Seeking advice or consultation", absolutely not!

Mr. Mattson seeks to fault the Ad Hoc Committee for prematurely requesting financial details of marina lease (Page 6, See Point 5).

Our review process begins when the bids are opened and before the lease is signed and the State is bound legally and beyond recourse. Mr. Mattson has for 6 months resisted the Ad Hoc Marina Committee's request on the lame and untenable excuse that his is required to go to the 2nd bidder if the 1st bidder walks away. He will know that the 2nd bidder by its attorney Peter J. Herzberg protested to the Attorney General that the bidding practices of the Corporation did not comply with N.J. Bidding Statutes.

Bids were submitted by Aug. 15th. This is when all bidders, the public and the Advisory Committee should have been advised of the contents of all bids.

A copy of a letter of the second bidder's attorney is attached hereto. Aug. 15 was the beginning of the Stonewalling Operation.

The Corporation's specifications as advertised says, "CEO and President of the LSPDC reserves the right to reject any and all bids as deemed to be in the best interest of the Corporation. He shall have the authority to award the lease to bidder best meeting specification and bid conditions and who is determined to have offered the most advantageous bid to the Corporation". This clause precludes all bidders from gaining any benefits after bidding date as Mattson alleges since all bids are final and Corporation has right of rejection.

XX

POINT 6

SUBSEQUENT REVIEWS (Mattson Letter P.6)

"The Advisory Commission Ad Hoc Committee Chairman indicated that the Committee's inquiry was stalled because of the absence of an environmental impact study."

This is a complete understatement. For many months at least 7 letters were sent by us to the Corporation and the DEP requesting a copy of the lease, and most important a financial and economic impact statement that is basic to the review process of the Ad Hoc Committee. These requests were improperly denied to this very date and was tantamount to a "stone-walling" operation.

POINT 7

On Pages 7 and 8 Mr. Mattson summed up his case in flowery words setting forth his concept and philosophy on how the Park would be developed. It is very apparent that Mr. Mattson with his experience as a former planner for the Meadowlands Corporation, has failed to differentiate between Liberty State Park a public parkland and the Meadowlands, an area for commercial development.

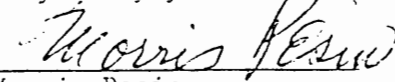
We will let the people of New Jersey decide as to what kind of a park they want, rather than designed by professional planners.

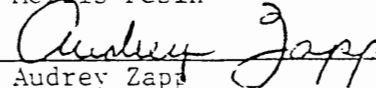
Mr. Mattson says "it could take more than 30 years to complete this park xxx at a rate of public spending of 10 million per year".

One thing is clear, that Mr. Mattson's Marina has admittedly failed to generate developmental funds, and even more important he has failed to say who in the private sector will pay for all of the capital costs of non-profit producing and infrastructure items listed in the Capital Plan Estimate for the next ten years (See attachment).

We trust that our Senators will not be deluded into believing that the private sector will relieve the State of its responsibilities, unless we hand over to private interests our valuable parklands for commercial development. We all have a public trust to protect our parklands which we want to pass on to our children. Let us not betray it.

Very truly yours,


Morris Pesin


Audrey Zapp

Members of the Ad Hoc Marina Committee
of the Public Advisory Commission

N.J.D.E.P. CAPITAL PLAN ESTIMATES TO COMPLETE MASTER PLAN
FOR LIBERTY PARK

Estimates by L.S.P.

MARINAS : SOUTH MARINA \$4,830,000.

Dev. Corp.

NORTH MARINA \$4,830,000.

\$14,160,000.

(over estimated)

\$9,660,000. (If state built marinas)

AQUARIUM: CONSTRUCTED BY OTHERS

Dev. Corp.

N.J. SPORTS AUTHORITY PROPOSAL STILL BEING
STUDIED

\$30,000,000.

(should not have been
included)

NOT PUT IN PARK BUDGET

AMPHITHEATER: \$5,000,000.

Dev. Corp.

(delayed until sea wall construction ends)
1990-?

\$14,000,000.
(over estimated)

*GREEN PARK : \$14,000,000.

Dev. Corp.

Includes trails,
landscaping, picnic areas,
open space

\$24,290,000.
(over estimated)

CENTRAL RAILROAD TERMINAL: \$19,000,000.

Dev. Corp.

\$34,000,000.

Ten Year Plan to complete entire restoration of
Historic R.R. Terminal including heat, all utilities, (under estimated)
2nd floor, 3rd floor restoration

CENTRAL R.R. TRAIN SHEDS : \$16,000,000.

To put the train sheds back into use and
includes new roof, drainage system, etc.

FERRY CONCOURSE REHABILITATION: \$5,000,000.

This includes cleaning up area between terminal and
ferry slips, putting down new surface flooring and
deck, development of sitting area with tables for
dining, etc.

CENTRAL R.R. FERRY SLIPS: \$6,500,000.

Restoring ferry slips to original use

SCIENCE TECH : FINANCED BY OTHERS: NOT IN STATE PARK BUDGET \$40,000,000.

Figures do not include funds for acquisition of new parkland, access funds
TOTAL CAPITAL PLAN BUDGET ESTIMATES FOR MAJOR PROJECTS TO COMPLETE MASTER PLAN

\$75,160,000. over a ten year period.

GREENBAUM, ROWE, SMITH, RAVIN, DAVIS & BERGSTEIN

COUNSELLORS AT LAW

WM. L. GREENBAUM (1914-1983)
ROBERT S. GREENBAUM
ARTHUR M. GREENBAUM
ALLEN RAVIN
PAULA A. ROWE
WENDELL A. SMITH
ALAN E. DAVIS
MELVYN K. BERGSTEIN
DAVID L. BRUCK
DAVID S. GORDON
ROBERT C. SCHACHTER
MARTIN L. LEPELSTAT
DENNIS A. ESTIS
WILLIAM O. GRAND
CHARLES APPELBAUM
DONALD KATZ
BENJAMIN D. LAMBERT, JR.
MICHAEL S. NIMMEL
DOUGLAS R. WOLFSON
ALAN S. NAAR
MARK M. SOBEL
HAL W. MANDEL

ENGELHARD BUILDING

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THOMAS C. SENTER
GLEN C. JURITZKY
R. BRUCE FREEMAN
GIANNI DONATI
MARGARET GOODZIT
ROBERT J. KIPNEES
W. RAYMOND FELTON
ALAIN LEIBMAN
CHRISTINE F. LI
BRUCE D. GREENBERG
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PAUL F. CLAUSEN
JAMES P. SHANAHAN
MICHAEL X. FEINBERG
GARY A. KOTLER

NANCY EVILLI
NANCY E. BROCKY
SHARON L. LEVINE
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SUZANNE M. LAPORDICA
ANDREW M. NEWMAN
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PAUL J. TRAINA
ELIZABETH J. KASHOAN
SADIE R. WITNICK
JACQUELINE M. PRINZ
CYNTHIA M. SCHARF
SAMUEL RAK
ALICE BEIRNE
TOO S. CHASIN
FRANCINE CHESLER
PATRICIA STUART ROACH
STASHA W. COHEN

HAROLD H. GAST (1933-1984)
SAMUEL J. SPAGNOLO
OF COUNSEL

REPLY TO:

Engelhard Building

November 24, 1986

John M. VanDalen,
Deputy Attorney General
RJ Hughes Justice Complex
CN-112
Trenton, New Jersey 08625

Re: Liberty State Park Development Corporation
Bid for Marina Complex at Morris Canal
Tide Basin

Dear Mr. VanDalen:

This is to confirm my telephone conversation in which I informed you that I represent a client protesting the procedure used in bidding the Marina Complex at the Morris Canal Tide Basin in Liberty State Park. While the Liberty State Park Corporation followed some of the procedures for public bidding, it certainly did not follow all such procedures specifically with regard to the awarding of bids. Accordingly, I am requesting that the Office of the Attorney General either refuse to approve the contract awarded by Liberty State Park regarding the marina or void any contract entered.

As stated above, Liberty State Park initially followed procedures in the various public bidding statutes. It issued a Request for Proposal on June 18, 1986 and bids were required to be submitted by August 15, 1986. However, the bids were not opened publicly nor were the deliberations in

John M. Vandalen, DAG
Re: Liberty State Park Development
Corporation Bid for Marina Complex
at Morris Canal Tide Basin
November 24, 1986

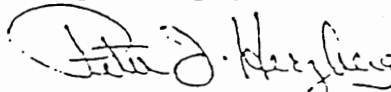
deciding which bid to accept opened to the public. Requests by several bidders to find out the contents of competitors' bids were all denied. Surely, this lack of public disclosure violates the very concept of public bidding. In fact, my complaints to the Liberty State Park Development Corporation were responded to by Alan Lowenstein, who informed me that this corporation was a "non-profit corporation which does not operate under the public bidding requirements". (For your information, I am enclosing my protest letter as well as Mr. Lowenstein's response).

Surely, DEP cannot delegate the administration of Liberty State Park to a non-profit corporation that need not follow public bidding requirements. If it could do so, I am sure that every public entity in the State of New Jersey would similarly seek to avoid public bidding in this manner. That would lead us back to the old days in which bids were given to Tammany Hall cronies, favorites and non-qualified individuals.

Accordingly, it is requested that the Office of the Attorney General intervene in this matter immediately and correct the bidding process on the Marina Complex in Liberty State Park. It is a matter of serious public concern.

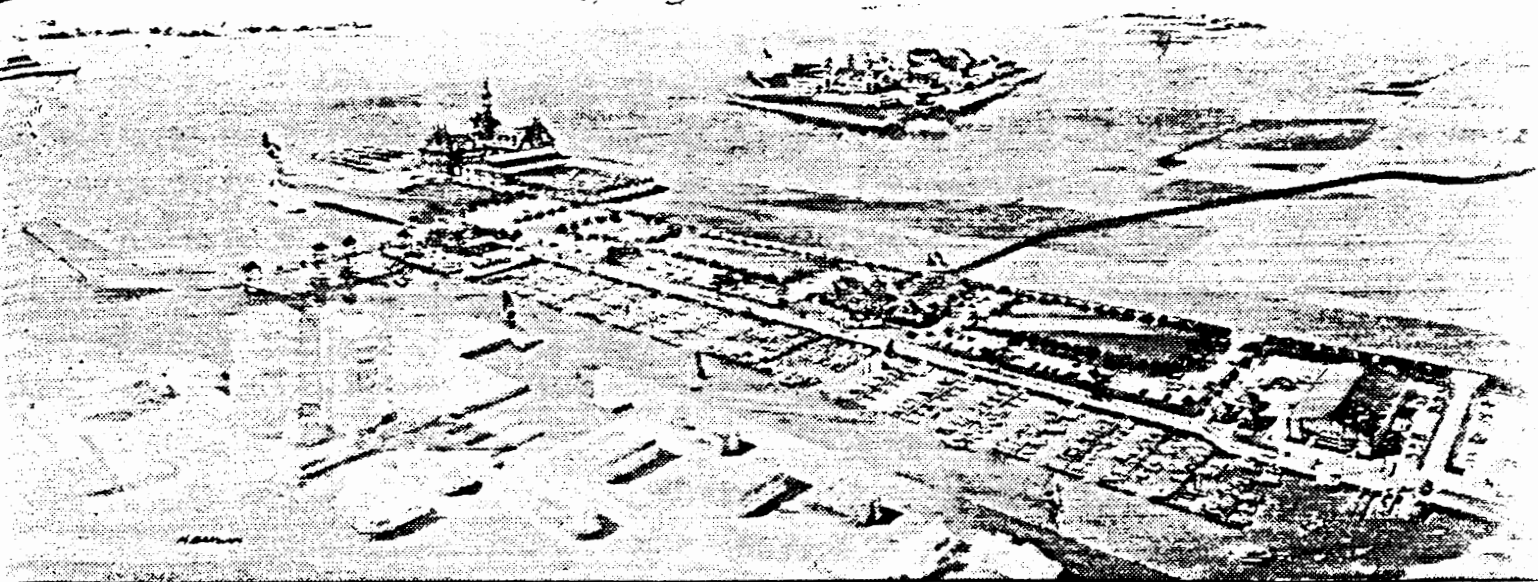
Thank you very much for your cooperation.

