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P U B L I C H E A R I N G

on

Assembly Bills Nos. 487 and 512, and
Senate Bill No. 102 - re Depression of
East-West Freeway

Held:
City Hall, East Orange
March 29, 1961

BEFORE

Assembly Committee on Highways, Transportation
and Public Utilities

Members of Committee Present:

Assemblyman J. Edward Crabiel, Chairman
Assemblyman Daniel F. Flynn
Assemblyman Joseph M. Keegan
Assemblyman Isadore Laufer
Assemblyman John J. Wilson
Assemblyman C. Robert Sarcone

Also present:

LeRoy J. D'Aloia, Speaker of General Assembly
Wayne Dumont, Jr., Senator
Donal C. Fox, Senator
Assemblyman La Morte
Assemblyman Frank L. Bate
Assemblyman Herbert H. Tate
Assemblyman Beatrice M. Stiles

Joseph Dunn, Secretary to the Committee

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INDEX OF SPEAKERS

	Page
Dwight R. G. Palmer State Highway Commissioner	3 - 179 A
William Gray of Edwards & Kelcey, Consulting Engineers	11
Mrs. Katharine E. White Chairman, New Jersey Highway Authority	39
Leo P. Carlin Mayor of Newark	77
(Afternoon Session)	
James W. Kelly, Jr. Mayor of East Orange	1 A
William E. Lovell Mayor of Irvington	42 A
Walter S. Steinmann Mayor of Bloomfield	47 A
James J. Sheeran Mayor of West Orange	61 A
John J. Magovern, Jr. Newark Association of Commerce and Industry	66 A
Edward T. Bowser, Sr. Former Assemblyman, Essex County	87 A
Donald F. MacArt Chairman, East Orange City Council	93 A
Francis P. McCormick County Engineer, Essex County	111 A
George Genung Executive Director, Housing Authority, East Orange	113 A
Jack Soriano Councilman of Bloomfield	117 A
Mervin Wiener East Orange	120 A
James Mazza Chairman, Authority of the People, Inc., of New Jersey	123 A
Edward Stanton Attorney for Munn Avenue Church	128 A

Mrs. Fred E. Carlson 131 A
Chairman, East Orange Citizens Emergency Committee for a Depressed Freeway

William M. Foster 132 A
President, East Orange Chamber of Commerce

J. Anton Hagios 133 A
New Jersey Citizens Highway Committee

Rev. William R. Bailey 149 A
Minister, Calvary Baptist Church

Rev. F. Allan Dana 151 A
Associate Minister, Munn Avenue Church

Jessie W. Boutillier 152 A
President, Advisory Council, First Baptist Church, East Orange

Julius Fielo 153 A
President-Elect, Temple Sharo Tefelo, East Orange

Arthur N. Skeels 154 A
Freeholder, Essex County

John F. Jarman 162 A
Councilman, Member of Planning Board and Chairman of Zoning and Planning Committee, East Orange

Dr. W. G. Hayward 166 A
Assistant Superintendent of Schools

Joseph Longzellow 168 A
East Orange

Charles H. Tavener 170 A
West Orange

John McGinty 176 A
Chief of Police, East Orange

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Statements incorporated at end of testimony

ASSEMBLYMAN J. EDWARD CRABIEL (CHAIRMAN): This public hearing on Assembly 487 and Assembly 512 will come to order. I am Assemblyman J. Edward Crabiel of Middlesex County, Chairman of the Highways, Transportation and Public Utilities Committee of the General Assembly.

I have to my right the Speaker of the House of Assembly, Honorable Le Roy D'Aloia of Essex County, who has considered this hearing of such importance that he is sitting as an ex-officio member of this Committee today. In front of me is Assemblyman Keegan, a member of the Committee, of Passaic County. Over on my left is Assemblyman Laufer, a member of the Committee, from Essex County. Next to him is Assemblyman Flynn of Essex County, a member of the Committee. Next to him is Assemblyman Sarcone of Essex County, a member of the Committee. Sitting next to him is Joseph Dunn of Essex County, who is counsel to the Assembly Committee. Sitting over at the left is the Honorable Donal Fox, Senator of Essex. Senator, I would be pleased if you would join the Committee and take one of these seats at the desk here.

SENATOR FOX: That is all right, Mr. Chairman, I would just as soon sit here.

ASSEMBLYMAN CRABIEL: Further, we have Assemblyman La Morte, Assemblywoman Stiles and Assemblyman Bate of Essex County sitting in at this hearing.

The Committee will operate this morning under the rules of the Assembly concerning committee hearings; that is, that there will be no questions from the audience to people testifying. Members of the Committee and/or counsel may question any of the people speaking.

I might point out at the outset that five members of this Committee have been on the Highway Committee for some time and are basically familiar with this problem. Some of the members of the Committee made the trip to Washington last year and are familiar with this problem. So it will be appreciated if comments are kept to the subject matter of the moment and as little back history as possible put into the comments because in this particular case the Committee understands the background of this proposed legislation.

There will be no attempt whatsoever to stop anyone who cares to be heard by this Committee and anyone who cares to be heard, if they will register with counsel, will be called sometime during the day.

I might announce that Mayor Kelly has informed me that he has instructed the police to waive the parking regulations and therefore it will not be necessary to worry about whether you might have parked in a meter zone and you are overtime. That is very nice of Mayor Kelly.

I might also point out to those of you who don't know him, Mayor Kelly, mayor of the host city, is sitting here with the Committee. We are very happy, Mayor Kelly, for the services you have rendered the Committee and for the facilities you have put before us to bring this hearing close to the problem and close to the people, and the members of the Legislature appreciate your hospitality.

MAYOR KELLY: Thank you very much.

ASSEMBLYMAN CRABIEL: We will open the formal part of the hearing by a presentation from Commissioner Dwight R. G. Palmer of the State Highway Department of New Jersey. Commissioner Palmer.

DWIGHT R. G. PALMER: I am Dwight R. G. Palmer, presently filling the position of Highway Commissioner of the State of New Jersey. It is a privilege not only to appear before your Committee, Mr. Chairman, but to be afforded the opportunity to present some pertinent facts in connection with our proposed East-West Freeway and its intersection with the Garden State Parkway.

The East-West route through Essex County has been the subject of much conversation but little action for decades. Many plans were proposed but all fell afoul of the same stumbling block - the absence of capital with which to finance the project. Apparently no one person or organization could determine how to finance construction of a modern multi-lane freeway through such congested areas as the City of Newark and the Oranges.

When the present administration took office the East-West route was exactly in the same position it had occupied since 1928. It was a "dream" lacking the financial wherewithal to become a reality and while planners "dreamed" traffic continued to pile up, bent on strangling the very life of the several communities.

Under the original National System of Interstate Defense Highways as approved by Congress, Route 3 in Bergen and Passaic Counties was part of this system. This route with its limitations appealed to us as worthy of careful study and of possible reclassification to the benefit of an Essex Freeway.

Conscious of the great need and importance of an East-West artery in Essex County, we undertook exhaustive studies of the areas lying within strips extending one mile on either side of Route 3 from the Lincoln Tunnel west to Little Falls and on

either side of our general conception of where an East-West Freeway should be aligned to render maximum service to the communities in this area. Our analysts compared these two strips as to population, industrial plants, numbers of employees, tax ratables and a number of other factors. A very complete study was delivered to the Federal Bureau of Public Roads.

At one of our consultation meetings with the Federal Bureau of Roads it developed that part of our original plan to carry the route to the Holland Tunnel would entail prohibitive cost. Putting it another way, the money allocated to New Jersey for Interstate Route 3, even if assigned to an East-West Freeway, would be inadequate to finance the project had it been extended all the way to the Holland Tunnel. Accordingly, it was decided to connect with the New Jersey Turnpike east of the Passaic River.

Without attempting to recount the multiplicity of visits to Washington, of the hours on end of study and engineering analyses carried on over a five-year period, in short, we were successful in convincing the Federal Bureau of Roads that an East-West Freeway in Essex County, classified as part of the Interstate System, was not only a creditable substitute for Route 3 but a preferable service route as part of the National Interstate System. This classification qualified the route to receive 90 per cent aid from the Federal Government - the State to contribute only 10 per cent of the total cost. Any other classification would have provided only 50 per cent Federal Aid and, with the small amount of so-called 50-50 money available annually for our twenty-one counties, there would have been no likelihood at all of getting this project underway.

When we announced there would be an East-West Freeway - that Federal approval had eliminated the major financial obstacle - there was great acclaim. The question of profile, that is, whether the road was to be elevated or depressed, had not been the basic problem. The basic need was to get Essex an Interstate highway and that had been met. After we in the Highway Department had "nailed down" this essential factor, we put ourselves on record as favoring a depressed freeway.

However, in presenting our final proposal to the Federal Bureau of Roads, in spite of all the exhaustive studies we had made we were unable to prove on the basis of cold economics that a depressed route was better suited to the movement of people and of goods than an elevated alignment, or that a depressed route would make a better Interstate connection with the National System. Questions of ground water level, disturbance of utilities, sewers, later highway maintenance, snow removal, drainage and many other problems complicated the picture even at that time.

The estimated cost of a route elevated throughout its 7.3-mile length from Newark to the West Orange-Livingston line was $62,000,000. The estimated cost of depressing the same route along 88 percent of its length with a crossing over the Garden State Parkway was $75,000,000.

The Federal Government, in spite of our reasoning and importuning for depressing the freeway, stated it could not in fairness to its trust and to the other States of the Union provide us with any additional funds and, if the route was to be depressed, then the municipalities and the State must put up the $13,000,000 additional cost. It should be noted that this qualified Federal approval was based on the proposal submitted by the Department for depressing all but twelve percent of the freeway.

Well, here we were with "battles won, but not the war." How could we progress? Give up, we would not. It took many months of discussion with the New Jersey Highway Authority, with financiers, bond counsel, investment bankers, consulting engineers and technical experts in many fields to develop the program which passage of Assembly 487, or its counterpart, Senate 102, would allow to go forward. And, let me assure you, agreement on the program authorized by these two bills was reached only after much effort and only after all parties at interest had indicated unmistakably that they had made every possible contribution, including stretching the proposed bond financing to the $38,000,000 limit. We were delighted that this would do the job, but any material change, we learned, would run the risk of toppling the whole painfully-erected edifice of planning like a pile of toy blocks.

We fully realize that most of the officials and citizenry of the affected area have a deep interest in the over-all problem of transportation in New Jersey and are concerned for the welfare of the over-all area and of our state as a whole.

Your Committee, Mr. Chairman, has acquainted itself with the proposal we are discussing today, nevertheless, permit me to review it briefly.

The original indebtedness of the Highway Authority was $330,000,000 of which $285,000,000 was guaranteed by the State. Frankly, it has been pointed out that if free traffic continues to increase at the expense of the growth of revenue traffic, the State may have to step in and take over deficits in the payments due on Parkway securities. Such a necessity, of course, would reach into the pockets of all taxpayers of the State, not just those in Essex County.

Under the proposed plan, the New Jersey Highway Authority would issue $38,000,000 worth of subordinated bonds. This classification means that the original issues of Parkway bonds will have priority in payments from the Highway Authority's revenues. The plan, when authorized, would also permit tolls to control traffic on the section of the Garden State Parkway in Essex County which is now toll free. A portion of the proceeds of the bond issue would be used to pay the $13,000,000 added cost of depressing the East-West Freeway.

The balance of the junior bond issue proceeds would be used for constructing a connection between the Parkway and Route 280, improving points of ingress and egress and marginal roads along the Essex County section of the Parkway, and for other necessary financing, engineering and incidental expenditures.

The Highway Department's original plans for the East-West Freeway as outlined at a public hearing in Newark some time ago, did not include an interchange with the Parkway. This because it was considered completely impractical to funnel thousands of vehicles a day onto a section of the Parkway where toll-free traffic already contributed to massive congestion. However, the proposed interchange is the key to the plan by which an orderly distribution of traffic on the local streets of Essex County can be accomplished along with the depression of the greater part of the Freeway, as so urgently requested by the officials and residents of the entire county.

Giving the Highway Authority Commissioners the opportunity to collect tolls is the key to relieving the terrible congestion presently prevailing on the Essex section of the Parkway. Thousands of motorists each day use the North-South Parkway in Essex County for short "zig-zag" trips that are actually east-west trips. Many of these will use the Freeway when it is constructed and others will use the marginal roads.

What we are dealing with here is an entirely new traffic pattern which will be further changed because of Interstate Routes 78 and 80, major East-West Freeways south and north of Essex County. It is not difficult to imagine what would occur in the way of traffic congestion on the existing road network of Essex County if these other tremendous inter-state routes are built - and they will be built - and the East-West Freeway should be delayed in construction and continue to exist only on the drawing board. Neither is it difficult to foresee what the result would be for Essex County and all its municipalities from the standpoint of congestion, the higher cost of maintenance of City streets, and the strangulation of much of the business life of the communities.

The original Senate Bill (S-102) indicated the Freeway would go over the Parkway. This design was in part favored because of the urgent desire to maintain service on the Parkway during construction, without detouring a major portion of the traffic by way of local streets. There was also the factor of the existing elevations to be considered in the event the highway might go under the Parkway; the engineers pointed out it would have to go to a depth of 40 feet, running into various drainage problems and causing the relocation of numerous sewers and other utilities. Such construction, even if feasible and even if possible to finance, would cost an additional very substantial sum.

The only conclusion which can be reached at this time as to this phase of the project is that the decision to either elevate or depress the Freeway at its contact point with the Parkway of necessity must be deferred until this crossing can be evaluated on the basis of adequate engineering and fiscal studies. Accordingly, the Highway Department readily agreed to an amendment to the original bill which permits either design, that is crossing over or under the Parkway. That also is the objective of Assembly 487.

It is engineeringly impossible at this date to evaluate the complexities of this connection and work out the details of improvement to service roads, entrance and exit ramps, toll collection points, and the clearing up of the congestion at Bloomfield Avenue, Central Avenue, Springfield Avenue and other locations without careful and detailed studies. These take time and money and no funds are presently available to the Highway Authority to pursue such a program until the necessary bill is passed by the Legislature and the Authority approves the issuance of bonds and the bankers provide the money. When the financing is available and before any final plans are approved, the engineering talents of the State Highway Department, the New Jersey Highway Authority and our consultants will be utilized to work out with local officials constructive and long-range solutions of the present problems.

Until the aforementioned program is an accomplished fact any estimated cost of depressing the Freeway under the Parkway would be impossible. However, the intent of the Highway Department is to cooperate to the fullest extent possible with the needs of the area. As has been repeatedly stated, we are sympathetic with the appeals for depressing the Freeway under the Parkway, but the specifics of engineering and the utilization of funds must rest with the Highway Department and the Bureau of Public Roads.

To my knowledge, there is no known precedent in the country for legislation which would, in effect, tie the department's hands before the facts are known. In our own State, for example, in the case of the Garden State Parkway and the New Jersey Turnpike - and inclusive of all other routes - the Legislature in its wisdom has seen fit to do no more than specify the origin and destination of and in general the communities through which a highway should pass,

in accordance with departmental recommendations and obviously subject to Federal approval. In New Jersey, as in all States of the Union, questions of design have been within the jurisdiction of the Highway Department, its technical personnel and the Federal Bureau of Roads.

It is imperative that this project not suffer further delay. It has been our intention to break construction contracts into smaller units to spread distribution of the work and to expedite construction. In the overall this is a $100,000,000 program and a large percentage of that amount would go for gainful employment.

It is difficult to understand why the Highway Department should now be considered incompetent to conclude a project it has brought so far along the road to reality.

In one of the bills, Assembly 512, introduced in the Assembly there is a provision to permit trucks on the Garden State Parkway spur from the New York Thruway to Paramus at Route 17.

To begin with, this section of the Garden State Parkway was not constructed to take trucks and before long whatever funds might be collected in the way of tolls would have to be utilized to rebuild that section. Further than this, no sum of money derived from that area could be earmarked for the activities in Essex County. Such revenues would have to go into the Parkway's General Fund, therefore, would avail us nothing in respect to our main project.

Before concluding my report, Mr. Chairman, as you gentlemen so well know, there are plenty of places in the State that have a crying need for highway improvements. The Federal Government invariably supports the Department in its choice of location and priority for such improvements. In the event that the Freeway is further delayed, we and the Federal Government will be unable to allow the funds now available for the East-West Freeway to lie idle. We would have to, in good conscience, divert this money to other needed projects.

Passage of Assembly 487 or Senate 102 by the Legislature will enable us to get underway with the construction of this East-West Freeway.

Thank you for your consideration and I beseech of the Legislature early action and determination on this most important project.

ASSEMBLYMAN CRABIEL: Thank you very much, Commissioner. Will you stay right there. Before I call on the Committee for questions of the Commissioner on his presentation, he has along with him Mr. Gray of Edwards and Kelcey, consulting engineers on the project, and perhaps it would be wise for him to make his presentation and then questions can be directed to you, Commissioner, if that is all right with the members of the Committee.

Mr. Gray.

WILLIAM GRAY: This map is to depict a 7.3 mile section of Interstate Route 280, opening north on the East-West Freeway. The 7.3 mile section starts at the Livingston-West Orange town line and ends at Clifton Avenue and Central Avenue, Newark. The diagram of the profile of the 7.3 miles is shown here. Starting at the

Livingston-West Orange town line, the roadway is a four-lane roadway and is depressed in a maximum of 85 feet in cut at the power line. It passes over Pleasant Valley Way with a proposed interchange at Pleasant Valley Way. The roadway then widens to six lanes. Proceeding up the first mountain on the fill, the roadway goes over Prospect Avenue. Prospect Avenue is depressed in this area. From this point, through West Orange, the roadway is depressed, going through Llewelyn Park in the glen beside Brookside Drive, underneath Mount Pleasant Avenue and Northfield Avenue to the proposed interchange at either Northfield or Mount Pleasant Avenue. It crosses under the city line of West Orange and Orange, under the D.L. & W. Railroad main line in Orange and under all of the streets within the City of Orange with a proposed interchange in the Hickory-Oakwood Avenue area. The roadway then widens again to eight lanes. It passes underneath the streets in East Orange and then breaks ground at Walnut Street and under this proposal becomes elevated and goes across Arlington, Main, Munn, southbound service road, express lanes of the Parkway, northbound service road, and goes back into a depressed roadway just between the northbound service road and North Street, remaining as an eight-lane roadway, passing under Main Street, under Sussex, with an interchange at Sussex Avenue, underneath the city line, under all the streets in the City of Newark until we get to Second and Third Streets in Newark. The roadway is still an eight-lane roadway and then splits into a four-lane roadway, connecting to Route 28 going to the New Jersey Turnpike. This connection here is a connection to the North-South Freeway, which connects to Route 78 some two miles to the south.

In the City of Newark, Second and Third Streets are closed. Connecting over into existing Route 58, it becomes elevated. The connectors to the North-South Freeway remain underground about this area here (indicating). It becomes elevated and goes over Norfolk Street and Central Avenue.

On the diagram here the green line is the existing ground - the red line or orange line is the proposed grade of the freeway. It shows the underground area.

ASSEMBLYMAN CRABIEL: Very well. Thank you, Mr. Gray. I will open the period of questioning of Commissioner Palmer and recognize Mr. D'Aloia.

ASSEMBLYMAN D'ALOIA: First I would like to compliment Mr. Palmer on his excellent presentation. I believe there can be no question of the need for the East-West Freeway. I don't believe you will be able to completely satisfy all objectors. Of course, we are here today so that all interested parties may be heard in order that this Committee may make its report to the General Assembly.

Now there are a few questions I would like to have answered, Commissioner. I will give you all the questions and then we can go back over them.

Number one, is there any question on the Federal law whether it is permissible to connect a Federal road with a toll road?

Number two, since the advent of the Kennedy administration, have any approaches been made to Washington in order to see whether there has been a change of mind?

You discussed the question of feasibility from an economic

and engineering viewpoint as to whether the highway should be depressed or go over the Parkway. Is it your idea now that it is impossible to go under - in other words, to have a depressed freeway through East Orange?

Has any thought been given to moving the Hoover Avenue toll barrier north in order to relieve the congestion at Bloomfield Avenue?

Just what is contemplated with reference to service roads? Just what is contemplated with reference to tolls?

Those are the questions, Commissioner. We can break them down. Would you like to take them one at a time?

COMMISSIONER PALMER: Sir, I will attempt to sequence my memory to ---

ASSEMBLYMAN D'ALOIA: Suppose I repeat the first one. Under Federal law, is it permissible to connect a Federal road with a toll road?

COMMISSIONER PALMER: Provided there is an escape hatch.

ASSEMBLYMAN D'ALOIA: And what do you mean by that?

COMMISSIONER PALMER: Another way of avoiding the toll road, an escape hatch.

ASSEMBLYMAN D'ALOIA: Since the advent of the Kennedy administration, have any approaches been made to Washington in order to see whether or not there has been a change of mind?

COMMISSIONER PALMER: Yes, sir, there have been. There has been no change.

COMMISSIONER D'ALOIA: Now the question of the feasibility of going under or over, as far as your engineering studies have progressed so far, what is the situation?

COMMISSIONER PALMER: The situation is that it is not impossible, but to go beyond that is impossible in so far as we are concerned until adequate engineering studies and analyses have been made.

ASSEMBLYMAN D'ALOIA: I suppose the thought with reference to the Hoover Avenue toll barrier would probably be much better left to Commissioner Tonti?

COMMISSIONER PALMER: Yes, sir.

ASSEMBLYMAN D'ALOIA: We will hold that one back.

COMMISSIONER PALMER: Thank you, sir.

ASSEMBLYMAN D'ALOIA: Now, what I think is very important is service roads. We have heard a lot - we will try to help out here and try to help out there. Just what are we going to do?

COMMISSIONER PALMER: That too, sir, should be for Mr. Tonti, I believe, to be adequately responded to.

ASSEMBLYMAN D'ALOIA: I didn't want to give you an escape hatch. And the toll situation we should leave to Mr. Tonti too?

COMMISSIONER PALMER: Mr. Tonti or his consultants that he may wish to call who are present.

ASSEMBLYMAN CRABIEL: Any further questions from the Committee? Mr. Keegan.

ASSEMBLYMAN KEEGAN: No questions.

ASSEMBLYMAN CRABIEL: I might point out that since we started Assemblyman Wilson of Union County, a member of the Committee, has come in and he is now here. Have you any questions, Mr. Wilson?

ASSEMBLYMAN WILSON: Not at this time.

ASSEMBLYMAN CRABIEL: Mr. Laufer?

ASSEMBLYMAN LAUFER: No.

ASSEMBLYMAN CRABIEL: Mr. Flynn?

ASSEMBLYMAN FLYNN: Yes, I have a couple of questions. At the meeting at the Robert Treat it was suggested by placing the toll on the now free section of Essex County, there would be gained a half million dollars yearly income. Am I correct in this figure?

COMMISSIONER PALMER: You would have to refer that question to our consultants who are here and who would be glad to answer. Mr. Ed Whimple, who I believe made the statements in respect to toll income, is here. Mr. Whimple.

MR. WHIMPLE: Would you repeat the question, sir?

ASSEMBLYMAN CRABIEL: Mr. Whimple, as long as you are an expert of Commissioner Palmer, would you come forward and sit with Commissioner Palmer and identify yourself, please.

EDWARD WHIMPLE: I am Edward Whimple, partner of the firm of Coverdale and Colpitts, consulting engineers. We have made a number of traffic and revenue studies in the area and for the Garden State Parkway.

ASSEMBLYMAN CRABIEL: Very well. Mr. Flynn, now you can direct your question.

ASSEMBLYMAN FLYNN: Mr. Whimple, the last meeting that I attended was at the Robert Treat Hotel where I believe this map was first lined out to us and it was suggested there that by putting tolls on the now free section of Essex County, the additional income from these tolls would be a half a million dollars a year. Am I correct in that figure?

MR. WHIMPLE: May I do just a little bit of scribbling to reconfirm that figure? That is approximately what we estimated. I

believe it's for the year 1965.

ASSEMBLYMAN FLYNN: It was also suggested at that time that the money that would come in from these tolls would not begin to pay for this bond issue that the Parkway is taking over.

MR. WHIMPLE: That is my understanding of the financial experts' analysis of the situation, that that is the tolls which would be collected from trips which are now made toll free within the confines of Essex County.

ASSEMBLYMAN FLYNN: As I recall, it was said at that time that the entire length of the Parkway would be actually paying this 38 million dollar bond issue.

MR. WHIMPLE: That is absolutely right.

ASSEMBLYMAN FLYNN: Now the Commissioner a few minutes ago referred to the fact that if there were additional tolls gained from trucks in Bergen County, that money could not go for this project or any part of it.

MR. WHIMPLE: You are outside of my field on that question. That relates to the flow of funds within the New Jersey Highway Authority whereby tolls go into a general fund and then are distributed in accordance with provisions of the trust indenture.

ASSEMBLYMAN FLYNN: If these tolls were added to the general fund, making the Parkway solvent more quickly, would that not help the Parkway itself as far as any indebtedness?

MR. WHIMPLE Any additional toll revenue would help the Parkway's financial condition. It is a matter of degree, a matter of the amount of the toll revenue.

ASSEMBLYMAN FLYNN: Thank you, sir. That's my only question

at this time.

ASSEMBLYMAN SARCONE: Mr. Palmer, if I may ask this question?

COMMISSIONER PALMER: Yes.

ASSEMBLYMAN SARCONE: Who assisted in the preparation of this alignment; that is, what experts?

COMMISSIONER PALMER: Edwards and Kelcey, consulting engineers.

ASSEMBLYMAN SARCONE: They are consulting engineers. And as a result of their surveys and their experience they prepared the alignment as has been evidenced and displayed here today.

COMMISSIONER PALMER: Yes, sir.

ASSEMBLYMAN SARCONE: Has this firm at your request considered the feasibility engineeringwise of depressing the East-West Freeway at the Parkway?

COMMISSIONER PALMER: Both the firms of Edwards and Kelcey and Parsons-Brinkerhoff, both of whom are represented here today, have been consulted in that respect, sir.

ASSEMBLYMAN SARCONE: Have they undertaken to examine and inspect the area for the feasibility of such a proposition?

COMMISSIONER PALMER: To the point that they are able to without engaging substantial sums in study, yes, sir.

ASSEMBLYMAN SARCONE: Well, as a result of their examinations and as a result of their consulting with you, have they rendered an opinion to you as to the feasibility engineeringwise?

COMMISSIONER PALMER: I believe it would be a very good idea if Mr. Bruce of Parsons-Brinkerhoff who are consultants to the Parkway and also who have made these studies would respond to your question. Mr. Bruce.

ASSEMBLYMAN SARCONE: Just a moment. Mr. Palmer, you have

indicated in your comments here today that financially it would be a great cost to depress the Freeway at the Parkway.

COMMISSIONER PALMER: That's right, sir.

ASSEMBLYMAN SARCONE: Well, what is this based on, Mr. Palmer? You have rendered an opinion and on what is this based?

COMMISSIONER PALMER: I again would like the engineers who are providing the base to be the ones to make that comment.

ASSEMBLYMAN SARCONE: What is the information that you have received so that you have rendered this opinion today?

COMMISSIONER PALMER: The information is that the cost would be substantial and beyond the definition of what the 38 million dollars worth of bonds would enable us to pursue.

ASSEMBLYMAN SARCONE: Has there been any opinion as to approximate cost?

COMMISSIONER PALMER: Only "guesstimates."

ASSEMBLYMAN SARCONE: Excuse me?

COMMISSIONER PALMER: Only "guesstimates."

ASSEMBLYMAN SARCONE: How much, Mr. Palmer, would it cost to have an opinion as to the feasibility of depressing the East-West Freeway at the Garden State Parkway?

COMMISSIONER PALMER: I would have to ask the engineers that.

ASSEMBLYMAN SARCONE: Mr. Palmer, other than what you have told us, have you no information, has no information been available to you to assist you in rendering the opinion that you have rendered today?

COMMISSIONER PALMER: Only in the form of generalities which had to do with the experience not only of our engineers and the Parkway engineers, but also the consulting firms. Our Chief Engineer

is here today if you would care to get his opinion. I would prefer not to answer engineering questions, not being an engineer myself.

ASSEMBLYMAN SARCONE: I understand that and I am not attempting to exact an answer from you which you aren't able to answer. But you have rendered an opinion and I am attempting to ascertain on what that opinion is based.

COMMISSIONER PALMER: I would say this, that your opinion and my opinion would be equally valid that any project that has to go down 40 feet under the Parkway and extend through sewage plans and utilities and so forth would present to either of us, either to you or to me, that it would be a substantial cost involved and no provision has been made as yet for such a plan. And although I have already stated that nothing is impossible, we cannot express any specific opinion until the engineers have made exhaustive studies.

ASSEMBLYMAN SARCONE: Recognizing that an exhaustive study would be required and recognizing that it would cost money for the study, have you attempted to ascertain what that cost would be?

COMMISSIONER PALMER: To the extent that I have already outlined, and the estimates have varied all the way from four or five million dollars up to seven or eight million dollars. They are purely "guesstimates" as I pointed out previously.

ASSEMBLYMAN SARCONE: Can you give us the name of the person who rendered what opinion that you do have?

COMMISSIONER PALMER: Well, the opinion, sir, has been discussed and rolled over with a substantial group of people. I would like you, if you will, to confer with one of the engineers present as to their opinion if you wish to have additional estimates.

ASSEMBLYMAN SARCONE: Can you give me the name of one engineer, sir, one, at least, that you have consulted with reference to the feasibility of depressing the East-West Freeway at the Garden State Parkway in East Orange?

COMMISSIONER PALMER: Mr. Bruce of Parsons-Brinkerhoff who is present here today and available for any of your questions.

ASSEMBLYMAN SARCONE: And he has rendered an opinion?

COMMISSIONER PALMER: He has expressed an opinion.

ASSEMBLYMAN SARCONE: He has expressed an opinion to you and he is available today for questioning?

COMMISSIONER PALMER: Yes, sir.

ASSEMBLYMAN SARCONE: Now it was indicated, as I understand it, that all but 12 per cent of the proposed East-West Freeway would be depressed. Would you indicate, possibly through, I believe it was Mr. Gray, where the 12 per cent that would not be depressed would be in the proposed Freeway?

COMMISSIONER PALMER: Mr. Gray, would you out of courtesy to the Assemblyman point that out, please, again.

MR. GRAY: Assemblyman, I would like to point out that the 12 per cent we are talking about is from Prospect Avenue to ---

ASSEMBLYMAN CRABIEL: Who is talking?

COMMISSIONER PALMER: Mr. Gray is talking.

ASSEMBLYMAN CRABIEL: Excuse me. I was watching this man over here and you were over in that corner. Go ahead, please.

MR. GRAY: In East Orange, approximately 2,000.

ASSEMBLYMAN SARCONE: Two thousand feet?

MR. GRAY: Yes, sir, from Walnut Street on the east side

to the north bound service road.