Very truly yours,


Peter J. Herzberg

PJH/lk
Enclosures

cc: Alan V. Lowenstein, Esq.



This is an artist's conception of the proposed Liberty State Park marina.

J.J. FEB 17/88

Liberty Park marina in drydock

Silvia Ascarelli

A marina at Liberty State Park this year is no longer possible.

And while the head of the Liberty State Park Development Corp. refused to lay odds the 950-slip and drydock marina being ready for 1988, the future looks bleak.

"We're getting so it will be right schedule for 1988," acknowledged Chester Mattson, the private corporation's president.

The firm, Waterfront Developers Inc. of Philadelphia, bids at least three months to

until they get several documents, including an environmental impact study and financial assessment. Mattson, in turn, says it's up to the full advisory commission to decide whether the information is needed.

An interim report is expected at the advisory commission's meeting next Tuesday.

Gov. Thomas Kean may be needed to break the deadlock, said Vincent Murphy, the corporation's chairman.

"I think for us to successfully move forward, this controversy has to be put to bed once and for all, and the governor is the person we believe should do it," he said.

The corporation has asked

Kean for a statement of support but had no indication when it would get it, he said recently. Mattson yesterday said he had heard nothing since those comments but noted that Kean did mention a marina in his recent State of the State speech.

Should the state Senate commission investigating proposed marina work until Dec. 31 deadline, Waterfront Developers will bow out, said Mattson and Alan Lowenstein, a development corporation board member, said.

Sen. Edward O'Connor, panel's head, said the hearing is tentatively scheduled for March 3 at the park environmental center. He said he hopes to be finished this summer.

Although Waterfront Development hasn't delivered an ultimatum on when the project must be approved, it is "very discouraged," Mattson said.

"They are getting very nervous that the process we're going through will cause the great difficulty in getting the marina out there in '88," he said. "If the financial world looks at this landscape and sees this continuing debate going to become a poor environment to even attract private financing."

He declined to speculate on how and when the advisory committee will act but said he expects it to be resolved eventually. He described it as a

No pie in the sky over Liberty Park

By Silvia Ascarelli

Harsh realities have tempered projections of millions of dollars flowing from a fully developed Liberty State Park.

The park's business plan, written in 1983 but never adopted, projected that the first of two hotels would be providing \$50,000 in 1985 and by 1991, 11 projects would be paying \$4.5 million to the Liberty State Park Development Corp.

But today nothing is built — and nothing is expected until at least next year. In addition, unforeseen costs have greatly changed the economics of the projects. Revenues are now being seen as a way to cover maintenance costs, not to fund other development.

"It is very much of a change" from the earliest projections, said Vincent Murphy, the corporation's chairman.

For example:

- The projected 160-acre golf course will need three to four feet of soil to change it from a cinder plot littered with railroad debris and retaining no moisture into a green oasis. Merely hauling the soil to the park without spreading it will cost \$4 million to \$5 million, he said. The additional expense was discovered when the corporation commissioned soil consistency tests 18 months ago in preparation for requesting development proposals.

See editorial:
A new angle to park fate on Page 20

federal permits and would not start driving piles into water by the end of this month, Mattson said. Detailed engineering drawings remain on ice because no contract has been signed.

When built, the marina would be for rent to the public, according to the current plan.

Plans to build the first 200 slips by May 1 went awry when members of the Liberty State Park Public Advisory Commission objected. The advisory commission is waiting for recommendations from its subcommittee before going on the contract.

The two members fighting the plan are

FOR YOUR INFORMATION

O'Connor

MEMBERS OF THE STATE STUDY
Sub Committee

See P11

Marina

Project

new clip

Support

my

State

MEMO TO: Members of the-
Liberty State Park Public Advisory Commission

FROM: Audrey Zapp, member of the I.S.P.P.A.C.
Chairman Waterfront Development Committee

DATE: April 16, 1987

SUBJECT: Summary of Key Features of the Park & Master Plan

My summary is written to provide a broader understanding of the key features of Liberty State Park. New Jersey will only have one opportunity to build the greatest urban open space and recreational facility of the twentieth century.

Key decisions should be made for the long term rather than to accommodate short term solutions. One hundred years from now Liberty State Park and its surrounding area should reflect favorably upon the planning and decision making process of the 1980's.

What are some of the key issues:

1. What is the Master Plan for Liberty State Park and how did it come about?

On April 13, 1977 Governor Brendan Byrne formed a Liberty State Park Study and Planning Commission. The Commission was formed pursuant to Executive Order 55. Ten commissioners were appointed to serve on the commission whose charge was to determine how the N.J. Department of Environmental Protection (DEP) is to proceed with the development of the park, what should be included in the park, and how will the state finance the development of these facilities. Governor Brendan Byrne appointed me to serve on the original Planning Commission and in that role I was able to examine, first hand, the environmental, social and economic impact of various development alternatives within Liberty Park.

Executive Order Attached Exhibit

18X

At the time of the first Commission, Liberty Park's 35 acre initial section was already dedicated by Governor Brendan Byrne on Flag Day, June 14, 1976. There was no master plan for the park, however, New Jersey's Bicentennial Commission received \$1,000,000 from the Department of Housing and Urban Design and the Green Acre's program provided \$11.5 million for land acquisition. The Bureau of Outdoor Recreation, Department of Interior also supplied a \$5 million contribution toward the cost of total acquisition. In addition the city of Jersey City donated 145 acres of city land to build the park.

The state had already selected the firm of Geddes Brecher Qualls Cunningham of Princeton, New Jersey in 1976 to begin the process of designing a Liberty State Master Plan. As part of its master planning process, the Geddes firm subcontracted several studies of engineering, cost analysis, and transportation and recreational needs to Zien & Breen Associates, Alan M. Voorhees and Associates, Chester Rapkin, National Heritage Corporation and McKee, Bergen Mansueti. The contract for these services was funded with Green Acres Development funds.

The 35 acre facility provided open space, picnic tables, a parking area, a magnificent view of Statue of Liberty and New York harbor and an exhibition of the state flags of each states of the union. The funds for this specific project came partly from Green acres Design and Development fund and partly from a \$2.4 million grant from the American Revolutionary Bicentennial Commission. The 35 acre site was located along Morris Fesin Drive in the southern edge of the park across from the Statue of Liberty.

19X

At the same time, the D.E.P. was forced by vandalism and weather conditions to perform stabilization activities at the Central R.R. terminal at the northern edge of the park near Ellis island. A \$1.2 million dollar grant came from the Centennial funds. Aside from the \$11.5 land acquisition funds, Green Acres Design and Development money supplied \$10 million for engineering studies, design studies, harbor cleanup funds to match federal funds .

The Commission sought to maximize the input of Jersey City's administration and local residents in its planning process. The Commission arranged for a series of meetings in which its members were briefed by experienced members of the public and private sectors involved in the construction of/ or operations of parks, special authorities, or recreational facilities (See Exhibit E attached for list of experts interviewed.) Throughout the summer and fall, nine public hearings were held at various locations in Jersey City, Hoboken, and Newark. Hundreds of citizens informed the Commission of their ideas and concerns about the development of Liberty Park. Major environmental and citizen groups sent representatives to present testimony. The mayors of the cities of Jersey City, Bayonne, Hoboken , and Newark or their representatives advised the Commission about their concerns.

The Commission recognized that in order to maximize its efforts, specialized professional services would be necessary to help it examine the total range of development alternatives . To assist in this process, the Commission engaged two nationally known, nonprofit organizations that provide such assistance to governmental bodies on difficult land use questions. The Commission sought the assistance of the American Institute of Architects (AIA)

and the Urban Land Institute (ULI). Both organizations agreed to help. The ULI and the AIA had been offering such assistance for the past ten years. The Liberty State Park project is the first time that the ULI and the AIA worked together on the same project.

The AIA, through the N.J. Society of Architects, appointed a multi-disciplinary R/UDAT team composed of architects, planners, and economists to visit the site. The R/UDAT team met with a variety of local, regional, and state officials and with local citizens. (attached find list of R/UDAT team members.) The R/UDAT team completed a report of their recommendations. This study reflected the high level of citizens input into their study process.

The ULI, an independent research organization which conducts research; interprets current land use trends in relation to the changing economic, social and civic needs of society; and disseminates information designed to produce the best and most efficient use of development of land. The ULI agreed to help the Commission through its panel service program which calls upon the services of members of the ULI. The panel was asked to determine what type of development would generate sufficient revenue to offset a portion of capital costs of park construction. Economic feasibility, development potential, construction costs, occupancy timetables, economic return, and design integration were to be examined by the panel.

The panel was comprised of financing experts, urban planners and real estate development specialists. The panel examined all applicable federal programs to determine what funds would be available for the development of the park. The staff examined

the possibility of obtaining corporation and foundation funds for the park. (See Exhibit J for list of possible sources of foundation grants .) (See Exhibit I for a list of federal programs available for development of the park.)

The Commission concluded its deliberation by issuing a report entitled the Liberty State Park Study and Planning Commission "Guidelines for the Development and Financing of Liberty State Park." The report was presented to Governor Byrne December 19, 1977.

The Commission's conclusions were reached after full consideration of the presentation by experts in various fields, extensive input from the public, and the expert advice of the R/UDAT and ULI teams.

Thus the Liberty State Park Master Planning process was completed and the firm of Geddes Brecher Qualls Cunningham of Princeton began to implement the findings of the Commission's report. These findings were implemented in the Park Master Plan.

2. What are the components of the Master Plan and what type of recreational opportunities will they provide for the public?

A. Green Park

The Commission recommended "a "green" park, devoted primarily to the unstructured open space needs of its users. The MAJORITY of the acreage along the waterfront and within the interior of the park would be available for picnicking, frisbee throwing, spontaneous sports, walking, other active unstructured recreational activities and visual enjoyment of open green spaces and the unique harbor view."

Threaded throughout the Greenpark are picnic areas, walk-

ways, trails, and bikeways. The Greenpark will appear to be completely natural in its varied plantings and land forms; it will indeed bring a sense of nature to the urban harbor setting. (Taken from the Master Plan Scenario written by Robert Geddes architect for Liberty State Park.) Location: North & South area.

B. The Wetland Preserves

Along Liberty Park's waterfront, two large wetlands areas will remain as wildlife preservations. An Interpretive Center will provide information and orientation programs and will protect the wildlife. The original salt marsh habitats will be peaceful, educational, and spiritual oases in the midst of a great urban park.

C. Liberty Walk

The crescent walk along the harborfront will be the greatest attraction of Liberty Park. In a graceful curve along the water's edge, the tree-lined promenade will provide the most spectacular set of views of the New York harbor. Two causeways will cross the two natural areas, so that the tidal flow may nourish and protect the valuable wildlife areas.

D. The Restored Railroad Maritime Terminal

The Railroad Maritime Terminal, originally built for the Central Railroad of N.J., will be restored. Built in 1889, the restoration features new skylights, ramps, waiting room will be used for festivals of theater, music, dance and for exhibitions and cultural events. The Train Sheds will be restored and will be the site for an old-fashioned steam railroad museum and the tracks will be installed to accommodate a working steam railroad.

E. Amphitheater and Seacuarium.

Along the Liberty Walk waterfront a large grass amphitheater, The Bowl, designed for outdoor festivals, pageants, harbor fetes,

and sound and light shows focused on Ellis Island.

The Seaquarium will exhibit displays of marine life to educate the young people and visitors on the fish and wildlife found at Liberty Park. Source: Geddes Scenerio of Master Plan.

F. South Embankment Grasslands

The south embankment, bordering on Morris Pessin Drive, will provide the most dramatic vistas of the Statue of Liberty and the entire harbor, from the Brooklyn Bridge and downtown Manhattan to the Verrazano Bridge and the lower bay. Overlooking the clean, open water of the Black Tom Channel and Caven Point, the south embankment will be oriented outward, with scenic overlooks, grass mounds picnic areas, a marine walk and amphitheater bowls. It will be the site of the park headquarters. Source: Geddes Scenerio of Master Plan

G. South Embankment Marina and Public Boat Launch

For more active recreation, there will be a fishing pier, a marina, and a boat-launching ramp. The marina will serve 450 boats with ample parking for boat owners. Source: Geddes Scenerio of Master Plan.

H. North Embankment Grasslands

The northern embankment bordering on the Morris Canal on the north, Audrey Zapp Drive on the south, Jersey Avenue on the west and the historic Railroad Terminal Overlook on the east is closest to the Paulus Hook and Van Vorst residential neighborhoods; linked across the Tidewater Basin by a pedestrian footbridge, the development of the embankment will be carried forward with the participation of the neighborhoods representatives.

The North Embankment Grasslands will be a continuous, landscaped public walkway and park for sitting, picnicking, and sightseeing. The site will be devoted to grassed open space areas

for unstructured recreation . The Greenpark will appear to be completely natural in its varied plantings and land forms; it will indeed bring a sense of nature to the harbor. Source; Geddes Scenerio of Master Plan.

I. North Embankment Marina

For more active recreation, there will be a fishing pier, a marina. The marina will serve 450 boats with ample parking for boat owners. Source: Geddes Scenerio of Master Plan.

J. Public Access to the Park

Walkways, bikeways , two footbridges located at Jersey Avenue and a pedestrian bridge to cross the Morris/Tidewater Canal and bring people from the inner city into the park. Source: Geddes Plan

K. The Inland Watercourse

Geddes envisioned an inland water course for boating. This proved to be too expensive and had many environmental problems because of poor water circulation. It was abandoned in the Action Plan because of these problems.

3. Does the 1983 Action Plan designed by Wallace Roberts & Todd differ from the 1977 Master Plan for the park? What are these differences?

In the Conclusions Re The Master Plan from the Action Plan Scenerio , David Wallace and Associates state :

MAJOR FEATURES OF THE 1977 MASTER PLAN WERE UNANIMOUSLY REAFFIRMED. THEY ARE: THE LIBERTY WALK, SOUTH EMBANKMENT DEVELOPMENT, OVERLOOK: MARINAS AT SOUTH AND NORTH, WILDLIFE HABITAT, HISTORIC TERMINAL COMPLEX, GREEN PARKS (NORTH & SOUTH EMBANKMENTS) ENVIRONMENTAL CENTER: NORTH AND SOUTH INTRAPARK DRIVE.

Two features were set aside: The Serpentine lake would be difficult and expensive to develop and the undeveloped uplands

pictured within the master plan in white with no specific designation (due to the fact that much of the acreage was still to be acquired by the state.) was to be developed as a GOLF COURSE and the site for a SCIENCE CENTER. This area is located adjacent to the New Jersey Turnpike Extension and borders on the Jersey City Water Treatment Plant and Phillips Drive.

In the original master plan of 1977 the Circle Line Ferries ran from the southern end, because this area was close to the completed Flag Overlook. The 1983 Action Plan placed the Circle Line Ferry Dock at the Northern Embankment adjacent to the Tidewater Basin and near proposed marina. The Action Plan included a ferry ticket office, restrooms, dock and public rest rooms.

To answer the question: How does the Wallace Action Plan differ from the Master Plan of 1977? It differs by adding a golf course, science center and re-locates the Circle Line Ferry from the south embankment to the north embankment.

Every other component of the 1977 Master Plan, as designed by Geddes, remained exactly the same. As Dave Wallace wrote: THE MAJOR FEATURES OF THE 1977 MASTER PLAN WERE UNANIMOUSLY REAFFIRMED.

Source: Action Plan Scenerio by Wallace and Master/Action Site Plan showing PERMITTED USES OF LIBERTY STATE PARKLAND to the year 2000 and beyond.

4. What components of the 1977 Master Plan and 1983 Action Plan have been built in Liberty State Park? How many are incomplete?

A. Wetland Preserves and Interpretive Center

These natural areas have been set aside bordering on Freedom Way running from Morris Basin Drive to Audrey Sapp Drive.

The Interpretive Center has been constructed and an excellent educational program and exhibits are being conducted by naturalist Frank Gallagher of the N.J. D.E.P. Boardwalks and walkways have been constructed within the Wetland Preserves.

THE WETLAND PRESERVE AND INTERPRETIVE CENTER DEVELOPMENT HAS BEEN COMPLETED ACCORDING TO THE GUIDELINES AND PERMITTED USES OF THE LIBERTY PARK MASTER PLAN. Green acres money was used for this purpose, along with other funds from private foundations.

B. The Restored Railroad Terminal

The historic Central Railroad Terminal has been restored according to the Master /Action Plan. The waiting rooms, baggage room have been completed. The exterior patio, overlook, landscapes have been completed. Green Acre and federal funds were used to complete this development. Phase One of the LIBERTY STATE PARK MASTER/ACTION PLAN FOR RESTORATION OF THE CENTRAL RAILROAD TERMINAL HAS BEEN COMPLETED ACCORDING TO THE GUIDELINES AND PERMITTED USES OF THE LIBERTY PARK MASTER PLAN.

Yet to be completed: Phase two: The train sheds, second floor in terminal building, ferry slips have yet to be restored. Projections of funding are being discussed by D.E.P. in order to complete Phase two of the Master Plan for the terminal

C. South Embankment Grasslands . Overlooks. Walkways

The south embankment grasslands, overlooks, Hudson River Walkway and Marine Walkway along the Black Tom Channel have been developed according to the guidelines and permitted uses of the Liberty Park Master Plan. The headquarters building, picnic area, tots playground have been constructed according to the Liberty State Park Master Plan guidelines and permitted uses.

The Public Boat Ramp and Parking Area has been constructed

following the Liberty State Park Master Plan Permitted uses.

Green Acre/Federal Funds were used to build this area of the park.

D. South Embankment Marina Has Yet To Be Completed

Phase two of the south embankment Master Plan has yet to be completed. The Langan Engineering Associates, Liberty State Park Marina Feasibility Study dated February 17, 1984 recommended a marina be built by the D.E.P.. Although the study showed a profit of \$470,000 annually from the southern marina, the D.E.P. has not completed the South embankment Marina. According to news articles some money was allocated for this use, however, other needs pre-empted this south marina development.

E. North Embankment Grasslands, Walkways, Overlooks

The North embankment grasslands, overlooks, Morris Canal/Tidewater-Basin Walkways and Bikeways have been completed. according to the LIBERTY STATE PARK MASTER ACTION PLAN AND THE MASTER PLAN PERMITTED USES.

Lighting, water lines, sewer lines, have been installed along the water's edge walkway .

Open space grasslands have been incorporated into the design to provide a breathing space for the parkland closest to the Van Vorst and Paulus Hook residential neighborhoods. A mile long walkway runs from the historic Central Railroad Terminal to the new Jersey Avenue footbridge at the western end of the site. The green open space site is used extensively for unstructured recreation such as kite flying, baseball, football, soccer and passive recreation such as sitting and enjoying the scenic views.

It is clear the green- grasslands have been left open free of structured plantings in order to provide a contiguous open space both visually and physically to promote a sense of

continuity and to afford continued movement through the public open space. The open space was designed to provide the urban area with a natural setting as a direct contrast to the wall-to-wall concrete inner city landscape.

The development of the North Embankment Grasslands, Walkways, Overlooks and public improvements such as lights, water, sewerage, etc. were funded with Green Acre's Development funds and federal Land and Water Conservation funds. Again they have been developed according to the LIBERTY PARK MASTER/ACTION PLAN AND IN COMPLIANCE WITH THE PERMITTED USES IN THE LIBERTY PARK MASTER/ACTION PLAN. (Source: Geddes/Wallace Master /Action Plan)

F. The North Embankment Circle Line Ferry Dock, Picnic Area and Public Restrooms including the Overlook

The Circle Line Ferry serving the Statue of Liberty-Ellis Island National Monuments dock and improvements including ticket booths, picnic area and restrooms have been developed according to the LIBERTY PARK MASTER /ACTION PLAN AND IN COMPLIANCE WITH THE PERMITTED USES IN THE LIBERTY PARK MASTER/ACTION PLAN. (Source: Geddes/Wallace Master /Action Plan)

Federal Land and Water Conservation Funds were used , along with state Green Acre funds to construct the Circle Line Dock and other amenities.

G. Cherry Tree Grove : Northern Embankment

Although the interior grasslands have been purposely free of structured shrubs and trees. The area near the ferry terminal (Circle Line) has been developed by a private-public partnership. Young flowering Japanese Cherry Trees have been planted by the Pioneers of the American Telephone Workers (N.Y. Chapter). The

ALREADY
BUILT
TO
BE
WITH
RESTROOMS

retired employees of the Telephone Company donated their own funds to buy the trees, hired landscape experts to plant the trees, and once or twice a year use their own funds to feed and nourish the flowering trees. Their projected plans are to work with the N.J.D.E.P. to plant other such trees along the entire Tide Water Walkway and to assist in beautification of the site. They have literally adopted the Northern Embankment site and its scenic opportunities and open space parkland. This is an example of a WORKING PUBLIC/PRIVATE PARTNERSHIP. A SUCCESS STORY WITH THE POTENTIAL FOR FUTURE ASSISTANCE TO HELP WITH THE UPKEEP OF LIBERTY PARK..

H. Northern Embankment Marine

Phase Three of the Liberty State Park Master/Action Plan calls for the construction of a Tide Water Basin/Morris Canal Marine. This is the plan that is being reviewed by the D.E.P. It must be determined if the public-private partnership approach is feasible to build the marine as planned in the Liberty State Park Master/ Action Plan. The Marine has yet to be built.

It is important to note THE LIBERTY STATE PARK MASTER/ACTION PLAN ADOPTED BY THE N.J. D.E.P. PERMITS THE MARINA TO BE CONSTRUCTED WITHIN THE WATERWAY. THE SLIPS AND DOCKS ARE ENTIRELY BUILT IN THE TIDEWATER BASIN / MORRIS CANAL BASIN.. Source: Geddes/Wallace Master Action Plan Site Plan with Permitted uses.

I. Golf Course

The Liberty State Park Master/Action Plan designates a golf course (18 hole course is being discussed.)The land for the golf course is located bordering Phillips Drive on the West, Audrey Zapp Drive on the north, Freedom Way on the east .

The land is now vacant. Some of the area, close to Phillips

Drive has been planted with trees and grass. The interior of the land is quite barren.

A recent Jersey Journal article (3-27-87) quoted Chairman Bernard Hartnett, Jr., recently appointed to head the Liberty State Park Public Advisory Commission, as saying the "large area in the middle "looks like an old cinder pit," he said, "I knew the clean-up hadn't progressed far, but I was mildly surprised that still has an industrial look."

1. Why is the golf course site so barren and gives the impression of a "large old cinder pit"?

The answer is simple. Liberty State Park MUST BE PROTECTED BY A SEAWALL AND LEVEE. IF WE ARE TO PROTECT THE GOLF COURSE, PARKLAND AND PROVIDE A 1.3 MILE WALKWAY AND PEDESTRIAN BRIDGE ALONG THE WATERFRONT TO PROVIDE RECREATIONAL OPPORTUNITIES FOR THE CITIZENS OF NEW JERSEY IT IS NECESSARY THAT THE SEAWALL BE CONSTRUCTED.

In order to have the seawall built it is necessary to dredge the river bottom to place the protective seawall and place landfill to create the desired crescent-shaped levee. Fixed hydraulic dredge vacuums bottom river sediments and pumps them in slurry form (half water, half sediment) through a pipeline to an upland area within the proposed golf course site. Here an area is set aside to form an impoundment to dry out the dredged material. This operation will continue with the construction of the walkway scheduled for completion in September 1990.

The dredged material is made up of water, sand and other substances. The process of drying out the substance can take from two to three years. The N.J. D.E.P. has no control over this since a former D.E.P. Commissioner---, under Governor Byrne contracted with the Army Corp to use the parkland for an upland disposal site.

Efforts were made to allow for ocean disposal of the new material however, the Army Corp refused to change the permit. Commissioner Dewling cannot change the federal permit process .(Exhibit Attached)

2. What does this mean in terms of the construction of the golf course?

The schedule of the golf course construction must be delayed indefinitely until the dredged material dries and can be carted away to another location or used at the site for some construction. This means that probably the golf course construction cannot begin until sometime in 1990-1992. In order to plant grass, clear the land it will be necessary to remove the dredged material first.