ASSEMBLYMAN SARCONE: Would you indicate what streets that that would go over? Would you name them, please?

MR. GRAY: South Arlington, Main, Munn, southbound service road, express lanes of the Parkway, northbound service road.

ASSEMBLYMAN SARCONE: And at that point how far above the street level would the roadway be?

MR. GRAY: Twenty feet.

ASSEMBLYMAN SARCONE: Twenty feet.

MR. GRAY: The additional amount of elevation which makes up the 12 per cent from Prospect Avenue, West Orange, to Norfolk-Clifton in Newark is on the main line from in between First and Second Streets in Newark, over Orange Street and over the D.L. & W. and connecting into existing Route 58. That is shown right in here (indicating). This portion here is elevated over the streets (indicating).

ASSEMBLYMAN SARCONE: How high above the level of the street would that road be in Newark?

MR. GRAY: At this point over Orange Street, this structure is 20 feet over Orange Street.

ASSEMBLYMAN SARCONE: Mr. Gray, if I may ask this question, have you been consulted in connection with the feasibility of depressing the East-West Freeway at the Garden State?

MR. GRAY: By Mr. Fritzsche, the Chief Highway Engineer of the Highway Department.

ASSEMBLYMAN SARCONE: You have been?

MR. GRAY: Yes.

ASSEMBLYMAN SARCONE: Have you rendered an opinion?

MR. GRAY: We have made cost estimates and rendered an

opinion it cost more to go under the Parkway.

ASSEMBLYMAN SARCONE: Excuse me.

MR. GRAY: It cost more to take the main line of the Freeway under the Parkway.

ASSEMBLYMAN SARCONE: It cost more?

MR. GRAY: That's right.

ASSEMBLYMAN SARCONE: How much more?

MR. GRAY: Between three and one-half and four million dollars.

ASSEMBLYMAN SARCONE: Have you rendered this opinion to our Highway Department?

MR. GRAY: Through Mr. Fritzsche, the Chief Engineer of the Highway Department.

ASSEMBLYMAN SARCONE: Then, as I understand it, it is your opinion as an engineer that this can be accomplished for approximately three and one-half or four million dollars.

MR. GRAY: That is correct.

ASSEMBLYMAN SARCONE: Thank you, sir.

ASSEMBLYMAN CRABIEL: Mr. Dunn, do you have any questions?

MR. DUNN: Through the Commissioner, may I ask Mr. Gray if he could point out to the people present on the map and/or the profile the area that would be depressed assuming that that is the procedure to be followed. Would you point that out?

MR. GRAY: Completely depressed without passing over the Parkway?

MR. DUNN: Yes, that's right.

MR. GRAY: In the profile, this area here (indicating).

MR. DUNN: Specifically again, what streets would that cover?

MR. GRAY: Walnut Street. It would open Walnut Street under the present proposal that closes Walnut Street - it would then open Walnut Street and be 20 feet beneath Walnut and go underneath Arlington, Main, Munn, southbound service road, express lanes of the Parkway, northbound service road. Now in the plan --

MR. DUNN: What street are you indicating?

MR. GRAY: Walnut would be open. The Freeway would pass underneath it, underneath Arlington, Main, Munn, southbound service road, the Parkway, northbound service road, and connect to the proposed profile, as we show here, but all the way underneath.

MR. DUNN: Will you go to the Newark area, please. Would any of the depressed area be included within the jurisdiction of the City of Newark? Would there be any depression at all?

MR. GRAY: Under this, from the Newark city line, it is depressed from here (indicating)--

MR. DUNN: Yes.

MR. GRAY: -- all the way to here (indicating).

MR. DUNN: You are indicating what area now on your sketch, your map?

MR. GRAY: This is Third and Second Streets.

MR. DUNN: Third and Second Streets.

MR. GRAY: Between Orange and Sussex Avenue.

MR. DUNN: I see. Is that an eight-lane road?

MR. GRAY: It is eight lanes to this point (indicating), which is Seventh Street.

MR. DUNN: Could you give us an approximation as to the

proposed width of the eight lanes and the shoulders or abutments?

MR. GRAY: From outer shoulder to outer shoulder approximately 150 feet wide.

MR. DUNN: One hundred and fifty feet. Now going back into East Orange, what would be the proposed width?

MR. GRAY: The same.

MR. DUNN: And where does the eight lanes taper off into six?

MR. GRAY: Approximately at the East Orange-Orange city line behind this proposed interchange area here. The eight lanes starts eastward there.

MR. DUNN: On the six-lane portion, what would be the approximate width, including the abutments or shoulders?

MR. GRAY: About 110 feet.

MR. DUNN: Would that extend all the way up to - what is that - Livingston at the top of your map, on your left?

MR. GRAY: It would extend all the way back to Pleasant Valley Way.

MR. DUNN: And that would be approximately 110 feet?

MR. GRAY: That's right.

MR. DUNN: Is there anything provided in your planning for an expansion of that six-lane road to an eight-lane road?

MR. GRAY: It could be done if the shoulders were converted to traffic lanes and no new shoulders added. However, basically, there was no planning for a future eight-lane road there.

MR. DUNN: I see. So that in the future if you did find the traffic flow sufficiently heavy to necessitate an increase to an eight-lane pattern road, you would have to use up your shoulders,

is that right?

MR. GRAY: That's correct.

MR. DUNN: And you haven't given any consideration to future expansion need by reason of any increased traffic flow?

MR. GRAY: The traffic needs of this main line, as you see it now, are based on 1975 traffic.

MR. DUNN: And the present traffic needs on the eight-lane portion of this freeway are based upon the same figures?

MR. GRAY: That's correct. The entire design is based on 1975. This is a requirement of the Bureau of Public Roads that the planning for the route be based on given years of traffic. In this particular case it is 1975.

MR. DUNN: Mr. Gray, would you point out to us what the plans include as to service roads and feeders?

MR. GRAY: Bridging every street for all practical purposes.

MR. DUNN: You are talking now as if this road were to be elevated and not depressed.

MR. GRAY: --then the streets bridge the freeway.

MR. DUNN: Oh, I see. All right, go ahead.

MR. GRAY: We would not propose to add any additional service roads except where traffic required it and due to our cutting off another road. As an example, there is a possibility that Conwood Terrace in W. Orange would be cut off due to certain engineering desirabilities, etc. We would then add only a service road to connect Conwood back to Mount Pleasant. In all other cases where all the major north-south routes are passing over the Freeway, we would not intend to add any additional service roads. As far as interchanges go -- Is that what your question was to?

MR. DUNN: Yes.

MR. GRAY: We propose an interchange at Pleasant Valley Way, Prospect, the Mount Pleasant-Northfield area, the Oakwood-Hickory area, the Arlington-McKinley and Sussex Avenue area, plus northbound service road.

MR. DUNN: In what area?

MR. GRAY: In East Orange and connections to the north-south freeway and connections to existing Route 58.

MR. DUNN: When you say the north-south freeway, that is that nebulous freeway, isn't it?

MR. GRAY: Nebulous?

MR. DUNN: Yes. I want to make sure I understand what you are referring to.

MR. GRAY: Yes, that is the one that is now being planned.

MR. DUNN: Thank you, Mr. Gray. Mr. Chairman, may I ask the Commissioner a question? I am interested in that escape hatch in response to Assemblyman D'Aloia's question.

COMMISSIONER PALMER: I would like our Mr. Fritzsche to speak on that point if possible.

ASSEMBLYMAN CRABIEL: Mr. Fritzsche, we are glad to have you come in. Will you identify yourself, please?

OTTO FRITZSCHE: I am Otto Fritzsche, State Highway Engineer.

An escape hatch as the Federal Government considers it is a means for the traffic on one road to avoid paying toll by getting off or going past the toll road. In this particular case, the government does not pay for the interchange connection. That would be an obligation of the toll authority, in this particular case, the New Jersey Highway Authority. The escape hatch would be either of the

ramp connections on either side east or west of the parkway.

MR. DUNN: Thank you, sir. That's all.

ASSEMBLYMAN CRABIEL: Mr. Flynn, did you have another question?

ASSEMBLYMAN FLYNN: I wanted to catch Mr. Gray while he was still up there at that map.

ASSEMBLYMAN CRABIEL: Mr. Gray, would you come back, please.

ASSEMBLYMAN FLYNN: Mr. Gray, where the depressed road, east-west freeway, comes out of Newark, what would be the elevation or the cut just before it gets to where the bridge would be crossing the Parkway? There is a depression there, is that correct?

MR. GRAY: That's correct. It is depressed all the way, under this proposal, to here (indicating).

ASSEMBLYMAN FLYNN: And what is the depth at that point?

MR. GRAY: Generally speaking, Assemblyman, the depth up to about here runs about twenty feet under all existing streets. Now in this area here, there is a little hill like a sugar loaf. Consequently the depth at that spot is closer to 40 feet, but that is due to a topographic feature of the area.

ASSEMBLYMAN FLYNN: Now in the Commissioner's prepared statement here, it mentions something about 40 foot at the point of the Parkway, but actually you are already down 20 foot so it would be just a drop - I say "just" - I realize it is more than "just" - it would be 20 foot more going under the Parkway because you are already down at a 20 foot level below. Is that correct?

MR. GRAY: That's correct.

ASSEMBLYMAN FLYNN: Are there any cost estimates for this

bridge? I think you have said the bridge went over six blocks, crossing the Parkway. Has there been any estimates as to the cost of that bridge?

MR. GRAY: The particular bridge over the six blocks, not including the approaches to the bridge, etc.?

ASSEMBLYMAN FLYNN: The cost for the bridge and the approaches necessary. What I am trying to get at is: You have arrived at a figure of, say, from three to seven million for depression.

MR. GRAY: Three and one-half to four million.

ASSEMBLYMAN FLYNN: Three and one-half to four million. Now what would the cost for this six-block long bridge be?

MR. GRAY: As proposed now, that bridge goes from here to here (indicating). It's about two million dollars.

ASSEMBLYMAN FLYNN: The cost of the bridge would be approximately two million dollars?

MR. GRAY: That's right.

ASSEMBLYMAN FLYNN: Now your estimates of the cost of depression would be, say, five million - five and one-half million all together?

MR. GRAY: No, Assemblyman, you can't combine the estimates that way because you must start at a point and end at the same point. What you are asking me is: How much does this little piece cost versus how much does that piece cost? I can't answer those questions specifically at the moment.

ASSEMBLYMAN FLYNN: There are no estimates on that?

MR. GRAY: I have the estimates from this point to this point (indicating) for the elevated and the estimates from this point to this point (indicating) for the depressed, and the one for the

depressed came out to three and one-half to four million dollars more than the elevated, but the absolute value of money involved - I have to check back with my office to get those figures.

ASSEMBLYMAN FLYNN: Now I imagine it would come back to the Commissioner on my next question. The original discrepancy was 13 million dollars for the depression.

COMMISSIONER PALMER: Yes, sir.

ASSEMBLYMAN FLYNN: That was what the Federal government would not put up.

COMMISSIONER PALMER: Yes.

ASSEMBLYMAN FLYNN: And they told us at that time - or your Department that if you came up with the 13 million dollars, they didn't care whether you depressed it or not? Is that more or less what they had to say?

COMMISSIONER PALMER: Well, in essence it wasn't stated just this way, but from a practical standpoint if the money were raised by other channels - if we would submit our proposition on a depressed route, they would consider it.

ASSEMBLYMAN FLYNN: Commissioner, if this locality or under this present plan if the price of depressing the East-West under the Parkway was put up the same as this additional 13 million, do you think the Federal Government Road Bureau would object to it? Is there any reason why they should object?

COMMISSIONER PALMER: I know of no way that they might object if the funds were supplied by other than the Federal Bureau of Roads, provided we could prove our case from an engineering standpoint, which I think could be done.

ASSEMBLYMAN FLYNN: What I am trying to get around to,

Commissioner, is that we are talking here now 38 million dollars and 38 million dollars like any sum or any budget can be pared. Now, once this bridge is put across, which the people of this locality feel is going to hurt them, there is nothing that can be done about it - the bridge is there. Whereas, if possibly the 25 - I believe it would be 25 million dollars for the connecting links between the East-West and the Parkway, if that were shaved a million and one-half, two million dollars, and we took that money and put it into depressing at this time, the service roads could later be changed, but a bridge that is built across will never be changed. It is going to be there; it is going to stay; it is going to handicap the people of this community. Whereas, if just the service roads - I think certain improvements could be made - I think there is a possibility if we go into that, that we might shave that 25 million for the service roads. I think we might take one million, possibly two million from that twenty-five to put towards this depression, to give the people in this area what they need and want.

COMMISSIONER PALMER: I see you are smiling, Assemblyman. Mr. Fritzsche I would like to have make some points here, if I may, Mr. Chairman.

MR. FRITZSCHE: This is really a Parkway cost. But the connection between Route 280 and the Parkway is not 25 million dollars. Twenty-five million dollars is the balance after the thirteen million is taken for the depression of the East-West. Now probably Mr. Tonti can give you a better distribution of that remaining twenty-five million, but that isn't all applied to the connection between the two roads.

ASSEMBLYMAN FLYNN: That is my understanding, that the 25

million dollars would be the connecting link and to improve the service roads. The thirteen is for the depression. Am I correct?

MR. FRITZSCHE: That's correct.

ASSEMBLYMAN FLYNN: Is it possible, would you say, with careful study to pare the parts of that 25 million dollars that would be the service roads, something that can be changed at a later date. A bridge built 25 feet in the air and covering six blocks will be kind of difficult to change at a later date.

MR. FRITZSCHE: I would say that whether or not any amount of money can be pared from what the Parkway plans to do should come from their engineers after their study. Now, how far they have studied that, I couldn't tell you, Assemblyman.

ASSEMBLYMAN FLYNN: Thank you very much.

ASSEMBLYMAN CRABIEL: Mr. Gray, could I ask you if your estimate of going under the Parkway was based on the present plan which provides a connection with the Parkway or whether that was based on the original thinking that there would be no connection at the Parkway?

MR. GRAY: Based on the original thinking that there would be no connection with the Parkway.

ASSEMBLYMAN CRABIEL: Now let me ask you this: What would be the estimated cost of depressing under the Parkway under the proposed plan with the financing to come from the Parkway?

MR. GRAY: They have never made those estimates so I couldn't give you any figures.

ASSEMBLYMAN CRABIEL: Is it reasonable to assume it would be substantially higher?

MR. GRAY: I don't know frankly.

ASSEMBLYMAN CRABIEL: Very well. Are there any further questions of the Commissioner?

ASSEMBLYMAN SARCONE: Of Mr. Gray -- Mr. Gray, what provision has there been made in your planning for feeder roads to the East-West Freeway interchange?

MR. GRAY: Under the proposed project in which the Federal government will contribute 90 per cent of the construction and real estate acquisition cost, we are limited by the rules under which they will participate. So under this proposal, we have only thought of widening or improving the feeder roads to these interchanges as required by the criteria to do that. Now the remainder of the road which possibly has to be widened is something which has to be worked out by the state and local governments as to who is to pay for it and the share. That would be a matter of policy and it might be answered by Mr. Fritzsche.

ASSEMBLYMAN SARCONE: As I understood it, Mr. Gray, you indicated you would bridge all intersecting roads, is that correct? There would not be any intersections; they would all be bridged?

MR. GRAY: That's right,either bridged or closed. There will be no crossings or traffic lights.

ASSEMBLYMAN SARCONE: Mr. Palmer, all questions relating to toll booths, marginal roads and the like, you indicate would be answered by Mr. Tonti?

COMMISSIONER PALMER: -- and his associates. Yes, sir.