Again we must emphasize that the park MUST BE PROTECTED FROM SALT WATER ENCROACHMENT, HIGH TIDES, FLOODING, ETC. THE ENTIRE GREEN OPEN SPACE, GOLF COURSE PLANNING DEPENDS ON PROTECTED LAND. WITHOUT THE SEAWALL THE PARK COULD NOT BE BUILT. THE BENEFITS FAR OUTWEIGH THE IMPACTS ON THE PROPOSED GOLF COURSE.

3. What are the alternatives to the golf course site used as a temporary recreation area for the citizens?

In a recent discussion with Jersey City's Mayor Anthony Cucci and Jersey City's Director of Planning of the Department of Housing and Economic Development, Rick Cohen, it was suggested that the area adjacent to the dredged storage could be cleaned up with little effort by the city and or local citizens. The area bordering on Phillips Drive could temporarily be utilized with trails, walkways, ball fields, or just green open space. This could be accomplished by a public/private partnership with help from the city and local community neighborhood groups. The Van Vorst Park Association has already indicated an interest in planting tulips, daffodils, etc. along the roadway. Why wait to use the land?

multitude of activities could be put in place which require little or no major construction work or major financing from the state. Why delay providing the users of Liberty Park with an opportunity for additional recreation land? It is clear the golf course cannot be constructed for a number of years, we should seek out alternate uses for the land and not allow it to remain fallow and unsued by the public.

5. Is it feasible to expect Liberty Park Development , as outlined in the adopted Master /Action Plan , to generate major revenue to build the park?

The Liberty State Park Study and Planning Commission, aided by a professional consulting team studied the need for revenue-generating facilities in Liberty Park.

It was concluded by the Commission and supported by the views of both consultant teams that although there may be some commercial projects which would be economically feasible , NO SUCH PROJECT WOULD PRODUCE REVENUES TO OFFSET THE CAPITAL COSTS OF THE DEVELOPMENT OF THE PARK IN SUFFICIENT QUANTITIES TO JUSTIFY THE SACRIFICE OF PARKLAND.

The consultants concluded that GRADUAL DEVELOPMENT OF THE PARK OVER A HORIZON THAT MAY BE 5, 10 YEARS AWAY, PROVIDES FOR INCREMENTAL ADDITIONS TO THE PARK AS THE NEEDS AND INTERESTS OF THE USER POPULATION BECOME APPARENT. Central Park took 20 -25 years to complete. Liberty Park was planned as Central Park to be a green open park. (Source P. 58 Liberty Commission Report & Page 17 R/UDAT Team Report) . The consultants favored a gradual development and concluded: IN MANY WAYS, IT CAN BE A PREFERABLE PROCESS TO A CRASH PROGRAM (which is being proposed now with the

intensive land use of green open space planned for the projected marina complex) WHICH MAY LOCK IN FACILITY AND LAND USE DECISIONS PREMATURELY.

Why the rush? The golf course cannot be constructed for at least another three or four years. Other components of the park master plan, compared to the cost of building the golf course are relatively inexpensive such as the amphitheater, etc.

WE DO NOT NEED A CRASH PROJECT WHICH MAY PERMANENTLY DESTROY THE INTEGRITY OF LIBERTY STATE PARK AND ITS MASTER PLAN. Remember we have only one opportunity to build the park...we had better do it right the first time.

6. What about public funds? Is there any hope for state and federal funds which can be used to develop Liberty State Park in the not too distant future?

There is hope for public monies to come to Liberty State Park. It could be as early as 1988 when public Green Acre funds could be made available to continue to build Liberty State Park.

Governor Kean has appointed a blue ribbon Council on New Jersey ~~and~~ Outdoors. They have held a series of public hearings on the need to fund development and acquisition of parkland in New Jersey. According to Kathryn Porter, Vice Chairman of the Governor's Council, the Group has completed their report and are waiting to present it to Governor Kean. In speaking to several members of the Council it is clear there will be a 1987-1988 Green Trust or Green Acre Bond Issue for \$200 million put on the ballot for approval by the voters. Citizens have supported at least five bond issues, there is no reason to believe they will not vote to bring the necessary funding into Green Acres. THERE IS HOPE FOR OUR PARK.

In addition to the Green Acre Bond Issue, the D.E.P. is supporting three bills now pending in the legislature which would provide a permanent source of funding for the development of state parks and natural areas. (\$100 million annually)

In 1985 President Reagan appointed a President's Commission on Americans Outdoors to study the funding of parks in America. On January 1, 1987 they completed their report and recommended DEDICATING AT LEAST ONE BILLION DOLLARS A YEAR TO AN OUTDOOR TRUST TO SUCCEED THE LAND AND WATER CONSERVATION FUND (This fund assisted Liberty Park.) They believe the central task of each American should be to MAKE THIS LAND EVEN BETTER LAND FOR OUR DESCENDANTS THAN IT IS FOR US.

There is hope.....we cannot get discouraged . Every state park is in the same boat.....a solution is near.

7. What about Public Hearings and Public Participation in the Planning of Liberty Park? What role will the Commission have in requiring full public participation?

As stated in my report to the Commission, the Liberty State Park Study Commission held 9 public hearings in order to enlist the public in the planning of Liberty State Park. Since that time there has been a great void in encouraging public participation in the planning of Liberty Park.

Governor Kean's Executive Order to our Commission clearly directs us to hold public meetings, hearings on planning Liberty Park. Because development of Liberty State Park is an emotional issue for many people, it cannot be emphasized strongly enough that the State should try to clearly explain proposals for the park so as to be easily understood by all interested parties. In short, there presently exists a lack of communication between the designers and developers of the park (lacking a public participation program and closing their doors to public meetings and comments) and the potential users of the park...the public. Refers to L.P.Dev. Corp.

I recommend the Commission's future planning effort MUST involve a full range of input from many groups and individuals.

Thank you for your interest. Let us come together to accomplish



U.S. Army Corps
Engineers
New York District

Fact Sheet
Liberty State Park Levee and Seawall

What is the project?

The Liberty State Park Levee and Seawall is a shoreline protection project. The structure is designed to prevent waterfront erosion in the 800 acre State Park. The plan consists of a crescent-shaped levee and protective seawall with landfill extending approximately 1.3 miles from the Black Tom Canal north to the Penn Central Railroad Terminal on the Morris Canal.

In environmentally sensitive areas, two bridges, 1600 feet and 900 feet each, will be built to prevent any impact to the valuable wetlands.

Once the seawall is constructed, a pedestrian walkway will be built on top. That walkway will return the waterfront to the public, offering spectacular views of the Statue of Liberty, Ellis Island and the Manhattan shoreline.

What is the history of the project?

The Water Resources Development Act of 1976, Section 152, authorized the Corps of Engineers to participate in the construction of a levee and seawall at Liberty State Park. In September 1985, for the first time in a decade, Congress authorized new construction starts on federal civil works projects. The Liberty State Park Levee and Seawall was one of four projects approved in the New York District.

On June 26, 1986, the New Jersey Department of Environmental Protection signed a local cooperation agreement with the Department of the Army to share the costs of the project on a fifty-fifty basis.

What are the costs and schedule?

The total construction cost of the project is estimated to be \$38 million. Under the cost sharing agreement, \$19 million will be Federal funding and \$19 million will be non-Federal.

A contract was awarded to Great Lakes Dredge and Dock Company of Staten Island, New York this month. The \$16.8 million contract is scheduled to continue through Fiscal Year 1988. The second phase of the project, the construction of the pedestrian walkway, is scheduled for contract award at the end of 1988 or the beginning of 1989. The walkway is scheduled for completion in September 1990.

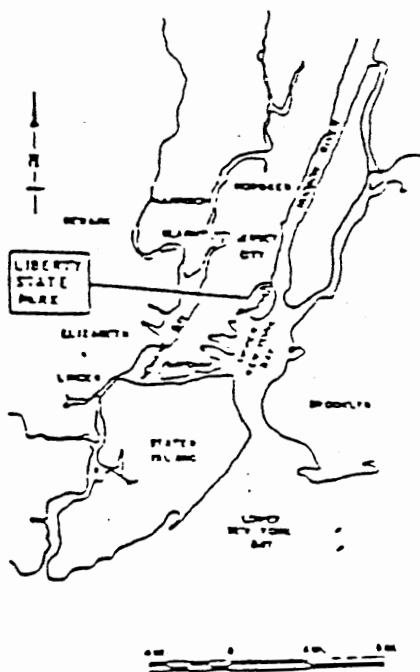
NANOP-RW
APPLICATION NUMBER 86-008-J2
PUBLIC NOTICE NUMBER 12793

DESCRIPTION OF WORK

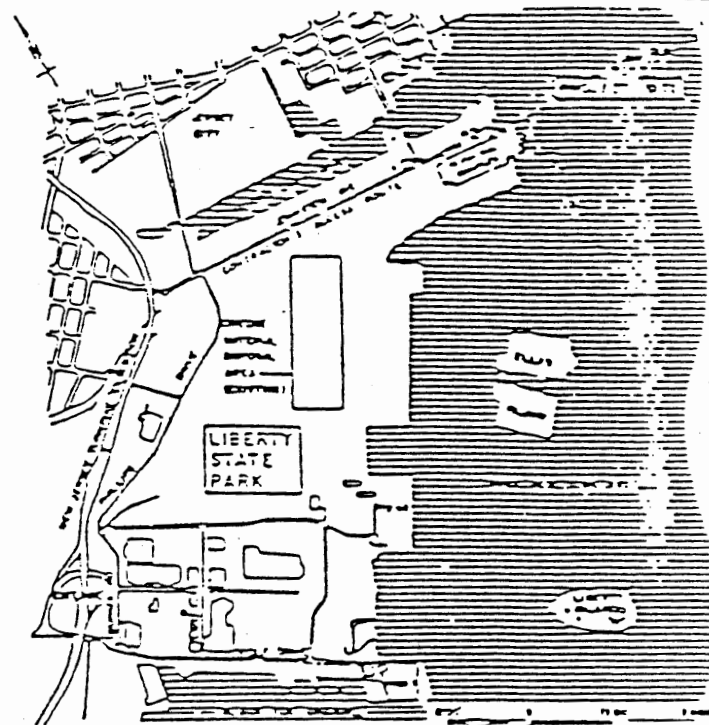
The applicant, the New Jersey Department of Environmental Protection, Division of Parks and Forestry, requests Department of the Army authorization to construct a protective closure levee along an existing rip-rap seawall as well as repair and restore an existing concrete ferryhouse platform and terminal complex to operational capability, at Liberty State Park, New York Harbor, Hudson County, New Jersey.

The applicant proposes to construct an earthen berm with stone facing, extending along approximately 1,400 feet of the existing shoreline, south of the terminal complex in Liberty State Park. The proposed construction would result in a decrease in land area by one acre, and a corresponding increase by one acre in a permanently submerged area. The permanently submerged area would be created by dredging approximately 37,000 cubic yards of existing rockfill seaward of the seawall alignment to below the mean low water level (295.5 feet). Material excavated from within the project limits and suitable for fill, would be placed within an existing "landfill" area. This area is found within Liberty State Park and is shown on sheet 2:10 on the attached drawings. Unsuitable material will be properly disposed of off-site. As part of the proposed project, topsoil would be placed on sand fill behind the seawall and planted with grass in order to provide a pedestrian promenade 34 feet wide.

The proposed restoration would involve replacing broken and rotting timber, decking and other hardware. Deteriorating piles would also be replaced in-kind. One ferry slip would be restored to operational capability, which would require structural repairs to the existing concrete ferryhouse platforms and foundations. In conjunction with these repairs, approximately 700 cubic yards of sand fill will be placed behind a new sheet pile bulkhead as shown on sheet 8:10.



VICINITY MAP



LOCATION PLAN

PROPOSED ACTIVITIES

1. REPAIRS TO EXISTING CONCRETE FERRYHOUSE PLATFORMS
 - A. SHOTCRETE REPAIRS TO WALLS, GIRDERS & FOUNDATIONS
 - B. NEW REINFORCED CONCRETE SLAB ATOP EXISTING CONCRETE PLATFORMS
2. REPAIRS TO SPRING AND BUFFER PLATFORM NO. 2
 - A. REMOVE TIMBER DECKING, STRINGERS & PILE CAPS & DEBRIS UNDER PLATFORM. CUT OFF EXISTING PILES 2 TO 3 FEET BELOW DECK
 - B. STEEL SHEET PILE BULKHEAD ACROSS OUTBOARD FACE, TIMBER SHEETING WITH RIP RAP TOE BEEM ALONG SIDES
 - C. FILL AREA WITH SAND (APPROXIMATELY 700 C.Y.). TOPSOIL, SEEDING AND BLOCK PATES
3. REPAIR TRANSFER BRIDGE: REPLACE BROKEN AND ROTTED TIMBERS & DECKING & RUSTED PLATES AND HARDWARE IN KIND
4. NEW GALLOWS FRAME AND OPERATING EQUIPMENT TO RESTORE OPERATIONAL CAPABILITIES OF BRIDGE FOR FERRY SERVICE
5. REPAIR FENDER RACKS NO. 2 & 3: SHORTEN RACKS TO CIRCA 1890 CONFIGURATION; OUTBOARD TIMBERS, WALES AND PILES TO BE SALVAGED FOR RESTORATION. SCAVANGE FROM OUTBOARD SECTIONS OF RACKS 3 & 4, IF DEFICIENCY OCCURS. PILES TO BE PULLED. NEW NAVIGATION LIGHTS AT ENDS OF SHORTENED RACKS.
6. MISCELLANEOUS SITE IMPROVEMENTS: ASPHALT PAVING FERRYHOUSE PLATFORMS, FENCING AND LIGHTING

ADJACENT PROPERTY OWNERS
: NONE

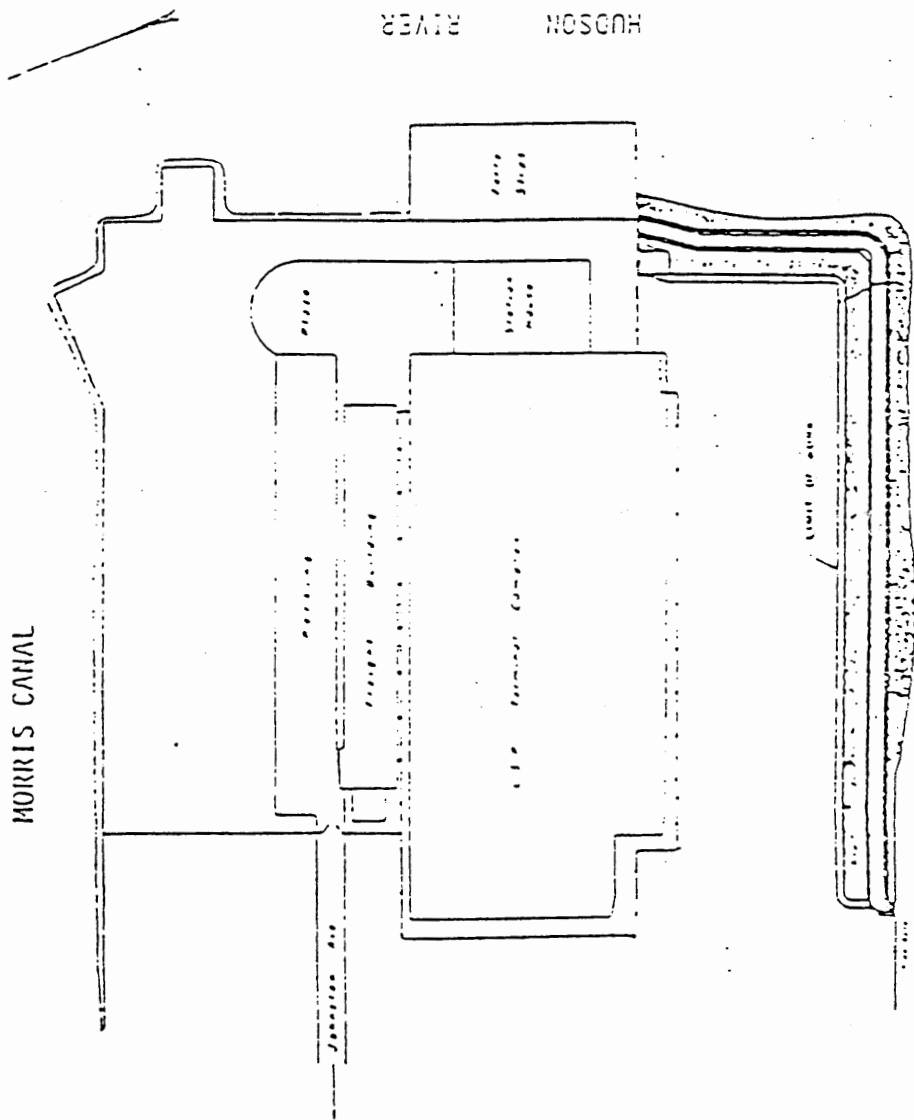
PROPOSED TERMINAL COMPLEX RENOVATION
LIBERTY STATE PARK

IN: HUDSON RIVER
AT: JERSEY CITY, N.J.
COUNTY OF: HUDSON
STATE: NEW JERSEY

PREPARED BY
SIDNEY M. JOHNSON & Assoc.

APPLICATION BY: STATE OF N.J.
OFFICE OF ENVIRONMENT & CONSERVATION

38X

[illegible][illegible]

NOTES:
The following information is provided:

SET 3 OF 10

SCALE: 1" = 292'

PROPOSED PROTECTIVE CLOSURE
NORTH COVE
LIBERTY STATE PARK
HUDSON RIVER
HUDSON COUNTY, N.J.

TRANSCRIPT

COPY

Please put entire report in
Sue

MEMO TO: Members of the Liberty Park Senate Study Committee

FROM : Audrey Zapp

DATE : May 19, 1987

Thank You Transcribing

SUBJECT: Summary of Key Features and Impacts of Proposed Marina Project

My Memo is intended to high-light some of the major areas of the Liberty State Park Master Plan, as adopted by the D.E.P. and to determine whether the proposed Marina development project is compatible with the existing Liberty Park Master Plan.

Let us begin by outlining some of the key issues:

1. What has been built in Liberty and what still must be built in order to complete the Liberty Park Master Plan/Action Plan?

Completed

Southern Area of Park

Overlook Statue of Liberty

Green Park

Picnic Areas

Mariner Walk

Public Boat Launch

Administration Building

Snack Bar

Public Rest Rooms

Parking Lots

Fishing Decks

Overlook Caven Point

State Flag Row

Main Park Entrance

Pool Complex

Still to be Constructed

Southern Area of Park

Marina within Black Tom Channel

Parking for Marina

Natural Area Complex (Southern, Central Area)

Environmental Center - 1000 KUMAS

40X

Confidential

CompletedCentral Area of ParkIntraPark Drive CompletedCentral Area Water's EdgePhilips Drive CompletedLandscaping In Process of
being completed along road
grading completedStill To Be ConstructedCentral Area of ParkPrivately Financed Science-Tech
Center (Corporations will fund)

No date set for funding & construct

Central Area Water's EdgeSea Wall being Constructed

Will be Completed 1988-89

Hudson Walkway (will be
completed (1990-91)
(Liberty Walk)Aquarium (Still being evaluated

because of Cousteau Marine

Education Center at Newport

(one mile away along river)

Ambitheater, Lodge, ServiceCenter. Cannot be completed until
1990-91 when seawall is built.Connecting Bridges

Wooden Bridges to connect with

Walkway over natural areas

1991-92 will be completed

Championship Golf Course

To be completed approx. 1991-94

Area is on hold until dredge

material stored on site is

dried and removed. Then land

must be cleared to begin grading,

etc. (temporary plan for use of

Land proposed by City of J.C.

See R. 15 Memo. dated 4-16-87

calls for trails, picnic areas

to be developed by city, private
organizations, etc.

CompletedStill To Be ConstructedNorthern Area of ParkNorthern Area of Park

Bridge (Foot Bridge Jersey Ave.
into Audrey Zapp Drive)

Marina Within Waterway
of Morris Canal

Completed in time for July 4, 1986

Green Park Completed

Completed from Jersey Avenue foot-
bridge on West, Audrey Zapp Drive
on South, Morris Canal (Tidewater
Basin) on North and Central R.R.
Terminal Complex on the East.

Master Plan designed grasslands to be
unstructured and open in order to provide
contiguous open space both visually and
physically to promote a sense of continuity
and to afford continued movement through the
public open space for sitting, picnicing,
kite flying, baseball, football, allowing
citizens free public access to do their
"own thing".

Morris Canal Walkway Completed Ties In To Hudson River Walkway

Along the shores of the Morris Canal
a walkway has been built according to
the Liberty State Park Master Plan to
include lights, water fountains, railings,
etc. This Walkway will be part of the Hudson
River Walkway and ties into the seawall walkway
once it is completed in 1990.

Scenic Resources and Design

Scenic resources include the views of the canal
and harbor.

Coastal development in the Liberty Park Master Plan
emphasizes maintaining and enhancement of existing
scenic resources and views of our magnificent harbor
and New York skyline. The ability of citizens to

visually "see" these scenic wonders has been maintained

in the PARK Master Plan. See also the Hudson River Walkway and Seawall Walkway.

Not ONE AGENCY
HAS DISPUTED THE
FINDINGS OF NYRP
PARK IS

ALREADY

BUILT

NEW CLIPS

SECRET

CONCLUSION
OF

NY STATE

(documentation)

42X

CompletedStill To Be ConstructedScenic Resources and Design (Continued)

and large scale structures (such as has been proposed in the present marina design including 6 story high, 250 feet long boat storage facility.) have been omitted from the Liberty Master/Action Plan because these "unsightly" structures would have a significant effect on the scenic resources of the parkland site. Such use not permitted in Master Plan In addition the storage of 100-to 200 boats of all sizes on the grass will have a significant effect on the scenic resources of the Liberty site. Such uses are not permitted in the Liberty State Park Master Plan.

Incompatible and Compatibility of Uses

Compatibility of uses is the ability for uses to exist together without esthetic or functional conflicts. The Boat Storage Facility, the grassy Outdoor boat storage facility and the Marina Headquarters complex and restaurant on site of Circle Line Pier Dock ARE NOT IN THE MASTER PLAN FOR LIBERTY STATE PARK. These uses are not permitted in the park's Master Plan.

These uses are not only incompatible but they constitute a MAJOR REVISION OF THE LIBERTY STATE PARK MASTER PLAN ADOPTED BY THE N.J. D.E.P. AND APPROVED BY THE U.S. PARK ADVISORY COMMISSION.

The specifications operate to substantially ALTER the USES AND PURPOSES OF THE PARK detailed in the MASTER PLAN, and the SPECIFICATIONS are TOTALLY INCONSISTENT WITH THE LAND USE CONCEPTS AND GOALS OF THE LIBERTY MASTER PLAN.

The Marina Headquarters land use is incompatible with the design of the Master Plan because it encroaches on the vast green open space grasslands which was envisioned in the park master plan as being contiguous to allow full use of the lawn of unstructured recreation by the public. See Green Park scenario. Page 3 of this report for Master Plan use of green park.

UNSTRUCTURED USES OF VAST AREAS OF GREEN OPEN SPACE IS VITAL TO PROVIDE BREATHING SPACES IN THE WALL TO WALL CONCRETE WORLD OF

CompletedNorthern Edge of ParkCircle Line Dock CompletedRest rooms CompletedPicnic Area CompletedOverlook at DockTicket Office CompletedParking Facility For BoatsCherry Tree Planting

Am. T.T. Workers Planted

100 flowering cherry trees

along Morris Canal Walkway.

D.E.P. did not permit them to

complete entire walkway planting..

They will still request D.E.P..

permission to continue plantings..

Morris Canal Historic Site

Although Morris Canal marker has been prepared the special exhibition of an historic site designation is still in preliminary stages.

Central R.R. Restoration

The C.R.R. restoration has been completed on first floor.

Waiting rooms, concourse,

plaza has been completed

Parking areas completed.