ASSEMBLYMAN SARCONE: You indicated in your statement that the Parkway in the northern sector, in the area which Assembly Bill 512 proposed to permit truck traffic, was not built for trucks.

COMMISSIONER PALMER: Yes.

ASSEMBLYMAN SARCONE: We do have truck travel on a portion of our Parkway today, do we not?

COMMISSIONER PALMER: Yes, sir.

ASSEMBLYMAN SARCONE: Can you tell us about that? I would assume an opinion was rendered to you, Mr. Palmer --

COMMISSIONER PALMER: Mr. Fritzsche will respond.

ASSEMBLYMAN SARCONE: Mr. Fritzsche, we have truck travel on the Parkway today, do we not?

MR. FRITZSCHE: Yes, sir.

ASSEMBLYMAN SARCONE: In what area?

MR. FRITZSCHE: In the southern area, from the Ocean-Monmouth County line southerly.

ASSEMBLYMAN SARCONE: Can you briefly describe the nature of the construction of that strip?

MR. FRITZSCHE: Well, the nature of the construction of that strip varies from Bergen County construction in this way, it has a better soil that it is constructed upon. It has about the same depth of pavement. Your drainage is better down in the southern end of the state and you are not subject to the frost action.

On the northerly end, as I recall the section of the Parkway, it is about 23 inches in total thickness; whereas the State Highway in providing for trucks is building its roads a total depth of 32 and 33 inches, as did the Turnpike. So you have a differential in foundation and base under that road. You have a thinner top course on that road. As I recall it, it is a two and one-half inch top - where the State Highway puts on three and four inches of surface.

ASSEMBLYMAN CRABIEL: If there are no other questions ---

SENATOR FOX: Assemblyman Crabiel, may I just ask a question?

ASSEMBLYMAN CRABIEL: Yes, Senator.

SENATOR FOX: I am going to direct this generally towards Mr. Gray and also Commissioner Palmer. I think there are just a few salient facts we have to nail down here so that the people don't go off under a false impression.

Mr. Gray, did you say before that the cost as you have figured it generally to depress this section in the City of East Orange would run between three and four million dollars; is that correct?

MR. GRAY: That's correct.

SENATOR FOX: Now, let's be specific about this. This is a general estimate made by you based on what?

MR. GRAY: Based on the ground conditions, an inventory of utilities, an inventory of the soil conditions, the cost of excavating materials, of building retaining walls, bridges, etc.

SENATOR FOX: Now, is it or is it not true that as far as giving any definitely accurate estimate as to what the cost may be, you are not able to do that at the present time? Is that correct?

MR. GRAY: That's correct.

SENATOR FOX: Right?

MR. GRAY: That's correct.

SENATOR FOX: Does that also apply to the interchange itself? Does the same philosophy apply there?

MR. GRAY: Our firm has had nothing to do with the interchange.

SENATOR FOX: All right. Let's not waste time. Who has to do with the interchange, Commissioner?

COMMISSIONER PALMER: Mr. Bruce of Parsons-Brinkerhoff.

SENATOR FOX: Where is Mr. Bruce? All right, stay right where you are, Mr. Bruce, and raise your voice and answer the question.

ASSEMBLYMAN CRABIEL: Senator, I think Mr. Bruce should come up here.

SENATOR FOX: Very well. Will you come up here?

ASSEMBLYMAN CRABIEL: Mr. Bruce, would you, please, identify yourself and then Senator Fox desires to ask you a question.

WILLIAM BRUCE: I am William Bruce of the firm of Parsons-Brinkerhoff, consultants to the Garden State Parkway and to the New Jersey Highway Department.

SENATOR FOX: Mr. Bruce, you heard the question that I just addressed to Mr. Gray?

MR. BRUCE: No, I didn't.

SENATOR FOX: Directing your attention to the interchange itself, is it correct that the cost of the interchange has been estimated at thirteen million dollars?

MR. BRUCE: The cost of the interchange plus improvements of access and egress to and from the Parkway in Essex County.

SENATOR FOX: All right. Clarify that last statement for us.

MR. BRUCE: The cost of the interchange complete is approximately ten million three. The remainder of the slightly over thirteen million-dollar figure is estimated for construction and other needs for ramp improvement.

SENATOR FOX: In other words, those are all facilities that are concomitant and go in the interchange itself, isn't that correct?

MR. BRUCE: Yes, sir.

SENATOR FOX: So that I am correct then when I say that the basic ultimate cost of the interchange itself figured generally, completely, is thirteen million dollars; is that correct?

That is, including the facilities that you have mentioned.

MR. BRUCE: That's correct, Senator.

SENATOR FOX: Would you assume that to be an accurate figure at the present time?

MR. BRUCE: That is as accurate a figure as can be obtained with the information and the studies we have available today.

SENATOR FOX: All right. Thank you.

ASSEMBLYMAN CRABIEL: Are there any further questions of Commissioner Palmer?

ASSEMBLYMAN FLYNN: One further question.

ASSEMBLYMAN CRABIEL: Yes, Mr. Flynn.

ASSEMBLYMAN FLYNN: Could we get the complete cost of the study as is to date - what the state has spent on this study?

MR. FRITZSCHE: You are going to have to take my memory for it, Assemblyman. It's about $370,000, I believe.

ASSEMBLYMAN FLYNN: $370,000 for this map that is over here.

MR. FRITZSCHE: Well, no. That isn't fair. You are in the contracting business and you know better than that.

ASSEMBLYMAN FLYNN: I was just trying to bring out that if we spent $370,000 for this map that we now have and all that goes into it - I don't mean for it to sound so slight - how much would it cost would you estimate for a further study as far as just this depression?

MR. FRITZSCHE: You mean additional study?

ASSEMBLYMAN FLYNN: Additional study for just the depression at the Parkway.

MR. FRITZSCHE: That would mean then that you would have to go through the same rigors that you do if you design a set of

construction plans for it and basing the total cost at about four million dollars more plus the interchange -- Are you including that?

ASSEMBLYMAN FLYNN: I am just trying to get the cost of the study. Apparently there hasn't been a study made on depressing the interchange.

MR. FRITZSCHE: That isn't right. There has been a preliminary study made on depressing the East-West Freeway.

ASSEMBLYMAN FLYNN: At the Parkway?

MR. FRITZSCHE: At the Parkway.

ASSEMBLYMAN FLYNN: But it would call for more study?

MR. FRITZSCHE: Yes.

ASSEMBLYMAN FLYNN: Apparently no one wants to give a definite answer on it as far as the depression is concerned.

MR. FRITZSCHE: That is correct. But then if you make that study, you are going into the same thing that you would do if you were designing a set of construction plans for either going over or going under.

ASSEMBLYMAN FLYNN: What would you say this would cost?

MR. FRITZSCHE: About six per cent of the total cost of construction.

ASSEMBLYMAN FLYNN: Thank you very much.

ASSEMBLYMAN CRABIEL: Commissioner Katharine White of the New Jersey Highway Authority and Executive Director D. Louis Tonti.

MRS. KATHARINE ELKUS WHITE: Gentlemen of the Assembly Committee, I am Katharine Elkus White, Chairman of the New Jersey Highway Authority. I know I speak for the Authority Commissioners and Staff when I say I am grateful for this opportunity to present our views on legislative proposals which concern the Garden State Parkway. As you know, the Highway Authority was created by legislation in 1952 to complete construction of and to operate the Parkway as a toll facility.

Let me say at once that the Highway Authority favors enactment of Assembly Bill No. 487 but cannot endorse Assembly Bill 512, for reasons which I will soon present. Permit me to first discuss Assembly Bill No. 487.

Although the Highway Authority did not initiate this legislation, we are definitely in favor of it. The Authority is confident that, with the passage of this legislative measure, it will be able to maintain the Garden State Parkway as a self-supporting facility while fully and properly serving the increasing needs of New Jersey's motoring public.

We of the Parkway are proud of our accomplishments. We value the newspaper articles, the editorials, the letters from our riders, and the other personal messages from individuals speaking well of our efforts and accomplishments. Accordingly, let me assure all of you that regardless of circumstances, the Authority will continue to operate the Parkway to the best of its ability. However, we would be remiss in our duties if we did not call to the attention of this Committee

and the entire Legislature the fact that, even before the Garden State Parkway was constructed, engineering and traffic reports made in 1953 by the internationally-recognized firm of Coverdale and Colpitts indicated that heavy congestion of toll-free traffic in the Essex County area could at some time in the future crowd toll-paying through traffic off the road. That this was a valid forecast is demonstrated currently by the fact that at Milepost 144.5 near the South Orange Avenue Interchange in the Essex toll-free area, traffic is now at a volume over the capacity of express lanes with a resultant marked reduction in speeds during certain hours.

We are especially mindful of and sensitive to the fact that any deficits in earnings under what we must pay to redeem the 285 million dollar bonds guaranteed by the State will have to be made up by the taxpayers of New Jersey. This is prescribed by law. Should the overcrowded condition of the Parkway in the Essex area cause our toll revenue from through-paying traffic to diminish to the point of deficit operations, the Authority could say it has tried.

It was sincerely in the interests of providing better long-range traffic facilities as well as our own financial stability that we met on numerous occasions with the Highway Department to examine the Essex County problems to be solved by this legislation. One major concern was the question of a direct Parkway connection with the Essex East-West Freeway.

We firmly believe that such a connection, together with provision for regulating traffic in the Parkway's Essex

County area by charging tolls for local travel, will help us maintain financial stability over the years ahead and bolster the economy of the entire area. Lacking such traffic control through local tolls, the Parkway could not possibly connect with the Freeway without aggravating the already serious congestion in that area. Even without the added volume of traffic from the Freeway, the heavy concentration of toll-free traffic in the midst of the Parkway's prime business section is cutting our financial life-line.

I should like now to turn briefly to consideration of Assembly Bill No. 512. This legislative proposal, unlike the other, includes provisions for allowing trucks on the Parkway's northernmost 9-mile section in Bergen County between Route 17, Paramus, and the New York State line. This provision is proposed as a means of financing the added cost of depressing the Freeway under the Parkway.

Gentlemen, I submit that this sounds much simpler than it actually would be. The Parkway in that area, as Commissioner Palmer pointed out, was not built for commercial traffic. The pavement would have to be rebuilt immediately so that it would not fall apart under the weight of heavy trucks. But that is only the beginning. Our toll-collecting facilities in that area would have to be modified; our Service Area near the New York State line would have to be altered to serve this new type of traffic -- without necessarily producing an offsetting increase in income.

Moreover, we have grave doubts that trucks in this section would yield enough revenue to cover the costs of

capitalizing the necessary improvements and maintaining the Parkway in Bergen County. But certainly the income would not be sufficient to finance any additional undertaking such as depression of the Freeway at its point of contact with the Parkway. While our engineers have a basic knowledge of this matter, nothing definite could be done here without another engineering and feasibility study to determine the full facts for this particular area in Bergen County.

Let me point out too that any increase in tolls derived from trucks in this section would undoubtedly be offset by a loss of passenger vehicle traffic - regardless of any improvements - because of the change in the road's character. We know that many, many motorists use our northern sections in preference to any other road because of the absence of trucks. And we cannot ignore the important point that the road's great safety features would be diluted by the mixture of trucks and passenger cars.

And I might add that there is never a week that goes by that I don't get a letter of complaint - "Are you going to permit trucks on the northern part of the Parkway?"

To return to the basic proposal in both Assembly bills, I should like to emphasize again the Authority's conviction that elimination of the heavy load of toll-free traffic in the Parkway's Essex County section is the most effective way of keeping this superhighway in a sound financial condition - a fact which has much meaning to the taxpayers in all 21 counties of New Jersey.

When in the past we called attention to the threat to the Parkway's financial stability, well-meaning people have charged the Authority with being more concerned about its bondholders than its motorists. The State guarantee itself affords the bondholders all the protection they require. The voters of New Jersey approved the State guarantee of the original 285 million dollars of bonds issued by the Authority. The law provides that additional fuel taxes and real estate taxes would have to make up any possible future deficit. However, the Authority wants to continue to operate the road in the black.

We fully understand and appreciate the interest shown by motorists and officials wanting to know what the toll rates will be on the ramps in Essex County if this legislation is adopted. But we cannot pretend to know the answers to these questions now. However, that does not mean we are proceeding in the dark. There have been preliminary studies on various aspects of the program. Such preliminary work already indicates that the Freeway will relieve existing east-west arteries such as Bloomfield Avenue, Park Avenue, Main Street, Central Avenue, South Orange Avenue, Springfield Avenue, of much of their present traffic volumes. It has also indicated that the Freeway will draw away traffic now using the toll-free section of the Parkway for short north-south trips which should be essentially east-west in direction.

Why don't we know all these facts yet? Simply because the new traffic pattern which will evolve from completion of the whole program is bound to be entirely and drastically

different. It will require expert and detailed engineering and revenue studies to collect and evaluate all the data.

Detailed engineering and traffic studies can only be undertaken when permissive legislation makes it possible for the Authority to authorize funds for such inquiries. This is the same procedure that applied to the construction of the New Jersey Turnpike and also to the Garden State Parkway itself.

We can immediately reassure everyone on three basic points concerning the tolls. First, the Authority is determined that any ramp tolls it finally adopts for Essex County will be fair and reasonable. Second, it can be stated that anyone from Essex County using the Parkway to travel out of the County will not have to pay any additional tolls; nor will anyone from out of the County using the Parkway to reach any point within Essex. Third, there will be no new across-the-road toll barrier on the main roadways of the Parkway in Essex County.

Permit me to add this assurance too. No engineering plans for the toll structure, ramps, service road improvements or the Parkway's interchange with the Freeway will be made final until after full consultation with local officials and their engineers. I do not make this statement lightly. This was our policy before -- when we extended the Garden State Parkway north from Route 17 through the various Bergen County communities to meet the New York Thruway.

The Authority valued the cooperation of those local officials in Bergen County and found it essential to the

successful completion of that most difficult project. In fact, for that reason alone, we would oppose introducing trucks onto the Bergen County section of the Parkway. We firmly maintain that the municipal officials in Bergen County must be consulted before any such change can be made.

On the question of tolls for Essex County local travel, we have been asked just how many motorists would be affected by this change. Our previous engineering studies show that the number of motorists using the toll-free privilege in Essex each day amounts to only 2½ per cent of the total number of motorists in the entire County. But, gentlemen, most of this 2½ per cent hit the Parkway during the peak hours of travel and at that time occupy more than 50 percent of the capacity of the Parkway express lanes.

Another question asked of us is: What will these motorists do in the event that tolls are placed on the Essex section? Our preliminary studies indicate the following answers:

1. A large majority will eventually desert the Parkway for various other routes of travel. Motorists will then have available to them more direct and convenient roads to reach their destination, as will be built and planned by the State Highway Department.

2. Motorists who will still use the general alignment of the Parkway but prefer not to pay tolls will find ample capacity provided on the service roads.

3. Those who may still wish to use the Parkway express lanes will pay a fair and reasonable toll.

Another reasonable question concerns the improvements that would be made to the service roads in Essex County. These were originally constructed by the Authority at a cost of 15 million dollars. We acknowledge the responsibility to provide adequate facilities to accommodate the vehicle traffic displaced from the express lanes of the Parkway by the imposition of tolls.

Improvements will be made as soon as the Authority can determine needs demonstrated by new traffic patterns on local streets , generated by the operation of both the Freeway and the Parkway. This program will be carried on in close cooperation with the municipal officials.

Should my previous remarks expose the Authority to the unfair criticism that it is thinking only of making money, let me stress here that the Parkway's safety is one of our proudest achievements. The weaving in-and-out of local short-trip drivers in Essex County has created hazards which put a serious obstacle in our safety efforts.