Northern Area of Park

Science Tech Center.

not completed

N.J. STATE LIBRARY
P.O. BOX 520
TRENTON, NJ 08625-0520

Still To Be ConstructedNorthern Edge of ParkShrub Planting and TreePlanting Is Yet To be

Completed along Audrey Zapp Drive.

Shrub planting and buffer areas have yet to be completed around existing parking areas

Central R.R. Terminal and
Central R.R. Train Sheds

Still to be restored

Second Floor still to be restored

Heat in Terminal must be installed.

Northern Area of Park

Yet to be completed is the Science Tech center. A \$40 million facility. Private funds will be assisted with state funds. Approx. \$30 million private/ \$15 million public.

Central Area of Park

Recreational Vehicle Park Will be on site of Jersey City car pound.
Car pound to still exist, road to be 44X

Morris Canal Footbridge.

In addition to these park improvements the N.Y./N.J. Port Authority is setting aside \$750,000. for use by the N.J. D.E.P. to study the construction of a Morris Canal footbridge enabling citizens to walk from Exchange Place to Liberty State Park along the Hudson River Walkway. This is an exciting concept and will link up the park with other waterfront development along the water's edge.

2. How much money has been spent on Liberty State Park, to date?

Approximately \$200 million dollars has been spent in Green Acres Public funds and Federal Land and Water funds in the acquisition and construction of Liberty Parkland in order to follow the Liberty State Park Master Action Plan.

3. Are there any rules and regulations governing the expenditure of these state and federal monies at Liberty State Park?

Green Acre state monies committed to the acquisition and development of Liberty Park has very stringent regulations concerning the use of Green Acres's monies for other than intended uses. The D.E.P. received the monies for providing green open space and to provide access to the river. This is primarily true in the northern area, being considered for the marina complex. The Green Acre money was also used to build the Morris Canal walkway, provide lighting and to build the Circle Line Dock, restrooms, picnic area, etc. Once these monies are committed for this use the state must once again go before the body and also the state must go before an independent body of senators and assemblymen to ask for a conversion of dedicated parkland for non public uses and change of use. The state must obtain permission from this body, after a public hearing, in order to change the use of parkland recreational units & open space. Additional monies must be paid to compensate for this.

The federal Land and Water funds committed to Liberty Park have more stringent regulations than even Green Acres. The law states that "LANDS ACQUIRED OR DEVELOPED WITH LAND AND WATER CONSERVATION FUNDS SHALL NOT BE CONVERTED TO OTHER THAN PUBLIC OUTDOOR RECREATION USE BUT SHALL BE MAINTAINED IN PUBLIC

OUTDOOR RECREATION IN PERPETUITY.

In some unusual cases the federal government will allow a conversion if the state of New Jersey provides substitution of other recreation properties of at least equal fair market value and reasonable equivalent usefulness and location. Dedicated parkland cannot be used for this substitution. The state will be solely responsible for this regulation compliance since there must be a NET INCREASE IN OUTDOOR PUBLIC OPEN SPACE.

In order to comply with this , the state would be forced to spend additional state monies to purchase substitute-land. Land on the other side for the canal in Jersey City is going for \$300,000 to \$400,000 for a small city lot. What a waste of taxpayer's monies it would be for the state, in order to accomodate a marina developer wishes , to purchase new land to replace existing parkland. The state is pleading poverty now and any funds spent in this manner would only add to the total cost of building this marina. It would have to be deducted from any profit the state may realize from the marina development. According to the Corporation's projection the profits may only be in the area of between \$150,000- \$175,000 annually to be used for park operation. Deducting the purchase money from this amount would have a chilling impact on any profit.

Thursday, March 11, 1982

2★ 3★

the dispatch

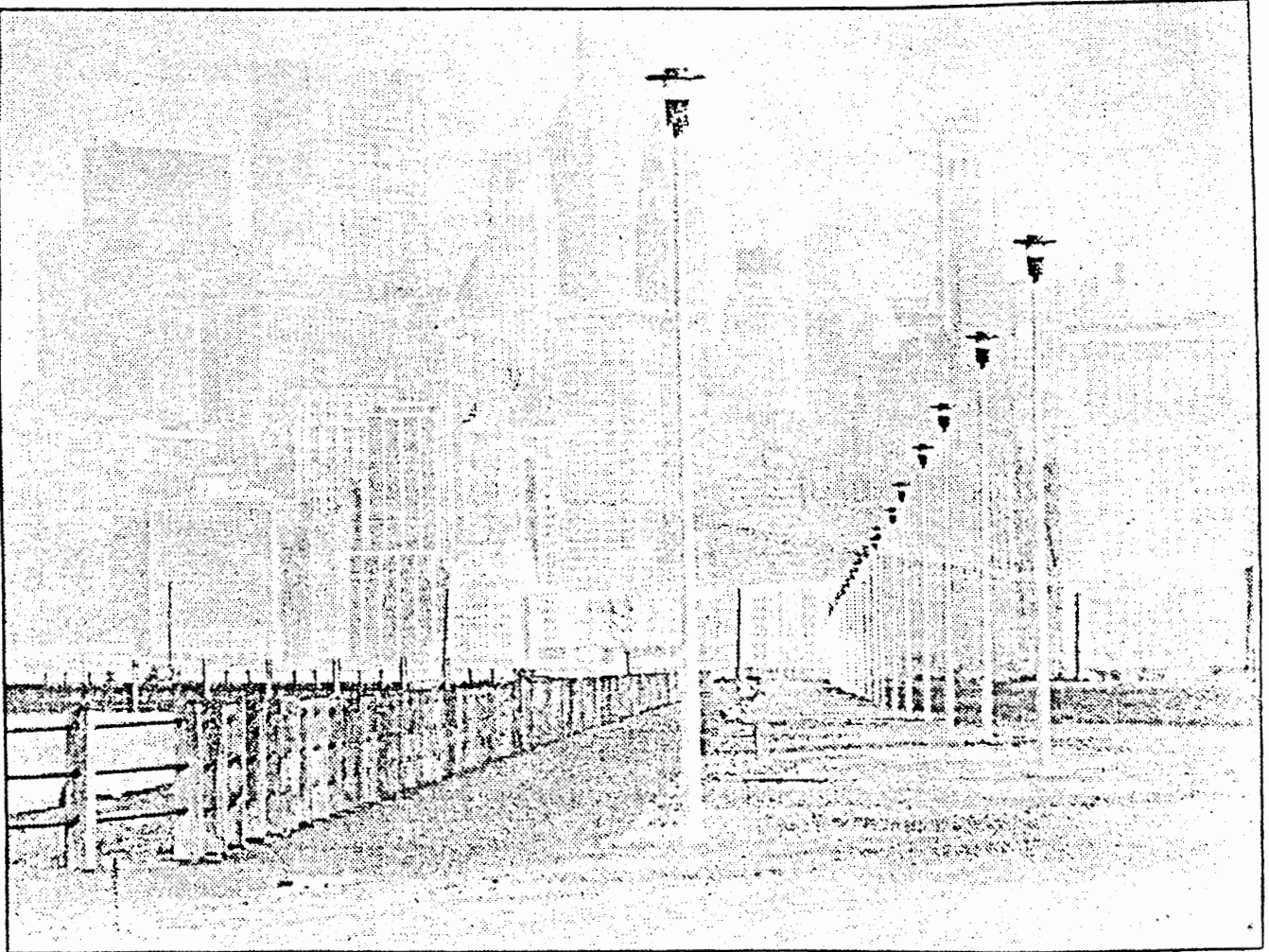


Photo by Chuck Zoeller

MANHATTAN SEEMS just a stroll away from Jersey City's Liberty State Park, where new lighting and a walkway were recently installed.

More space to open in park ^{47X}

Photo by Chuck Zoeller

MANHATTAN SEEMS just a stroll away from Jersey City's Liberty State Park, where new lighting and a walkway were recently installed.

More space to open in park

By ADRIAN BENEPE
Staff Writer

JERSEY CITY—Development of the northern end of Liberty State Park will more than double its recreation space this summer, park officials said yesterday.

Col. Jerome McCabe, executive director of the Liberty State Park Advisory Commission, said 75 acres of recreational space surrounding the historic Central Jersey Railroad terminal would be opened to the public by May or June.

Since the park opened in 1976, the public has been restricted to 50 acres in the southern extremity of the 700-acre site. The opening of the northern section, which borders the Morris Canal, will provide 150 percent more recreational space.

"This will provide a whole new perspective on the harbor," McCabe said. "From the north end, you can reach out and touch the World Trade Center."

Preparation of the site will include seeding lawns, installing lamps and building a railed walk bordering on the canal and the harbor.

Morris Pesin, a member of the commission and a leader of last year's fight against commercial development of the park, also hailed the opening of the northern end. He said a plan to divert Circle Line boats from the southern end would provide more space for parking and more room for recreation in the southern end.

McCabe said a \$1.2 million contract was awarded in January to Guasto Construction Company to construct a mile-long marine walk on the south embankment. The walk, to be constructed of paving blocks in some sections and wood planking in others, will join the overlook and the boat ramp.

McCabe said construction of the walk, which will include lamps and benches, will be the "finishing work for that part of the park," and is scheduled for completion early in 1983.

Bids have also been received by the U.S. Army Corps of Engineers for construction of the first portion of a planned 1½-mile seawall, which will stretch from the southern end to the northern end, McCabe said.

The initial stage, to be built near the administration building in the south end, will cost about \$1.7 million and should be completed in nine months if work begins in April, McCabe said.

According to the park's 1977 master plan, the curved seawall is the harbor side of a planned pastoral "Greenpark." This "core of Liberty Park," according to the plan, will feature gently rolling lawns, clustered woodlands and lagoons, similar in concept to Central Park and other urban parks designed in the late 1800's by Frederick Law Olmsted.

The fate of a "Museum of Fantasy and Play," originally slated to open this summer in the terminal building, remains to be decided in court. Jersey City filed suit in December to block the lease of the terminal by the Princeton-based curator of the museum, Frank Caplan.

"All renovation has been put on ice," McCabe said. "There's no point in going ahead with anything while it's under litigation."

northern end

FOR THE OFFICIAL RECORD

(PLEASE PLACE ALL THESE
LETTERS IN THE
OFFICIAL TRANSCRIPT
THANK YOU)

Date: May 19, 1987
To : Members of the Liberty State Park Senate Study Committee
From: Friends of Liberty Park Executive Board
Subject: Marina Proposal for Liberty State Park

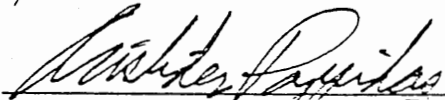
The Friends of Liberty State Park Executive Board held a meeting on April 30, 1987 in Jersey City. The committee discussed the Liberty State Park Marina Complex, as proposed by Waterfront Developers Corporation of Philadelphia. We reviewed the project and came to the following conclusions:

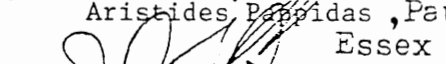
1. We support the construction of a Marina Boat Slip Operation within the confines of the Morris Canal/Tide water basin, as envisioned in the Liberty Park Master/Action Plan.
2. We enjoy using the green open space at the Northern Embankment of the park. We support the preservation and retention of the open space lands running contiguous, free of structures, from the Jersey Avenue footbridge on the West, Audrey Zapp Drive on the South, Morris Canal on the North and the Circle Line Tour Boat Complex on the East, continuing to the Central Railroad Plaza. We support the Robert Geddes design of the Master Plan which is already in place. This unstructured green parkland provides contiguous "breathing" space both visually and physically so that the public may be afforded continued movement through the public open space. We enjoy the many forms of passive and active recreation such as sitting, picknicking, kite flying, ball playing, and other activities which allow a citizen to do their own "thing". We support the concept and design for the area's free public access found in the 1977 Master Plan and unanimously reaffirmed in the Action Plan. We support the continued PUBLIC OWNERSHIP of the entire area described above and will continue to monitor any development inconsistent with the Liberty Master Plan proposed by the private sector.
3. We support the continued operation of the Circle Line Tour Boat at its present location as is described in the Liberty Master Plan. Federal and state monies were used to build the facility and we support the retention and urge the ferry remain at its present site.
4. We use the existing Morris Canal/Hudson River Walkway, already constructed and designed in compliance with the Liberty Park Master Plan. The walkway includes lights, water fountains, railings, etc. We enjoy using the walkway for strolling, jogging, biking and support the continuation and retention of this important amenity, without interruption, contiguous all along the banks of the Morris Canal. We oppose any disruption of the walkway.

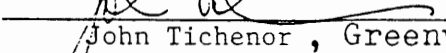
5. We support the maintaining of existing scenic resources and views at the site. We enjoy the views of the Morris Canal and the harbor and oppose the large scale structures and elements of the proposed marina complex as designed by the Waterfront Developers Corporation. We find this use to be incompatible to existing parkland and permitted uses of the site.
6. We recommend that the Liberty State Park Senate Study Committee, and especially Senators Cowan, O'Conner and Jackman, strongly support an Action Plan whereby the HUDSON SENATE AND ASSEMBLY DELEGATION, AS A TEAM EFFORT, SPONSORS A BILL TO APPROPRIATE X NUMBER OF DOLLARS, FROM A GENERAL STATE FUND, TO ASSIST IN THE BUILDING OF LIBERTY STATE PARK. Please help the public with this effort. We must all work together to preserve our park.


Sincerely,

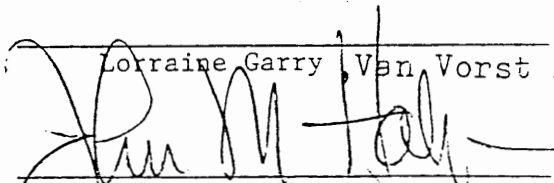

Audrey Winkler, Van Vorst Park Asso.

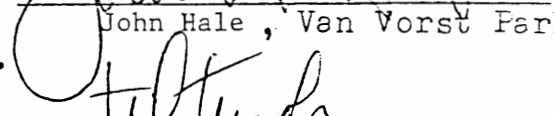

Aristides Papadimas, Paulus Hook Asso.

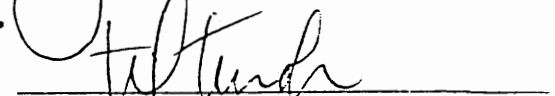

John Tichenor, Greenville Asso.

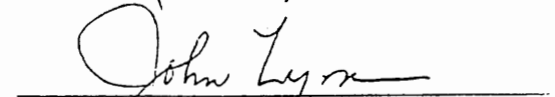

John Tichenor, Greenville Asso.


Monica Harzelere, Hamilton Park Asso.
Hersimus Cove Asso.


Lorraine Garry, Van Vorst Park


John Hale, Van Vorst Park Asso.


Mil Turok, Van Vorst Park Asso.


John Lyon, Van Vorst Park Asso.

The Friends of Liberty Park are dedicated to preserving Liberty Park's Green Open Space and preserving free public access for all the people. We urge your Senate Committee to work together with us to reach these goals.

2555 Ken Blvd.
Jersey City N.J. 10
May 3, 1897

Dear Mr. Lesin & Mrs. Zapp,

I am a New American who came from Moscow. I enjoyed very much going to Liberty Park which reminded me of the state parks in Russia.

When I read that a private developer is going to take a good part of the park and deprive the general public from enjoying it, I was shocked.

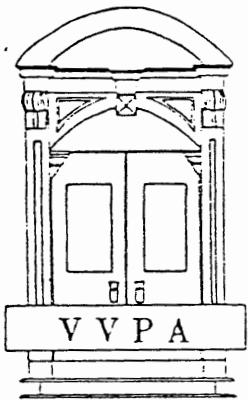
How can such a thing happen in the United States where everybody is supposed to have a good life?

How can it happen that a park which is supposed to be enjoyed by all people

can be taken away from
the many and given to a
few for their own profit
and enjoyment?

I know from your
previous work that you
will do your best to
protect the general public
which will be thankful
to you.

Sincerely,
Raisa Lifshitz



Van Vorst Park Association

The Barrow Mansion
83 WAYNE STREET
JERSEY CITY, NEW JERSEY 07302

April 20, 1987

Mr. Richard T. Dewling, Commissioner
New Jersey Department of Environmental Protection
CN 402, Trenton, N.J. 08625

Dear Commissioner Dewling:

At our regular meeting in March, we voted unanimously to send a letter advising you that we "strongly oppose the proposed private development of a marina beyond the size outlined in the original master plan" for Liberty State Park.

The Van Vorst Park Historic District in Downtown Jersey City encompasses an area in which approximately 2,000 people reside. About 200 of us are active members of our Association.

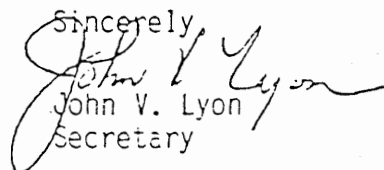
Last year, with the construction of the Jersey Avenue Footbridge, our members gained easy access to the northern embankment of Liberty State Park; we may now walk or bike-ride into the Park and avoid the circuitous route required by automobile.

We are deeply concerned about the threat of a boat-repair building of any size on the northern embankment, much less one of the size proposed. We see no reason to move the Circle Line docks to make way for a restaurant. And we also question the need for a Headquarters Building of the magnitude that is in the plans.

We urge you to use your good office to scale this proposed marina back to a size that will allow the Circle Line docks to remain where they are, and will also allow continued use of the restored Railroad Terminal and its outdoor plaza, with comfortable parking areas for each.

We believe that public hearings should be held on this important project, and those meetings should be held at night when our members will be able to attend.

Sincerely,


John V. Lyon
Secretary

Copies:

Governor Thomas H. Kean
Bernard Hartnett, Commissioner
Morris Pesin, Commissioner
Audrey Zapp, Commissioner
Glenn Cunningham, City Council President

CITIZENS COMMITTEE OF HUDSON COUNTY

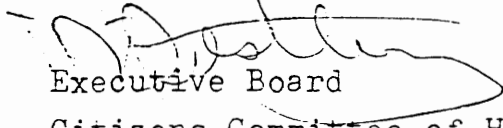
262 Van Nostrand Avenue
Jersey City, N.J. 07305

Senate
Memorandum To: Members of the Liberty Park Study Committee
Date : May 19, 1987

The Citizens Committee of Hudson County vigorously opposes the proposed marina development of the Waterfront Developers Corporation of Philadelphia.

We support the policy statements of the Friends of Liberty Park to protect the park and keep it green.

Our committee recommends that the Liberty Park Senate Study Committee join with the citizens in sponsoring a bill to provide a permanent source of funding to build Liberty State Park. We join with you as Senators and Assemblymen from Hudson County and ask you to save Liberty Park by providing an appropriation of funds to build our beautiful park.


Executive Board

Citizens Committee of Hudson
County

Mrs. Marjorie Westling, 1st V.P.

Hudson County Citizens For CLEAN Air

~~GREENVILLE STATION~~
GREENVILLE STATION
JERSEY CITY, N. J. 07305

May 19, 1987

To: the Members of the Senate Committee to Study Liberty Park

The members of Hudson County Citizens For Clean Air vigorously oppose the proposed marina project. We join with the Friends of Liberty Park in their opposition and position paper.

We also join with the Friends in asking the Senate and Assembly delegation from Hudson County to sponsor legislation to fund Liberty State Park. A special appropriation for this purpose would help build New Jersey's greatest urban park.

Executive Board

M. Bouer

ESSEX STREET BLOCK ASSOCIATION

74 ESSEX STREET

JERSEY CITY, NEW JERSEY 07302

May 7, 1987

Governor Thomas Kean
State of New Jersey
Office of the Governor
Trenton, N.J. 08625

Dear Governor Kean:

Our block association has agreed that the decision to transform Liberty State Park North into a large boat facility is an incorrect one whose long range results will egregiously be felt by future New Jerseyians.

The Master Plan of 1977 has been almost fully realized in this section of the park; the sea wall has been restored, secure and attractive fencing has been added, trees have been planted, lighting is in place, the Circle Line has a docking facility, picnic benches are in attendance, water, sewage and electricity distribution have been updated, a safe parking area has been created, there are improved sanitary facilities and only the small 200+ boat in-water marina remains to be built. In short, using public funds, a master plan has been mainly implemented to allow the northern section of the park to be used, in diverse ways, by the general public.

And how wonderfully the park is used! On a given fair temperature day this section of the park is used by joggers, kite flyers, picnickers, soccer players, softball and football players, people strolling (talking to each other, being alone with their thoughts) and the most important thing.....not interfering with each other's privacy. The reason being that the north section of the park is vast; large enough to allow people that most precious of activities, privacy to spend time in many leisure ways.


Encroachment by the 8001 proposed marina with it's many support facilities will forever change this sense of spaciousness.

The smaller interest group, boat owners, will have use domination that will by physical size drastically reduce or eliminate uses of the park that are mentioned earlier. (What, by the way, will become of the spectacular staging visual for the N.J. Marathon?)

The lease arrangement between the Development Corporation and private developer gives the developer control of what remains of the shrunken Great Lawn. What entrepreneurial encroachment can we expect from this?

We know that seeing the vast northern section as it exists must be tempting for a developer to "fill in". But as people who use the park we can only assure you that the vastness and openness of this section is something unique in Hudson County and should be cherished and protected for what it is. We urge you to not support the proposed development plan.

Yours truly,


Aristides Papadimas
President

56X

Historic Paulus Hook Association, Inc.

FOR NEIGHBORHOOD PRESERVATION, SAFETY AND DEVELOPMENT

108 Grand Street, Jersey City, N.J. 07302

Tel. 201 - 333-6048

Thursday, May 7, 1987

Liberty State Park Commissioners
Audrey Zapp and Morris Pesin
City Hall, Jersey City 07302

ASTO: Exclusive Yacht Club
in a State Park

Dear Commissioners:

At a regular meeting of the above Association held on Thursday, May 7th at 102 Grand Street, a unanimous resolution was adopted opposing a 60 year lease for a 600 boat marina for the following reasons:

- A. The TIDEWATER BASIN is the southern boundary of our neighborhood and we will be directly involved with the pollution of air and water, traffic congestion and a decrease in the quality of our existence.
- B. State land acquired by taxpayers' funds should not be used by profit making individuals.
- C. The MASTER PLAN for the Park did not specify a commercial use of the only water area that is ^{not} very turbulent.
- D. A 600 boat project with support facilities for gasoline storage, repair yards, paint shops and at least 700 parking spots will destroy the green grass concept of the Master Plan.
- E. This is the only State park that will have a huge area reserved for people who are above the low and moderate income category.
- F. State Parks are supported by State funds and they should be used by New Jersey residents and not by citizens from the Wall Street area.
- G. Security for expensive boats will be ^A problem and we believe that the developer should provide it.
- H. Since the use of gasoline and other flammable products will become a fire department problem we believe that the developer should provide this service.

Respectfully submitted

Joseph R. Duff

Joseph R. Duff, President

JRD: marge

May 13, 1987

887 Summit Ave.
Jersey City, N. J. 07307

The Honorable Gov. Thomas H. Kean
Office of The Governor
State House - CN001
Trenton, N. J. 08625

Re: Liberty State Park

Dear Governor Kean:

In my opinion there should not be a private Marina in Liberty State Park. In fact the more I learn about this proposal the angrier I become.

The Marina is to encompass 50 acres, handle approximately 800 boats, include a large boat repair facility and a private club house - all in my beautiful park! While the idea of a marina is O.K. and I personally love boats - I strongly resent having such a large chunk of my precious park taken over so that persons of affluence can have an exclusive place to park their boats and hobnob. And - that private enclave may well impinge on the ferry service that the rest of us plebeians use to see our beloved Lady and Ellis Island.

I have a tremendous love for and pride in this magnificent park which is for all the people, but is located in my town and my county where we have so little that is beautiful and open. I don't want one tiny inch taken away from us. And - no Theme Park, no Disney World and no private clubs.

I can understand that the purpose of having a private/public partnership was to generate revenues to be used toward the development and maintenance of the park since it was considered too much for the State to fund. But based on the Marina proposal I don't like the way this partnership is turning out.