In conclusion, I should like to make it clear that neither the Authority nor I intend any reflection upon the free riders. We understand their natural desire to retain the toll-free driving privileges in Essex County, but the Authority has a statutory obligation to all the taxpayers of New Jersey to maintain and to operate the Garden State Parkway on a self-supporting basis. Therefore, we are very much in favor of Assembly Bill No. 487 and we oppose the enactment of Assembly Bill No. 512.

I thank you.

ASSEMBLYMAN CRABIEL: Thank you very much, Mrs. White.

I understand, Mr. Tonti, you are here to answer questions and do not have a prepared statement at this time.

D. LOUIS TONTI: I have no statement.

ASSEMBLYMAN D'ALOIA: Mr. Tonti, I heard Mrs. White say that any tolls imposed would be fair and reasonable. Now you and I have been talking about tolls on the Parkway - well, I guess I would say for the last four years. You know that any representatives who have been in the Legislature from Bloomfield have all tried to move the toll barrier on Hoover Avenue north. Now getting back to the first aspect, when a statement is made that any tolls imposed will be fair and reasonable, what is your opinion of what would be fair and reasonable?

MR. TONTI: Mr. Speaker, I think you heard in the direct presentation that it was the intention of the Authority to collect a smaller fraction of its income under this plan from the imposition of tolls. I think the obvious conclusion from that statement is that the tolls will be minimal because the greatest amount of income from this imposition of tolls will come from the added through traffic on the Parkway which will now find additional capacity through Essex County and by enjoying that growth of through traffic as it is projected, by 1970 through traffic will contribute alone $5,000,000 more in that year of 1970. So, therefore, the toll structure itself in Essex is a minimal toll structure which in terms of income will only provide a small fraction of the over-all cost of this particular financing plan.

ASSEMBLYMAN D'ALOIA: Is that your answer, Mr. Tonti?

MR. TONTI: Yes, Mr. Speaker.

ASSEMBLYMAN D'ALOIA: Well, now, let's not fence about it, Lou. The question directed to you was: What in your opinion would be a fair and reasonable toll?

MR. TONTI: Anything under twenty-five cents.

ASSEMBLYMAN D'ALOIA: Now, we are fencing around. We know that the toll is twenty-five cents.

MR. TONTI: No, anything under twenty-five cents.

ASSEMBLYMAN D'ALOIA: Let's be specific.

MRS. WHITE: I don't believe we can be specific at this time until there are further studies of how this would work out. We have repeatedly indicated, and Commissioner Palmer has, that you can't be definite in these replies at this time, that we have to make more studies.

ASSEMBLYMAN D'ALOIA: I didn't think Lou needed counsel.

MRS. WHITE: I am not counsel; I'm the chairman.

ASSEMBLYMAN D'ALOIA: I'm not trying to pin the Authority down to an absolute toll figure. A statement has been made by the Authority that the tolls would be fair and reasonable. All I ask is for Mr. Tonti's opinion of what would be a reasonable toll. Is there any further answer you have on that, Mr. Tonti?

MR. TONTI: I don't, Mr. Speaker.

ASSEMBLYMAN D'ALOIA: Now with reference to your service roads, have you any idea what the improvements will be at this time? I am talking about the present service roads that we have in Essex County now.

MR. TONTI: Mr. D'Aloia, we have no specifics on the service roads, as the Commissioner pointed out. We will make improvements

in the service roads after consulting the municipal engineers, which will adequately take care of the diverted traffic from the express lanes. That's a commitment.

ASSEMBLYMAN D'ALOIA: A direct commitment?

MR. TONTI: Yes, sir.

ASSEMBLYMAN D'ALOIA: Let's go to this Hoover Avenue situation. You and I both agree that there is a great deal of congestion on Bloomfield Avenue. Is that correct?

MR. TONTI: Yes, sir.

ASSEMBLYMAN D'ALOIA: Now, isn't a great deal of that congestion caused by the fact that that is the last toll-free exit in Essex County?

MR. TONTI: Yes, it is, from the express lanes.

ASSEMBLYMAN D'ALOIA: Has there been any thought given to moving the Hoover Avenue barrier northward?

MR. TONTI: Yes, Mr. Speaker, and also moving it southward, which would accomplish the same objective.

ASSEMBLYMAN D'ALOIA: What has been done in reference to that?

MR. TONTI: It was discovered that the cost of relocating all the electronic equipment and acquiring additional property to widen the right-of-way for the plaza would be a cost far greater than would be derived from the change contemplated.

ASSEMBLYMAN D'ALOIA: But you would agree that that would eliminate that traffic situation at Bloomfield Avenue?

MR. TONTI: Oh, yes. Either moving the barrier north or south would do that.

ASSEMBLYMAN D'ALOIA: Thank you, Mr. Tonti.

ASSEMBLYMAN CRABIEL: Anything further, Mr. Speaker? Mr. Sarcone, any questions?

ASSEMBLYMAN SARCONE: With reference to that Hoover Avenue toll booth, Mr. Tonti, as it presently is situated, as I understand it, a motorist who would be travelling south, as he enters, would be approximately one hundred feet north of the toll booth, is that correct?

MR. TONTI: No, it is a little more than that.

ASSEMBLYMAN SARCONE: A little more than that, but not very much more. It is a very short distance and you would have to pay twenty-five cents and then ride what is supposed to be the free section of Essex County. What I am driving at, Mr. Tonti, is an Essex County resident who would live in and about that area wanting to come south would get on not very far north of Hoover Avenue, pay the quarter to come here or somewhere else.

MR. TONTI: That is theoretical, Mr. Assemblyman.

ASSEMBLYMAN SARCONE: It happens every day.

MR. TONTI: In practice, what a person does is drive along the Parkway service road and passes the barrier and then gets on the Parkway, which is the logical thing to do.

ASSEMBLYMAN SARCONE: Mr. Tonti, under the proposed financing as it has been indicated previously and today, we understand we will be provided a $38,000,000 bond issue, $13,000,000 of which is to be applied to the cost of depressing the East-West Freeway. Sir, can you indicate how much of the remaining amount would be applied to providing for adequate - and I emphasize "adequate" - marginal or service roads. We were told you would be the one to answer this question, Mr. Tonti.

MR. TONTI: Well, the engineers in their analysis of this submitted that figure of $13,240,000, which was mentioned in round

figures earlier, to embrace the interchange as well as the improvements to the service roads. I don't have any breakdown any finer than that. It wasn't submitted to us.

ASSEMBLYMAN SARCONE: Mr. Tonti, have you at this point any opinion as to what would be done, assuming the proposal which has been advanced were enacted into law, in connection with marginal roads along Essex County - service roads?

MR. TONTI: If you will allow me, Mr. Assemblyman, I can indicate the kind of improvements that would be made. At critical interchanges, it would be possible to add a deacceleration lane in order to eliminate left-turning traffic from the main stream of the traffic on the marginal roads. At certain points a jug handle would help eliminate left-hand turns, for example, at Central Avenue. At other points, as I discussed with Mayor Steinmann of Bloomfield, it is possible to make a right-hand exit from the Parkway to Bloomfield Avenue which might be considerably helpful. But we wouldn't do any of these things, as the Chairman pointed out, without getting the benefit of the local engineers to tell us at what points these would be most practical in terms of movement of traffic on local city streets because we don't want to add to the problems of municipalities, we want to help relieve some of their problems.

ASSEMBLYMAN SARCONE: Presently, then, as I understand it, while you are in earnest to do this, you don't have any fixed opinion as to what would be done, for instance, at Bloomfield Avenue - what would be done at Central Avenue - what would be done at Franklin Avenue in Bloomfield?

MR. TONTI: No, we just provided moneys for it and, as the

Chairman pointed out, before we can spend money for detailed engineering plans and getting together with the municipal engineers, we have to be able to point to permissive legislation so that we can justify our expenditures.

ASSEMBLYMAN SARCONE: Mr. Tonti, Mr. D'Aloia attempted to ascertain what in your opinion a reasonable charge would be. Now with reference to the added tolls, you have indicated that the tolls would not be across the Parkway; that is ---

MR. TONTI: No barriers.

ASSEMBLYMAN SARCONE: -- no barriers. Have you any idea or have you come to any opinion as to where they would be? You have given it in the negative, sir, as to what wouldn't be - now can you tell us what would be?

MR. TONTI: As soon as we give a contract to Coverdale and Colpitts to pinpoint the locations, we will get specific answers. But if you want an opinion now at this hearing --

ASSEMBLYMAN SARCONE: Well, Mr. Tonti ---

MR. TONTI: You pick the important interchanges only, of course, logically.

ASSEMBLYMAN SARCONE: Now, we understand that an opinion has been rendered that it is not as a result of past experience good for traffic to have exchanges right at main thoroughfares, for instance, Bloomfield Avenue where the Parkway has an exit and the traffic goes right into a main thoroughfare. Now, would you provide for ingress and egress off the main thoroughfare; that is, where new tolls are going in?

MR. TONTI: I don't quite understand that.

ASSEMBLYMAN SARCONE: To pay a toll, if it isn't going to be

across the main road, it's going to have to be at an exit --

MR. TONTI: -- or entrance.

ASSEMBLYMAN SARCONE: -- or entrance. I am trying to ascertain where these exits and entrances will be. You say you can't tell us specifically. But will these be away from main thoroughfares?

MR. TONTI: Oh, yes, otherwise the congestion would be impossible.

ASSEMBLYMAN SARCONE: That you certainly would agree to.

MR. TONTI: Sure.

ASSEMBLYMAN SARCONE: Mr. Tonti, Assembly Bill 512 that has been proposed - some of the members of this Committee are co-sponsors of that bill - a portion of the bill would permit trucks on the northern sector of the Parkway. We were told that you would be able to answer certain questions pertaining to the structure of the Parkway, that is, the roadway.

MRS. WHITE: Mr. Chairman, I think Mr. Bruce from Parsons-Brinkerhoff could perhaps answer this on our behalf. He is consulting engineer for the Parkway.

ASSEMBLYMAN SARCONE: If I may, rather than asking specific engineering questions, I understand you do permit trucks to operate on certain portions of the Parkway today.

MR. TONTI: Yes.

ASSEMBLYMAN SARCONE: Now, what is the distance, sir, between the booth at Union or Vauxhall and the Hoover Avenue toll booth, the so-called free ride in Essex County? What is that distance?

MR. TONTI: 5.7 miles.

ASSEMBLYMAN SARCONE: Now, going south, sir, on the Parkway, what is the next toll booth after the Union toll booth?

MR. TONTI: Raritan Toll Plaza.

ASSEMBLYMAN SARCONE: What is the distance in miles, if you can tell us, sir, between the Union or Vauxhall toll booth and the toll booth at Raritan?

MR. TONTI: About sixteen miles.

ASSEMBLYMAN SARCONE: Sixteen miles. Is that correct?

MR. TONTI: Yes, approximately.

ASSEMBLYMAN SARCONE: There are no tolls whatsoever.

MR. TONTI: Oh, but the toll-free section is only 13.4 miles long. That's with the escape hatch.

ASSEMBLYMAN SARCONE: But there is a stretch of 13.7 miles which is toll free, is that correct?

MRS. WHITE: By law.

ASSEMBLYMAN SARCONE: By law. Yes, of course. Everything is by law.

Now, this, I understand, is a rather unique situation, this stretch, is that correct, unique in the sense that it doesn't belong to us, the people of the State of New Jersey, or that the Federal government ---

MR. TONTI: No, no, no.

ASSEMBLYMAN SARCONE: Would you explain the stretch?

MR. TONTI: It is unique because it does belong to the State Highway Department and does not belong to the Highway Authority because it was built with Federal and State funds.

ASSEMBLYMAN SARCONE: Now, what is it, sir, with reference to Federal aid in connection with that road that by law might present a problem in connection with placing tolls on that stretch of 13.7

miles?

MR. TONTI: It is just not allowed by law. You cannot impose tolls on a road which has received Federal aid in its construction.

ASSEMBLYMAN SARCONE: That's what I wanted to ascertain. Is that correct?

MR. TONTI: That's right.

ASSEMBLYMAN SARCONE: Is there any means by law -- have you considered the feasibility of purchasing this section of the road in order that you might place tolls on this 13.7 mile stretch?

MR. TONTI: The problem, Mr. Assemblyman, is discussed in our Future Planning Committee and also discussed with the Highway Commissioner in a general way for the past few years because the problem there is similar, although not as critical, as the problem in Essex County, in terms of vehicle movement.

ASSEMBLYMAN SARCONE: As I understand it, this is what can be described as a very busy section of the Parkway, is that correct?

MR. TONTI: Yes, not as busy as the Essex County section, but a very busy one.

ASSEMBLYMAN SARCONE: And if you had tolls in that section ---

MRS. WHITE: We would be very happy.

ASSEMBLYMAN SARCONE: -- and you could exact quite a bit of revenue for the betterment of the entire Parkway and the entire state. Is it within the realm of possibility that this section can be purchased so that tolls can be placed in this section?

MR. TONTI: That is a policy decision, Mr. Assemblyman, which the State Highway Commissioner, the Commissioners of the Authority and the Legislature would have to take up at some future

date because it would require legislation and a policy determination.

ASSEMBLYMAN SARCONE: I know that about a future date, but, Mr. Tonti, the people of Essex County, if I may state it, are very anxious that the East-West Freeway not only come to Essex County, but that it be depressed in its entirety, including under the Garden State Parkway. We are told - now we learn that the feasibility means money, that is, engineeringwise this can be done if you have the money. We are attempting through Assembly Bill 512 to place our hands on some money. Now I am looking to this 13.7 mile stretch which is free. You have turned to Essex County and said "You have a little more than five miles free." Now we turn and look at this 13.7 mile stretch, which is free. In your opinion what can be done, Mr. Tonti, to assist in this entire over-all problem of obtaining money? Can this stretch be purchased? Have you looked into this or have you not previously?

MR. TONTI: I honestly haven't gone into it that far. I didn't come prepared to discuss that at any great length.

ASSEMBLYMAN SARCONE: No, I didn't think you did, but I thought perhaps you might know by law whether it would be possible because as I understand, it is.

MR. TONTI: By law it is possible because you have so stated it in the Highway Authority Act of 1952.

ASSEMBLYMAN SARCONE: And if you were able to purchase it and if it did come under your wing, you would bring to the Parkway quite a bit of revenue through tolls.

MR. TONTI: But that, Mr. Assemblyman, would obviously be necessary in order to pay for the bill of buying it. It is a very expensive stretch of highway.

ASSEMBLYMAN SARCONE: I understand.

ASSEMBLYMAN CRABIEL: Are you finished, Mr. Sarcone?

ASSEMBLYMAN SARCONE: Does part of your consideration on the marginal roads - I know, Mr. Tonti, you have indicated you cannot be specific today - include widening of the marginal roads?

MR. TONTI: I mentioned building deacceleration lanes. That constitutes a widening for some stretch in order to eliminate the traffic.

ASSEMBLYMAN SARCONE: What about the situation, for instance, of marginal roads running or connecting into Central Avenue, which today are key intersections which have lights? Is there any consideration of possibly depressing these marginal roads under Central Avenue and such cross or intersecting streets? Is this part of your consideration?

MR. TONTI: Yes, although that turned out to be a very expensive proposition. That is why I mentioned jug handles instead. There are various ways of doing it and we would like to do it the most effective way after discussing it with the East Orange officials.

ASSEMBLYMAN SARCONE: Mr. Tonti, while many citizens of Essex County are seeking this information, it isn't that they want to compel you to be specific. It is, I believe, as a result of an experience which came about not too long ago, especially in this area, when it came to aligning the Garden State Parkway. And as we understand it, at that time there was much effort to place the Parkway where it is presently, that is, what formerly was a parkway here in Essex County and a fine one - to place the Parkway through that area. And as part of the selling, so to speak, to enact this legislation, we were told here in Essex County that 93 per cent of the traffic that

would flow on the Parkway when it was build in the Essex County area would be traffic that ordinarily would have flowed through the streets of Essex County and, therefore, would relieve congestion.

Now, if that be so, it would mean that a greater percentage of the traffic which is travelling on the so-called free section of the Parkway in Essex County would be local traffic and, therefore, it would come off onto the marginal roads and onto the local streets. Now, this is the concern, Mr. Tonti, and anything you have to tell us in connection with the plans you have for this, what we feel will be an overflowing of traffic, we would appreciate. You tell us you are not specific and you can't be specific. But do you have any concrete ideas?

MR. TONTI: I think that concern is a serious one, but perhaps because all factors haven't been taken into account by the local people. For example, this visualization of a lot of traffic suddenly appearing on local roads and on our service roads - it should be noted that our service roads now are being used much under capacity. That means that with the improvements contemplated by the Authority, as the Chairman outlined in her presentation, the service roads for north-south movements will handle anything that is diverted from the express lanes by people who refuse to pay the tolls imposed.

ASSEMBLYMAN SARCONE: Are you referring to the present service roads?

MR. TONTI: Yes, present service roads improved.

ASSEMBLYMAN SARCONE: Not the ones we have now?

MR. TONTI: No, I mentioned, improved. But as of this date, service roads as they exist out there today are not handling traffic

to any appreciable extent, about 11,000 vehicles a day.

But point two is that by the natural patterns that will develop of people using the new Freeway going east-west, much of the traffic that is using the Parkway now for the short trips, which have incidentally no origin or destination in your local municipalities - they go beyond it - will suddenly leave the Parkway because of a much better, much more convenient route. So those two things playing together, we respectfully submit will not contribute to the congestion of the local streets.

ASSEMBLYMAN CRABIEL: A lot of people are wanting to be heard. I don't want to limit any Committee member, but I think in fairness we ought to move forward.

Mr. Flynn, do you have any questions?

ASSEMBLYMAN FLYNN: Do I understand that the studies that would need to be made for you to be more decisive in your answers would not be made until after one of these bills were passed, Commissioner?

MRS. WHITE: We couldn't by law.

ASSEMBLYMAN FLYNN: In other words then, when this bill is passed, if it is, say, Senate 102, I believe it is, or Assembly 487, which you seem to favor - after these bills were passed, there would be no choice, period.

MRS. WHITE: Well, we would be very happy to authorize such studies.

ASSEMBLYMAN FLYNN: You would be happy then to make the authorization?

MRS. WHITE: That's right.

ASSEMBLYMAN FLYNN: And the answers we would get then,

whether we liked them or not, those would be the answers we would have. We would have no further choice. Is that correct?

MRS. WHITE: Well, you might have alternate plans submitted. And still we would, as I have mentioned in the original statement, want to work closely with municipal and local officials so that we can resolve problems that arise as we make these studies. The first studies would not be final; they would be opening up the problems and then we would proceed from there.

ASSEMBLYMAN FLYNN: What I was getting around to was that we are not getting a definite answer now, which you say is impossible to give and which is understandable. Now, once one of these bills, Senate 102 or Assembly 487, were passed, there would be no discretion left to anyone but the Highway Commissioner and yourselves. If the people in the municipalities didn't like it, they still could not make any change other than what you agreed with.

MRS. WHITE: We have indicated that we would work closely with them. And certainly, isn't it customary to have hearings - isn't it necessary on such changes, Mr. Tonti?

MR. TONTI: Yes, with the local officials.

MRS. WHITE: We have meetings with local officials. I indicated we would follow the same pattern we did in the feeder road to the New York Throughway where we consulted closely with municipal officials and engineers throughout each of those municipalities where the Parkway went through and we used many of their ideas and made many changes from the originalpplans.

ASSEMBLYMAN FLYNN: Now, Commissioner, it has been forecast right along, I believe, that 1964 would be the bad year for the Parkway.

MRS. WHITE: I think that's the date, isn't it?

MR. TONTI: '66.

MRS. WHITE: '66.

ASSEMBLYMAN FLYNN: Now, at this time we are very concerned about '66 being a bad year and at the same time, as I understand it, we are going out and get a $38,000,000 bond issue on a half a million dollar income. Is that correct?

MR. TONTI: Not exactly.

MRS. WHITE: No.

MR. TONTI: That is part of it, yes. That is part of it. I think I'll answer the final question you are going to ask.

ASSEMBLYMAN FLYNN: Go ahead.

MR. TONTI: You are leading up, I guess to how -- well, you ask the question, Mr. Assemblyman.

ASSEMBLYMAN FLYNN: I was just wondering, with the future not looking too bright, how the Parkway contemplates taking on $38,000,000 additional with what has been forecast as a half million dollars in Essex County to pay for this.

MR. TONTI: But, Mr. Flynn, the half million dollars is only part of the increased income that will result under this plan if adopted under this bill. The rest of the income will come from through traffic and, if this bill passes, the problems of 1966 and 1967 and '68 will disappear into nothing because then the amortization schedule of our bonds will be met by the growth of traffic through Essex County.

ASSEMBLYMAN FLYNN: Well, did I understand you correctly a few minutes ago in answer to one of Mr. D'Aloia's questions, you said, in fact, the answer might be $5,000,000 alone in Essex?

MR. TONTI: That's from through traffic.

ASSEMBLYMAN FLYNN: From through traffic.

MR. TONTI: That's five million dollars. That means they pay tolls at four or five different barriers. But they will have room to use the Parkway and just that increase by having room on the express lanes of income from through traffic, 1970 by projection --

ASSEMBLYMAN FLYNN: Essex alone.

MR. TONTI: -- we'll receive $5,000,000 from through motorists from all the barriers --

ASSEMBLYMAN FLYNN: -- in the Essex section?

MR. TONTI: -- no, as they go through Essex.

ASSEMBLYMAN FLYNN: That would be in Essex County, within the borders of Essex County?

MR. TONTI: No, no.

MRS. WHITE: Mr. Assemblyman, maybe I can explain this. We are facing a bottleneck in Essex County with the road continuing as it is. If we relieve that bottleneck and open the road to its full width for through-paying traffic, we can generate more traffic up and down the entire length of the Parkway and that is where the additional estimate of tolls comes in.

ASSEMBLYMAN FLYNN: By producing the new traffic, by speeding it, by taking off the short riders, we are figuring on a five million dollar boost. Now, this $5,000,000 includes the entire length of the Parkway?

MRS. WHITE: Yes.

ASSEMBLYMAN FLYNN: I see. Now, when we make these studies -- I believe before when counsel, Mr. Dunn, asked a question, the answer was that the forecast was for 1975 on the need for a six- or eight-lane.

Yet when we can see this wonderful income coming in and we are talking about three or four million dollars for depression, no one can seem to understand that it will be worthwhile. We talk of the future, of as far away as '75, and yet for three or four million dollars we hesitate on that. We don't seem to be consistent.

MRS. WHITE: Well, Mr. Chairman, I don't think the New Jersey Highway Authority has expressed any opinion one way or the other on the depression of the highway at East Orange. We wouldn't have sufficient funds in the present allocation, as we understand it. We would be perfectly happy to see it accomplished if it could be financially.

ASSEMBLYMAN FLYNN: I would like to ask a few questions about this northern section of the Parkway. Perhaps we will have to get the engineering staff to get the depth of the asphalt and roadbed.

MRS. WHITE: Mr. Bruce from Parsons-Brinkerhoff.

WILLIAM BRUCE: I am William Bruce of the firm of Parons-Brinkerhoff.

ASSEMBLYMAN CRABIEL: Will you restate your question to Mr. Bruce?

ASSEMBLYMAN FLYNN: Sir, I would like to find out the design of the road, the asphalt, the roadbed, in South Jersey where trucks are now allowed.

MR. BRUCE: In South Jersey below the Ocean County-Monmouth line trucks are allowed on the Parkway. That is an entirely different type of pavement than anything anywhere else on the Parkway. It is a gravel-asphalt mix, approximately seven inches thick, laid in three layers upon a gravel sub-base, overlying a very well-drained sandy

sub soil.

ASSEMBLYMAN FLYNN: Now, sir, if we could go to the northern end, the section that we have mentioned about allowing trucks on -- One thing more, that would be a total of what thickness in the south end?

MR. BRUCE: In the south end - and this will have to be somewhat approximate - about seven inches of asphalt and, I believe, eight inches of sub base - that would be gravel base - plus twelve inches of select material.

ASSEMBLYMAN FLYNN: Sir, would it sound ---

MR. BRUCE: That's about twenty-seven inches, I believe.

ASSEMBLYMAN FLYNN: Would six inches of sand-gravel sub-base sound correct?

MR. BRUCE: Say that again, please.

ASSEMBLYMAN FLYNN: Six inches of sand-gravel sub-base - would that be more correct, would you think?

MR. BRUCE: It could be.

ASSEMBLYMAN FLYNN: -- rather than the eight. I have a reason for asking. Two inches would mean quite a bit, I imagine.

MR. BRUCE: In some locations, yes.

ASSEMBLYMAN FLYNN: Now, if we go to the far northern end in Bergen County, what would be the thickness at this point?

MR. BRUCE: The total thickness of pavement in Bergen County would be generally about twenty-four inches, consisting of two and one-half inches of blacktop riding surface, seven and one-half inches of penetration macadam, eight inches of granular or gravel sub-base, and six inches of select borrow, for a total of twenty-four inches.

ASSEMBLYMAN FLYNN: This is against thirteen inches in South

Jersey where the trucks now ride. This is twenty-four inches of prepared roadway bed.

MR. BRUCE: No, that is not quite true. You are now eliminating the sub-base under the pavement which is a very important part of the pavement. I might say that in South Jersey the sub-base problem is much, much less important than in other areas because it is such a fine material on which to locate a road. It has good drainage characteristics and you do not have to add an artificial sub-base. However, in North Jersey your total thicknesses include an artificial sub-base added through lack of having a natural one there. If you are going to compare thicknesses of these two types of pavements at opposite ends of the state, you have to compare the same things, if I may insist.

ASSEMBLYMAN FLYNN: Your opinion would be that trucks would tear the North Jersey section apart?

MR. BRUCE: Trucks in the section from the New York Throughway to Route 17 in my opinion would very quickly cause that road to be pounded to pieces. They wouldn't tear it apart, but they would cause failure, first, in the sub-base under the road and then in the pavement.

ASSEMBLYMAN FLYNN: What would you say would be the normal life of this road in the northern section for cars?

MR. BRUCE: We anticipate about a twenty-year life.

ASSEMBLYMAN FLYNN: About twenty years. When you say it would quickly tear apart by putting trucks on there, what would you say this road would be cut down to in length of time?

MR. BRUCE: I would rather put it in another way, that in order

to take trucks from whom you are going to charge a tax for riding a road, you would have to immediately rehabilitate that road before you took the traffic on it. In other words, I believe it would fail very quickly under that kind of traffic.

ASSEMBLYMAN FLYNN: Before you would even allow the trucks on -- This is your opinion.

MR. BRUCE: It would be dollar wise and pound foolish to put trucks on this road and then in two or three years have to go in there and repair under traffic and under those conditions. It would be much wiser and much more economical to strengthen the road immediately if you were planning to put trucks upon it.

ASSEMBLYMAN FLYNN: When you say trucks, the Parkway, I believe, charges by axle weight when it comes to large trucks. Am I correct in that, Commissioner?

MRS. WHITE: Yes, I think so.

MR. BRUCE: We have several classifications of trucks, depending upon the types and the number of axles.

ASSEMBLYMAN FLYNN: I was just wondering whether the Parkway has anticipated this trouble that they be so adamant that no trucks be allowed when possibly there might be some changes made to allow a certain type of truck. You do have your own service trucks on this road and it doesn't seem to hurt it.

MR. BRUCE: As a matter of fact, the allowing of trucks on the South Jersey portion of the road that does allow trucks is done, in my opinion anyway, in the first place because of the knowledge that the truck traffic in that area isn't heavy anyway.

ASSEMBLYMAN FLYNN: So that the truck traffic in this North Jersey area would be extremely heavy?

MR. BRUCE: The type of truck would be heavy. Whether the traffic would be of heavy volume or not, I seriously doubt.

ASSEMBLYMAN FLYNN: Even though it connects with the Throughway which is heavily used by trucks?

MR. BRUCE: Even though it connects with the New York Throughway, there are circumstances which do not make this the most direct truck route. There are certainly very good competitive routes. Route 17 is one of the best.

ASSEMBLYMAN FLYNN: There has been talk of connecting either the Turnpike eventually with the New York Throughway.

MR. BRUCE: That's correct.

ASSEMBLYMAN FLYNN: Would you think that would hurt the Parkway, aside from the truck traffic, financially?

MR. BRUCE: It certainly would not increase the Parkway's revenues to run a parallel toll road within miles of it. If the Parkway had truck traffic on the northern section and then the Turnpike went to the Throughway, the Parkway certainly would suffer in both instances, both in passenger and truck traffic.

ASSEMBLYMAN FLYNN: I would like to get back to this one other point that was brought up, this 13-mile section below the Union toll gate.

ASSEMBLYMAN CRABIEL: Is the question to Mrs. White or Mr. Tonti?

ASSEMBLYMAN FLYNN: Mrs. White or Mr. Tonti, whichever wants to answer.

MRS. WHITE: Give us the question and we will see who will answer it.

ASSEMBLYMAN FLYNN: Getting back to the section below Union County, that 13-mile section, you said there were Federal funds went into it originally. Could you tell me if this was on a 50-50 basis?

MRS. WHITE: I don't know. Commissioner Palmer, can you answer that?

COMMISSIONER PALMER: Mr. Fritzsche probably can.

ASSEMBLYMAN CRABIEL: Mr. Fritzsche, there is a question directed to you concerning the financing of the Parkway on the 13-mile free section.

MR. FRITZSCHE: The financing on the free sections on the Parkway has been on a 50-50 basis. However, in taking total cost, as I recall it, it is not an actual 50-50 basis; it is probably more likely a 70-30 basis, 70 on the part of the state.

ASSEMBLYMAN FLYNN: Would $38,000,000 sound like the cost of the road, sir?

MR. FRITZSCHE: It sounds like it, but I wouldn't want to be held accountable for it. I mean, we would have to get that from our accountants.

ASSEMBLYMAN FLYNN: This whole section was built in about 1945, '46 or '47 - in that period?

MR. FRITZSCHE: It was built consecutively, spending about five or six million dollars per year on added sections.

ASSEMBLYMAN FLYNN: This is a concrete section?

MR. FRITZSCHE: Yes, sir.

ASSEMBLYMAN FLYNN: -- concrete, of course, being more expensive than the regular asphalt.

MR. FRITZSCHE: This is plain concrete eight inches thick, non-reinforced.

ASSEMBLYMAN FLYNN: This section that I have a listing here of $38,000,000 for the total cost - would it be possible that actually -- Is it still 50-50; you said 70-30?

MR. FRITZSCHE: One of these sections - and that our books would show better than my memory - did not have, if it cost $38,000,000 - it did not have half of that in Federal money. There was a lesser amount of Federal money in it. In other words, the then Commissioner devoted straight state money to some of these sections in order to accelerate the construction.