Furthermore, based on the statements I've read the Development Corp. has admitted that the Marina will not generate the anticipated development funds for the park. So what is the point??? Let those who want a private boat club build it elsewhere.

In addition how can the Marina be considered intelligently for approval when the Development Corp. (or Waterfront Development) have apparently failed to provide to the Liberty State Park Advisory Commission the contractual language, renderings and other information despite repeated requests from the Jersey City members??? Some of the other members apparently feel that approval should be granted on faith! I find this appalling and equivalent to having a contractor build you a house without any written contract and specifications!

Just what is the big rush?? I love what we've got and would prefer to have the park developed little by little as The State can fund it.

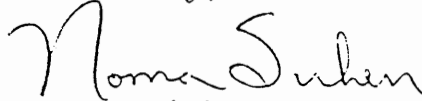
58X

Private Clubs? I don't want to be in my park and feel like I'm on the outside looking in.

I would also like to remind you that thousands of people in Jersey City and Hudson County have been displaced and are continuing to be displaced because of condo conversions, escalating rents that are being paid by the more affluent and largely by outsiders who are moving in to take over.

To have such an obvious symbol of affluence in a public park in an area where so many people are hurting is the height of insensitivity.

Sincerely,


Norma Sirken

cc: Bernard M. Hartnett, Jr.

May 3, 1987

Miss Morris and Audrey

I have been a Jersey City resident all my life. I watched with wonder and amazement the transformation of acres of rusty railroad tracks overgrown weeds, discolored trees - piles of flatiron and jetson turning into Liberty Park.

I appreciated the development of musical events, dance programs, ethnic events and sporting events etc. I marveled that there was such a variety of free entertainment for all tastes in heavenly surroundings.

This came about when the public voted on the issue. Why should this public vote and public trust now be at the mercy of some rich developer?

Who in authority has granted permission to make a Honky Tonk out of something that is beautiful for all.

If the public want this change, can't it be put on a ballot again?

Morris and Audrey I hope you will be able to reach a happy ending in this battle.

Sincerely
Cynthia Lefkowitz

May 2-1987.

Mr. Morris Reser
% City Hall
Governor Street
Jersey City, N.J. 07302.
Dear Mr. Reser:-

I am writing to express
my support of you and Mrs.
Audrey Zapp. for all your efforts
to keep our beautiful Liberty
State Park free of any
threatening private commercial
interests from exploiting their
fantastic waterfront of any
part of it to build machines
for use of private boat and
yacht owners.

The entire Park belongs
to the people of the State and
I am certain that, if necessary,
the people would contribute to
a special fund in addition to
that given by our State
Legislature.

Sincerely yours
(Mrs.) Charlotte Zella
24 College Drive
Jersey City, N.J.

745 Garfield Ave.
Jersey City, NJ 07305

Dear Editors:

Had the great National Poet, a New Jerseyan, Joyce Kilmer, been alive today, and an English Oak been planted at the time of his birth, it would not reach the 48 foot top of the boat warehouse of the proposed marina at Liberty State Park at the time of his death.

It is unfortunate that Bernard Hartnett, the new chairman of the Public Advisory Committee, appeared to be under pressure to force a quick decision on the marina before he and the new members of the Commission had an opportunity to be made aware of the vast ramifications involved.

Mr. Hartnett made an amazing statement that about the park being undeveloped 10 years after its dedication, but fails to mention that over a million and a half people visited the park. This inconsistency is most glaring.

Could it be that this open, so called, undeveloped park is what the people of New Jersey want?

Presently in Hudson County along the so called gold coast, we have several "big time" developers showing us spectacular growth with bricks and mortar on private land.

On our public land we need people in charge with the vision to plant seedlings, the patience to enjoy the saplings, and who will enjoy growing old playing with children under the shade of the trees.

We need both active and passive recreation areas in our great urban park, and our well thoughtout Master Plan of 1977 calls for a marina.

.. 2 ..

A modest peoples marina in a peoples green park, that is what was supported at public hearings in 1977 and reaffirmed in the Action Plan Report of 1983. Let's stick to it! Let us have the patience to see the park grow green and also lets tell the Philadelphia Developers ready to grab the peoples hard won park lands, that we will resit their effort and those of the D.E.P. and the Development Corporation.

The "World Class" developers who are putting up the hi-risers and condos like Samuel Lefrak, Arthur Imperator, Daniel K. Ludwig and the Port Liberte Group all have yacht clubs and marina planned and you could be sure they will be first class and they will pay us taxes besides.

John Tichenor

700-D Newark Ave.
Jersey City, N.J. 07306
May 2, 1987

Liberty Park Commissioners:
Audrey Zapp & Mario Pesin
City Hall, Jersey City, N.J. 07302

Dear Commissioners:

I am in total agreement with the letter written by Margerie Westling which appeared in the Jersey Journal, Friday, May 1st.

With to commend the above-mentioned Commissioners for their valiant efforts on behalf of Liberty State Park.

The proposed monstrous marine facility should be built somewhere else, which should not mar the Greenpark, scope and theme and rob it of its natural sense of nature and views should not be impaired.

Keep up the fight and am sure you will win.

Sincerely yours,

Anne S. Anton

AIDA FUENTES
148 Kensington Avenue
Jersey City, New Jersey 07304

May 11, 1987

Mr. Morris Pesin
City Hall
Jersey City, New Jersey 07302

Dear Mr. Pesin:

This is to express my opposition to the proposed marina in Liberty State Park. I agree with the sentiments expressed by Marjorie Westling in her recent letter to the editor published in The Jersey Journal.

We live in such a congested area that visiting the park and exploring its vast open spaces and taking in all the lovely vistas offers some peace and quiet from daily stresses.

My thanks to you and Mrs. Zapp for all you have done and are doing.

Sincerely yours,

Aida Fuentes

AIDA FUENTES

20% COTTON CONTENT

Frances Marella
58 Beacon Ave.
Jersey City N.J.
07306

Commissioner Morris Resin,
We are opposed to the Yacht
Club or anything that will
ruin our Liberty Park

Sincerely
Frances Marella

David Marella
58 Beacon Ave.
Jersey City N.J. 07306

Commissioner Morris Resin,
I am opposed to the Yacht Club
or anything that will ruin
our Liberty Park

Sincerely
David Marella

May 1, 1987

Dear Mr. Pesin,

Please make every effort to
save Liberty State Park.

Thank you.

Sincerely, yours

Mrs. Rose Macchia
135 Montgomery St.
J.C. 2 J. 00

Patrick Marella
58 Beacon Ave.
Jersey City N.J. 07310

Commissioner Audrey Tapp
We are opposed to the Yacht
Club or anything that
will ruin our Liberty Park.

Sincerely
Patrick Marella

May 5/87

Dear Mrs Zapp + Mr Pesin,

I wholeheartedly support your efforts
To keep at bay exploitative private interests which
Threaten To compromise The integrity of Liberty
State Park. The Park is a rare green oasis and
should be spared any large scale commercial development.
Motels, Amusement parks, marinas and other large
private projects should not be part of The
overall park plan.

Again Thank you for your continued
efforts To create a park For The people.

Sincerely;

Jim Miller

280 VanNostrand Ave.
68X

Houston R. Smith

53 CLAREMONT AVENUE
JERSEY CITY, N. J. 07305

434-0923

5. 8- 87

Dear Mrs. Zapp and Mr. Asin:

I just want you to know that your dedicated and continuous efforts on behalf of what is appropriate, meets our approval. We thank you for articulating the thoughts of this family and our neighbors as well!!

We urge that Liberty Park be kept green and free of commercialism. Please exercise all of your collective forces to resist the proposals of Liberty Park Development plans.

Thank you for your interests. Liberty Park is the best thing to happen to K, as it is, free to all.

yours truly,
Houston R. Smith

May 12, 1987

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a
private marina and yacht club on State ground,
bought and supported by tax money.
I urge that the contract not be awarded.

Sincerely,

Patricia H. Murphy
330 Franklin Ave. 6-7
Rockaway, N.J. 07866

560 W. Main St
Rackaway,
N.J. 07860
May 12, 1987

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.

I urge that the contract not be awarded.

Sincerely,

Mortley Hissa

May 12, 1987

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.

I urge that the contract not be awarded.

Sincerely,

KEVIN CORNINE
4 SUNSET DR
BUDDLAKEN, J. 07828

May 12, 1987

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.

I urge that the contract not be awarded.

Sincerely,

Greg W. Wynnham
81 Everdale Rd.
Rarolpn NJ
07869

May 12, 1987

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

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Sincerely,

JOHN J. WYNNHAM
81 EVERDALE RD.
RAROLPN NJ
07869

May 12, 1987

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.

I urge that the contract not be awarded.

#29 Canal St
#Ledgewood NY
07852

Sincerely,

Kevin Beagle

560 West 111th
Rockaway, NY
May 12, 1987
0786

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.

I urge that the contract not be awarded.

Sincerely,

Phil Husea

FRIENDS OF LIBERTY STATE PARK
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.
I urge that the contract not be awarded.

Sincerely,

Barbara Ann Meade
8-Henry Street

May 12, 1987

FRIENDS OF LIBERTY STATE PARK
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.
I urge that the contract not be awarded.

Sincerely,

Ralf Wagner

6 Prospect Lane
West Milford N.J. 07480

May 12, 1987

FRIENDS OF LIBERTY STATE PARK
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a private marina and yacht club on State ground, bought and supported by tax money.
I urge that the contract not be awarded.

Sincerely,

[Signature]

[Signature]
711 v

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a
private marina and yacht club on State ground,
bought and supported by tax money.

I urge that the contract not be awarded.

Sincerely,

Chris Simmen
25 ORCHARD ST.
Newton, NJ

07810

May 12, 1987

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

I strongly oppose the development of a
private marina and yacht club on State ground,
bought and supported by tax money.

I urge that the contract not be awarded.

Sincerely,

Barbara J. McCarthy

560 West 111th St
Rochester, NY
May 12, 1987

07866

Friends of Liberty State Park
C/O Jersey City Hall
Grove Street
Jersey City, N.J. 07302

To Whom it May Concern;

Your
opinion

Support Zapp, Pesin

Bombarded daily as we are by accounts of greed, corruption in high places, crime, etc., it is heart-warming to read of those in our midst who are committed to focusing their talents and energies for the improvement of the lifestyles of the majority. We know there have been such 'heroes,' sung and unsung throughout history; now we are witnessing a local struggle by various dauntless citizens in our community. I refer to the Liberty State Park Commissioners Morris Pesin and Audrey Zapp, and also to Marjorie Westling, to name a few, who are opposing the leasing of 57 acres of Liberty State Park for private development.

Besides filing petitions, addressing the governor and legislative bodies and committees, they are calling for an open hearing to be held at City Hall on May 19. All this to preserve a breath of air for the thousands of people of the State of New Jersey, rather than giving away a large chunk of public domain for the exploitative commercialization for a privileged few.

To the credit of the above-named persons and others in Jersey City, past struggles to maintain the dignity and beauty of the park have been successful. Yet, it is not enough to admire, applaud, be grateful. We must give these valiant crusaders our support — our active support. — M.C. SCHIMENTI, Jersey City

THE JERSEY JOURNAL

and Jersey Observer

Another step in the process

A hearing scheduled for Tuesday at Jersey City City Hall holds some potential for positive developments concerning Liberty State Park.

The 10 a.m. hearing will be held by a state Senate committee looking at the issue of the marina proposed for Liberty State Park. The marina was recommended on May 8 by the Liberty State Park Public Advisory Commission, but the issue isn't dead. The hearing will provide an opportunity for members of the public to express their views before the Senate committee. In addition, the proposal will be subject to an official permit process that also provides for public comment.

But the meeting this Tuesday could be useful if, as some expect, it goes beyond the marina itself.

A crucial argument in favor of the leasing of the area to a private firm to build and operate the marina has been the paucity of state funding, especially for new capital projects, in the park.

Those citizens who resist such arrangements with profit-making firms should realize that legislators play an important role in making capital funding available. If they want more public development of the park and more public operation of new facilities, they would do well to take the opportunity to press the legislators to find the government funds to accomplish those goals.

It's not enough to just oppose "commercialization."

The alternative must be thoroughly explored, and sources of additional funds must be identified.

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