ASSEMBLYMAN FLYNN: Actually, then, we would be talking of under $38,000,000 for this section of road?

MR. FRITZSCHE: I don't know what you mean by that. Whether the government has money in it or the state has money in it, it is still $38,000,000 if you tell me it is a $38,000,000 cost.

ASSEMBLYMAN FLYNN: Well, I have total cost of $38,000,000.

MR. FRITZSCHE: Yes.

ASSEMBLYMAN FLYNN: What I was trying to find out was: If that were broken down, the total cost to the state might be less than the $38,000,000?

MR. FRITZSCHE: That's correct, assuming that the government has money in it. I am trying to follow your reasoning, Assemblyman. I'm not trying to be funny.

ASSEMBLYMAN FLYNN: I was just trying to reach the point of why over this period of time that shouldn't have been or wouldn't have been explored, the possibility of buying that as a good investment with the amount of traffic that goes over it.

MRS. WHITE: I don't believe the Garden State Parkway has ever had that kind of money to buy it.

ASSEMBLYMAN FLYNN: Perhaps a bond issue could have been onsidered before? That possibility then was never explored?

MR. FRITZSCHE: May I bring in the fact too with the Union section, the Union section does not have the benefit of parallel roads to provide for the local traffic at all. That is a section that is a direct Parkway with no local service at all. And I think that that makes it a problem too for the Highway Department, whether or not it does want to get rid of it.

ASSEMBLYMAN FLYNN: Mr. Fritzsche, while you are here could I ask you one more question?

MR. FRITZSCHE: Yes, sir.

ASSEMBLYMAN FLYNN: In your considered opinion would you say this northern section of the Parkway was inadequate for trucks?

MR. FRITZSCHE: I would. I think I stated that before.

ASSEMBLYMAN FLYNN: All right, sir. I think that's all the questions I have at this time.

ASSEMBLYMAN CRABIEL: Mr. Laufer?

ASSEMBLYMAN LAUFER: No questions.

ASSEMBLYMAN CRABIEL: Mr. Wilson?

ASSEMBLYMAN WILSON: Continuing along the line of thought that my colleague from Essex County was just elaborating on, I would like to say as a representative of Union County, we have one toll both in Union County and there is also one at the end of that 13-mile stretch in Middlesex County. I believe the chairman is from Middlesex County. Essex has one toll booth and we have one toll booth and Middlesex has one toll booth. I am sure our colleagues from Essex do not want

to put another toll booth in Union County because this would have to be passed by the Legislature and, of course, as representative of my constituents I would have to oppose it. I sympathize with their problem of raising funds.

I would like to ask Mrs. White now, is the basis of your opposition to 512 entirely because of the truck clause?

MRS. WHITE: That, I believe, is the only difference between the two bills, the addition of the trucks, isn't it? Well, they included depressing. We have no objection to that if we can find the funds. But I feel the Authority would be opposed to the introduction of trucks on the Parkway. I think we would lose a great deal.

ASSEMBLYMAN WILSON: You base this opposition on the fact this road is not good enough? That's a fact?

MRS. WHITE: That's a fact.

ASSEMBLYMAN WILSON: And it was mentioned that the toll booth would have to be renovated and the road would have to be repaved, as Mr. Bruce pointed out.

MRS. WHITE: That's right, and the potential income is something we don't know. You would have to make studies to determine whether we would get enough trucks to bring us any sizable amount of income.

ASSEMBLYMAN WILSON: Yes, but before you have any of these facts, you have already opposed the bill for this reason.

Now, perhaps, Mr. Bruce could tell us what it would cost to repave that road before you put a truck on it and see, after the studies, if you find enough trucks would go over it to not only pay for the repaving of the road, but pay for the depression of the Freeway in Essex County.

MR. BRUCE: Again I will have to make an estimate without

benefit of a real study. In my estimation the amount of money that would be involved in providing for the carrying of trucks from the Throughway to Route 17 would be in the neighborhood of again three to four million dollars. This is due because we are thinking of a twenty-year-pavement life and not only would we have to strengthen this pavement to take these trucks, we would have to widen it against the day when two lanes for both trucks and cars would not be sufficient.

Now, in my opinion the number of trucks which would be available for this purpose would fall far below the need for providing this kind of money for the rebuilding of the road itself and certainly would not be sufficient to serve any other corporate purpose of the Authority, such as depressing the Freeway.

ASSEMBLYMAN WILSON: But you have no figures at all --

MR. BRUCE: -- on depressing that portion of the Freeway --

ASSEMBLYMAN WILSON: -- under the Parkway? This is something I would like to get at because for the Authority to oppose the bill, actually on the very few facts at hand, except that the road won't take trucks - and I think we won't disagree on that in view of your expert advice -that it should be done before any trucks are put on -- Perhaps before the Legislature decide on which one of these bills should be enacted, we should authorize the Parkway to make a study through your firm or any other firm as to how many trucks might possibly use it. Then we would know definitely whether trucks would be feasible or not.

MR. BRUCE: If you want my opinion, sir, it would be a waste of money. I doubt if we could prove that you could even capitalize the cost of making the road strong enough. I certainly further

doubt that it could capitalize an additional four million dollar construction cost on top of it.

MRS. WHITE: Mr. Assemblyman, I would also like to reiterate the statement I made originally to the effect, I think we would lose an enormous amount of passenger vehicles because we introduce trucks on that part of the road. I think we do have a great many people who use it because there are no trucks. And I think in that way we would lose over-all revenue which perhaps you are counting on getting in the Essex County area because of the relief of the trouble there.

ASSEMBLYMAN WILSON: One final question: As the Speaker said before, this problem of the Essex free riders has been something that has been bugging the department for at least four years since we have been in the Legislature. Since the Authority has been attempting to eliminate the free riders in Essex County and has been unable to do so, doesn't this new Freeway situation sort of give the Authority the excuse they have been waiting for now to put the minimum toll on egress and ingress to the Parkway?

MRS. WHITE: Well, it would accomplish several things. I think it would relieve the Parkway of traffic which is going east-west really and using our Parkway, which goes north-south. And I think the Freeway would take this off and would relieve that to some extent and it would help us resolve the problem of freeing that which we don't see any other way of doing.

ASSEMBLYMAN WILSON: That's my point. I was wondering if the Parkway Authority has taken advantage of this situation to accomplish the elimination of Essex free riders, which they couldn't do otherwise. I think you are capitalizing on a situation that didn't exist before.

All of a sudden you have the East-West Freeway proposition and now you are going to charge these Essex people, which you hadn't found a way to do in the past four years because the Legislature wouldn't go along with it and the local municipalities wouldn't go along with it.

MR. BRUCE: May I answer that?

MRS. WHITE: Yes. Mr. Bruce.

MR. BRUCE: May I explain it the other way around? In order to effect this efficient movement of traffic, the Parkway can only contribute to the financing of this interchange providing that it does not have to take any more free riders. The Parkway would starve to death if the Freeway interchange were built with no provision for traffic control, such as tolls in Essex County. So if you come at it the other way, the Parkway must have the right to charge tolls in order to control the traffic in order to build the interchange, in order to give you people a good traffic pattern and in order to help depress the East-West Freeway.

ASSEMBLYMAN WILSON: I would agree there probably should be a toll booth coming to and from the expressway, but there is an indication from the Authority people here there would be tolls also on some of the marginal entrances and so forth.

MR. BRUCE: Very frankly speaking, the only way you can control access to and from the Parkway by the short riders making these trips within Essex County is to offer them that opportunity only through paying toll. Some of them will continue to pay the toll and use the Parkway, others will use the service roads, and some of them won't be anywhere in the vicinity after the East-West

and other highways are built.

ASSEMBLYMAN CRABIEL: Mr. Keegan, any questions?

ASSEMBLYMAN KEEGAN: Yes. Mrs. White, you give us the opinion of the Authority in objections to Assembly 512 with specifics with respect to construction, etc. May I ask if the northern municipalities have been consulted before the Authority arrived at this opinion? Was their position with respect to the use of trucks on the northern end of the Parkway taken into account? Did they give you an expression of opinion?

MRS. WHITE: I don't believe we have consulted with them on this problem. But certainly, as I indicated in my statement, before we approve of such a bill, we would certainly feel we should consult with them because it is of great importance to them.

ASSEMBLYMAN KEEGAN: Do you know if any representations or commitments were made when the Parkway was extended from Route 17 north to these communities, upon which they would be relying now?

MRS. WHITE: Well, it is in the legislation that we cannot have trucks north of Exit 90.

ASSEMBLYMAN KEEGAN: But there has been no direct consultation between the communities ---

MRS. WHITE: Not to my knowledge.

ASSEMBLYMAN KEEGAN: Do you have any expression of opinion from them in opposition to the extension of this to trucks?

MRS. WHITE: I personally don't know of any. Mr. Tonti, do you? Have you had any expression of opinion from Bergen County municipalities concerning the question of permitting trucks in that area?

MR. TONTI: Recently?

MRS. WHITE: Yes.

MR. TONTI: No.

ASSEMBLYMAN CRABIEL: Mr. Sarcone.

ASSEMBLYMAN SARCONE: Mrs. White, Assembly Bill No. 512, which is sponsored by seven Essex County Assemblymen, both Republican and Democrat, differs from Assembly Bill 487 in three respects: One, it provides for this provision permitting trucks. We understand you oppose the bill for that reason. Is that correct?

MRS. WHITE: That is one of the reasons.

ASSEMBLYMAN SARCONE: One of the reasons. There are two other aspects in which it is different. There is added the word "adequate" marginal roads, which is not contained in 487, but from what you have said you don't oppose it for that reason, do you?

MRS. WHITE: No.

ASSEMBLYMAN SARCONE: And Assembly Bill 512 would make it mandatory that the East-West Freeway be depressed under the Garden State Parkway. Now, what is your position as to that?

MRS. WHITE: We have not taken any position on this, but to the best of my knowledge, if it could be paid for, we would be perfectly willing to have the Freeway depressed.

ASSEMBLYMAN SARCONE: You do not oppose it?

MRS. WHITE: We don't oppose it. It is a question of finding adequate funds.

ASSEMBLYMAN CRABIEL: Thank you very much, Mrs. White and Mr. Tonti. I want to acknowledge the presence of Senator Dumont of Warren County. He has been here for better than an hour listening and showing his interest in this matter.

I would further announce that we are going to call one more

speaker before we recess for lunch and that will be Mayor Carlin of Newark. He has another engagement this afternoon and must get away.

MAYOR LEO P. CARLIN: Thank you very much, Mr. Chairman. That introduction reminds me of one I received a couple of weeks ago. The chairman said, "We'll have a few words from Mayor Carlin and then we'll have some entertainment."

First, I would like to thank the Committee for this opportunity of appearing at this public hearing and, of course, also the other members of the Legislature, including Senator Fox and Senator Dumont, and, of course, to extend to Commissioner Palmer and his staff and to Mrs. White and Mr. Tonti and their staffs my appreciation for their efforts and interest in this very serious problem in terms of new highways in Essex County.

Mr. Chairman, I have a formal statement, but instead of keeping these people from their lunch I would just like to briefly touch on a few of the high points that I think this particular group is concerned with.

Of course, I would like to extend a bit of advice to the officials of the Garden State Parkway and the Assemblymen who have been discussing this question of truck traffic on the northern end of the Parkway. I would suggest that perhaps the Parkway consider limiting the weight of the trucks in the northern area to find out what the experience would be, to perhaps five-ton, and if that worked out, then you would not need any additional paving or any additional expense.

But I think we are concerned here today with two or three questions. The first question in my mind is whether the people in

Essex County shall get the same treatment as other sections of the state. We have been talking about this East-West Freeway for thirty years , as Commissioner Palmer said, but in other sections of the state they have partially constructed or they did partially construct a freeway or parkway and they got sixteen miles of it in Union and Middlesex Counties on the Parkway and, of course, in other sections of the state received a free section. But when it comes to Essex County we are asked for a quid pro quo - you can have your Parkway if you will permit the state to give up a commitment it has to the people in Essex County. As a leader of a group of officials that insisted that the state carry out their commitment to the people of Essex County, and that is to give them the free ride in Essex County, I think we are glossing over this too lightly as to that commitment and what the people receive in return for giving up or the state eliminating that commitment.

I was very much surprised - and I will admit that today was the first I was able to find out we are only talking about approximately four million dollars in terms of depressing the road through East Orange.

Now,Newark has cooperated with the other communities affected by and interested in this East-West Freeway and I am here today as a good neighbor and also with the belief that what is harmful to East Orange or any other community in this area would be harmful to Newark.

I might point out that Newark is satisfied that the Highway Authority and the Highway Department has done its best to comply with requests made by the City of Newark in terms of the design, that is, depressing it as much as they can, and where they do elevate

it, our people in Newark are satisfied that that is necessary to get on to the Stickel Bridge.

But I think there are several other questions that should be answered, the marginal roads, the feeder roads and just what are we going to get for this $39,000,000 plus eliminating or giving up this commitment on the free ride.

Now, Mrs. White and the Executive Director, Mr. Tonti, said that it would be a fair and reasonable fee or cost for the rider. Of course, what is fair to me might not be reasonable to you. We also know from a survey by one of our leading newspapers that ten cents will not chase the people off the highway or Parkway. So if ten cents won't chase them off, then, of course, this whole reason for eliminating the free ride would be sort of eliminated. And, therefore, in order to get the people off the Freeway or Parkway in my opinion, you will have to charge them more than ten cents.

But I think that it would be a disgrace for the Highway Department and the State of New Jersey to do the kind of damage and the kind of harm that would come to the City of East Orange by elevating this to the heart of the city where a question of four million dollars is involved. (Applause) I wish you people could vote in Newark next year. But, of course, this statement is not made lightly or without much consideration. I will admit that when we first discussed the alignment and type of construction in Newark, I was not excited as to whether it would be depressed or elevated. But after discussions with our planning officers and many other people concerned with the planning of a community, I was convinced that it should be depressed or no freeway at all. When we talk in terms of four million dollars for a roadway that will be with us for 40 or 50

years, and you consider the yearly cost, we are not talking about a lot of money. And I speak as one who will stack his record up against anyone else in terms of economy in government and being concerned with the taxpayers' dollar.

I am here today, and I don't want to go into that 13-mile stretch or whatever it is down there - Assemblyman Wilson mentioned in Union and Middlesex - but from my observation there is much more delay and congestion in that area than I find going through Essex County because you pick up the free riders from Essex and then you pile them into the free riders from Union and you have two loads of free riders rather than one. But that is neither here nor there.

I think this is a question where the people in Essex County are asked to give a blank check. I know the governing body in Newark or no other community would give the Mayor or the Superintendent of Schools $10,000,000 without definite plans as to what they intend to do with the money.

I think we are entitled to more information in terms of the marginal roads, more information in terms of the interchanges and things of that nature. I would say that if the state is willing to commit themselves to $39,000,000 without knowing where the money is exactly going - and I am not saying now that this is just going down the drain - I am satisfied for the benefit of the entire community of Essex County that they could increase that $4,000,000 and I think 90 per cent of the opposition to this legislation and this program would be eliminated. Thank you.

ASSEMBLYMAN CRABIEL: Does any member of the Committee have a question of Mayor Carlin? (No response.) If not, we will stand recessed until 2:15. (Recess for lunch.)

(Afternoon session)

ASSEMBLYMAN CRABIEL: The hearing will please come to order. I want to acknowledge the presence of Assemblyman Tate of Essex County who just came in and is sitting over there.

I will call now Mayor Kelly of the City of East Orange.

Again I will say what I said in the opening remarks, we are very happy to be here and we are very grateful for the hospitality you have shown us.

MAYOR JAMES W. KELLY, JR.: Mr. Chairman and members of the Assembly Committee on Highways, Transportation and Public Utilities, it is a real pleasure to welcome you to East Orange, your host City. I want you to know that we appreciate the fact that the Speaker of the House, Assemblyman Roy J. D'Aloia of our own County of Essex, and your Committee have seen fit to hold this public hearing in East Orange, which incidentally is the community that's going to be more seriously affected than all others. This particular building where this hearing is being held is within a stone's throw of the proposed East-West Freeway and the proposed interchange with the Garden State Parkway.

We are delighted to have with us so many of our good neighbors from the other municipalities of Essex County who share our concern over the proposed plans for the type of construction of the East-West Freeway; the interchange with the Garden State Parkway, and other sections of Assembly Bills 487 and 512.

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Today, we do/intend to just talk about "geographic crossroads", for this Public Hearing, which you have called concerns a far more critical and fundamental crossroad -- and that is one of basic public policy. As I look over this audience composed of residents of this heavily populated urban area, I see people who are here because they fear for their churches. I see business people who fear that faulty highway planning would completely ruin our commercial business centers. I see senior citizens who find great happiness in our libraries and parks and who are uneasy about what the proposed plans will do to these facilities. In this audience there are home owners and apartment tenants who are no doubt troubled with fears as to whether they will soon be living on quiet streets or at the edge of a daily torment of 100,000 vehicles speeding north, south, east and west. I see our Police Chief present. He will face new and urgent responsibility for traffic control. Our Executive Director of the Housing Authority is here, and he is concerned. He will have to answer to our citizens for any failure to anticipate relocation problems. He will also have to relate these plans to our large urban renewal programs, in areas adjacent to both the Freeway and the Parkway. It is his responsibility to put new life and value, both tangible and intangible, into these neighborhoods. Other City Officials have other fears and concerns.

All of these people pose the same question to our State and National authorities. What will the proposed plans do to the City of East Orange? How can we make our needs felt? What share do we have in the design which will shape the future of our City?

A writer for the Highway program recently wrote in the magazine "Reporter" that "roads can make or break a nation". It is my belief that roads can make or break

East Orange or Bloomfield or Irvington or Newark. Boiled down, what we want and need are safeguards to make sure that local planning considerations and local interest--are protected in the planning of the East-West Freeway, the interchanges, and the proposed improvements to the Garden State Parkway and with its entrances and exits.

For years local officials have been whipping boys of highway planners. Local officials have been "branded" as narrow, self-seeking obstructionists who somehow must be tolerated and circumvented to get the job done. Fortunately, I know that this is not the attitude of the New Jersey State Highway Department or the Garden State Parkway Authority; but the matters with which we are currently dealing are far too grave, the consequences of error much too serious to take any risk. The time has come to find where we stand. We must know the rights and the role of the local officials in the planning process of these major highway undertakings. In spite of the "branding" of local officials which I have just referred to, there are today more and more people in high public offices who have been and are calling for greater co-ordination between highway planning and local planning. In his last budget message delivered on January 16, 1961, former President Eisenhower called for new procedures and grants to encourage more co-ordination and more co-operation among the many local governments with the State and Federal Agencies engaged in a highway program. More recently, President Kennedy in one of his special messages to Congress on the highway and housing programs, stated that in the Federal highway program we "cannot be isolated from other programs for social and civic improvement, particularly our programs in urban renewal and planning." President Kennedy quickly followed up this view with action. He ordered the Secretary of Commerce and the Housing Administrator "to increase their joint planning at every level, to improve co-ordination of plans for urban renewal and freeway construction in the same area, and to invite the co-operative efforts of State and local highway and

housing officials as well as private experts." This was particularly gratifying to me as I had the occasion to urge for just such action at the American Municipal Congress held in Denver, Colorado, in 1959. The National Municipal Policy Article 27-14 which I helped draft, refers to State and local teamwork and calls it "the key to securing a sound legislative and financing program for highways and streets". Just last Thursday at the Convention of the Association of Highway Officials of the North Atlantic States, which Convention was held at Atlantic City, it was reported that John A. Swanson, Regional Engineer of the Federal Bureau of Public Roads, urged that State highway officials give attention, and here I quote, "to greater consultation with local planning and elected officials." His remarks were so pertinent to our present East-West Freeway problems that I sent him a telegram of congratulations. Mr. Swanson whose office handles Federal road projects in eight states including New Jersey, noted that "a sound planned facility can promote and enhance residential, cultural, commercial and industrial developments. The public is becoming increasingly aware of these potential benefits". In discussing how alternate interchange lay-outs be developed, Mr. Swanson suggested -- lay-outs ranging from one which will take the minimum amount of ratables but with a minimum acceptable design -- to a lay-out with a more desirable design but which would require taking more land area. "These alternate lay-outs", he said, "might then be discussed at the community level with every effort being made for mutual understanding".

I think I have said and quoted enough to show -- that local officials who ask to see any proposed plans and request a say in behalf of their community before such plans are adopted -- are not obstructionists in any way. They are not fighting progress. All they are doing -- is their sworn duty -- to the people in their communities who

have elected them and who expect to be protected and they rightfully demand that local officials speak out for local needs.

Viewed from another direction, the question is how much money are we willing to spend -- not to just build roads and highways -- but to build them correctly. Is every community -- such as East Orange -- which by accident or otherwise lies in the path of a highway construction program, expected to absorb the full brunt of the damage which the cheaper form of construction might cause a community? Who is to pay for the ravages of highways to neighborhoods, libraries, parks, to business areas and yes -- to churches? I am not just talking about the cost of acquiring land in the right of way, but of rectifying the consequences left in the wake of poor planning and so-called construction economies. I say, not just for East Orange, but for every one of the 567 municipalities in New Jersey -- these consequences should not and cannot be dumped on the unlucky local community which happens to be "it". There must be machinery and laws to protect each of these communities when the time comes to make sure that full and fair consideration is given to local needs before the bulldozers arrive on the local scene. Our fight today is being repeated over and over all around the Nation. We hear about a Chinese wall across Wilmington, Delaware; about educational institutions being driven out of downtown Louisville; about highways and freeways plowing through the center of Reno. We hear the Mayor of Cleveland state that 3 1/2 miles of freeway in his own City took thirty millions of dollars in taxable property from the City tax rolls. The threat to municipalities from bad highway planning is well illustrated by Harrison Salisbury of the staff of the New York Times, who described Los Angeles in these words, "nestled under its blanket of smog, girdled by bands of freeways,

its core disemboweled by concrete strips and asphalt fields, its circulatory arteries pumping away without focus --- the prototype of Gasopolis, the rubber-wheeled living region of the future". No municipal official would dare say to Highway Engineers "Come on through, whatever you do in my community is all right with us". Just the other day, Governor Meyner, speaking about permitting jet planes at the Newark Airport, is reported to have said, "I'm not suddenly going to buy a notion that will adopt a policy on just vague generalities". Should we therefore -- who are likewise entrusted by our citizens with the future of our respective municipalities be expected to act differently? I do not think so. Does it make sense to buy blind?

Since this Public Hearing was announced, I have asked our various Department Heads, "What do you think of the plans for connecting the Parkway and the Freeway in East Orange?" Each of them answered, "What plan?" There, gentlemen, is the problem, "What is the plan or plans"? I have compiled a list of questions with the help of our City Engineer, our Executive Director of the Housing Authority, City Planner, City Forester, Director of the Library, our Police Chief and our Fire Chief. Some of these questions are more important than others -- and I ask you -- what information is there available for us to judge or for you as Legislators to judge the merits of these Bills, and more particularly, A-487.

Here are just a few of the questions which I have been asked, but as yet I do not have the answers:

1. Will the Freeway be depressed for its entire length in East Orange, including that section under the Garden State Parkway?

2. What is the proposed type and route of the interchange that has been mentioned?

3. What blocks or streets will be cut off or dead ended?

4. What traffic presently using our City streets will have to be re-routed because of the location of the interchange?

5. What islands will be formed in our City by the interchange and what compensation will be paid to property owners who find themselves either virtually or completely isolated?

6. How many families will be displaced and what assistance will be given to help relocate them?

That's a particular problem to our Housing Director. It's a very serious problem to us in East Orange because of the Urban Renewal Programs which have been stymied in the Fourth Ward because of the proposed East-West Freeway route.

7. What volume of traffic will be displaced to our City streets if tolls are placed on the Garden State Parkway?

I was interested in the question this morning as to "What is a fair toll?" Is it 10¢, is it 15¢? Mr. Tonti said it will be less than 25¢.

8. Where will the toll booths be located? What type of booth will be used?

9. How would present points of ingress or egress be affected? Which, if any, would be eliminated?

10. What service roads would have to be widened and how much property would have to be taken?

11. What changes in City streets would be necessitated to complete the service road program?

12. What other streets, City or County, will have to be widened,

and what service roads must be extended to handle the increased north-south bound traffic through our local streets?

And a very important item, what is the cost of these improvements, if they should be needed? I remember in 1947 when our County Engineer estimated that it was going to cost $47 million to widen Grove Street.

13. Who is going to pay for the cost of widening any north-south streets which widening may be necessitated by traffic displaced by placing of tolls on the Garden State Parkway?

14. What provision will be made for parking which is lost because of taking land and because of extending the ban on curb parking now permitted on service roads?

15. What will be done with air rights over the Freeway and Parkway which might be used for parking plazas or other types of construction?

16. How will the new traffic patterns and requirements be affected by the crosstown connector in Newark between the Freeway and Route 22?

17. How will a timetable for construction fit in with other highway construction in the area and especially urban renewal projects.

18. Who will pay the cost of connecting neighborhoods or island areas that are severed from neighborhoods such as that which will be created in the South Burnett Street area in East Orange and in the extreme eastern end of our City between the DL&W Railroad and the proposed East-West Freeway Route?

19. Who is going to bear the cost of extra policing - and we've had that problem ever since the Parkway was constructed and opened at Central Avenue, every morning and every night. Even though it's a county road it has become a City obligation. Who is going to bear the cost of extra policing, traffic signals, loss of shade trees, curbing, sidewalks, utilities and other services?

I am told by a City Forrester that using the average price of $2.50 an inch for a tree, that we will lose on Grove Street alone, if that should be widened and we have every reason to believe that it will be necessary to widen it, - we will lose, at cost, for the City of East Orange about $75,000 in trees alone, in addition to the damage being done to our properties because of removal of those trees.

20. Is $13,000,000 sufficient to do what is needed to protect the local Essex County communities and does it contemplate the $4,000,000 that is estimated for a completely depressed Freeway in East Orange?

21 What range of improvements is contemplated for the remaining $25,000,000; and how much is allocated to each community?

The question has been asked of me very frequently, "What does the County Engineer say about this bill and the provisions in it?" I have to be very honest, and when I asked the County Engineer he told me he was never consulted so he couldn't give me any answer.

These are some of the questions we have asked. We have been advised that the answers cannot be given until plans are completed and a survey made of the entire area. It is estimated that such a survey will cost $200,000, and I was further advised that it was absolutely necessary to get this Bill passed before the $200,000 is spent. As I see it, the work that is contemplated by this Bill, A-487, is either part of a Federal Highway program or will be the result of a Federal Highway program. I strongly believe that the sum of $200,000 should be allocated to the State by the Federal Government from a fund which I understand is in effect by the Federal Bureau of Public Roads for just such a purpose. I telephoned our United States Senator in Washington, The Honorable Harrison A. Williams, Jr., to get additional information on this subject, and under date of March 24, he answered me as follows: (I will now read in part the sections of his letter that are pertinent.)

"I discussed with officials of the Bureau of Public Roads your inquiry about use of the Federal Highway Program's 1 1/2% research and planning funds. In particular, I went into the question of restrictions on their use to study the impact of highway projects on local communities involved."

"It was the Bureau's view that a study of highway impact -- such as you envision for the East Orange area -- could certainly be part of an annual program. In fact, they recalled that such studies have already been made by some states under the 1 1/2% program. Providing the funds are available, a State Highway Deparment can include such a project in the annual program submitted to the Bureau for approval."

"According to the information available to the Bureau here in Washington, there is a balance for New Jersey of about $2,500,000 for the period

from now through fiscal year 1962. This includes some 1.1 million dollars for the current fiscal and some 1.3 million dollars for the fiscal 1962 year. In summary, I might add that the Bureau's experts stated such economic impact funds are not only permissible but are in general a very desirable use of highway planning funds under the 1 1/2% program."

That is the end of the letter from United States Senator Harrison A. Williams, Jr., of New Jersey. I therefore, ask another question, "Why cannot the cost of this survey estimated at $200,000 come from the very fund that the Federal Government has allocated for just such a purpose? Why is this Bill so urgently needed when such important planning information is not available to the communities, but can be made available through the use of these Federal Highway funds?

In further conversations with the Heads of our various Departments, I asked them to advise me as to what are some of the dangers if the East-West Freeway -- Parkway interchange complex is not planned properly. Here are some of their replies:

If the Freeway is elevated from South Burnett Street to North Maple Avenue, it will destroy for all practical purposes the Munn Avenue Presbyterian Church, the Calvary Baptist Church and the First Baptist Church. Our main Library will fall under its shadow. We will suffer an enormous disfiguring barrier right through the geographical, cultural and civic heart of our City.

We are told of the immediate need of the East-West Freeway, and I do not doubt the reasons given. However, exactly two years have passed since we had a Public Hearing at the Mosque Theater in the City of Newark. At that time, our City

officials spoke for more than six hours to show the many different ways in which a structural monstrosity as an elevated Freeway would damage our civic, social and economic life in East Orange. I think the entire record of that Hearing should be placed at the disposal of this Assembly Committee.

We, in East Orange, can talk from experience about elevated structures for we have been living with the elevated D. L. & W. Railroad tracks for more than 40 years. We know from experience the damage and blight that this structure has caused our City. It has been estimated that to completely depress the Freeway under the Garden State Parkway would cost in the neighborhood of 4 to 5 million dollars. / Mr. Gray this morning said between $3½ and $4 million. It sounds like a lot of money, and it is a lot of money. However, when you realize that this sum is to be amortized over a century or more in better living for this generation and for generations to come, it is an irresistible cheap bargain for what we would obtain in human values.

Poor planning could overwhelm our streets and create problems of chronic traffic congestions beyond our power to correct. Streets might be dead-ended. Inadequate alternative routes for displaced traffic might result. For example, if plans are not made to keep traffic moving through Munn Avenue, our difficulties on that street could be magnified to the point where the great residential apartment buildings would cease to attract tenants. This could deal our City an economic blow from which we might never recover. Just think, that on South Munn Avenue between Central Avenue and Main Street, a distance of less than 1/2 mile, we have more than 2,000 families. Munn Avenue is just one block away from this building and parallels the Parkway. An elevated Freeway would be one more barrier for the

most densely populated street in the City. We must remember that East Orange is less than 4 square miles in area. With our population estimated to be 90,000, we have the most densely populated City, with the possible exception of New York City, in the Country. Recent census figures show New Jersey to be the most densely populated State in the Union, with the greater population concentrated in Northern New Jersey. Returning to the Munn Avenue crisis, it is important to get these 2,000 families to work, to school and to the shopping areas; they cannot be isolated from highway planning. It is all part of the same package. Poor planning can make islands out of neighborhoods and institutions. I have already mentioned that such a possibility can become an actual reality in the lower Main Street business area between the D. L. & W. and the proposed East-West Freeway Route.

Our Police Chief has reminded me that the barriers of an elevated roadway and the resultant islands could cause perfect harboring places for undesirable elements and a dangerous area for pedestrians. We would certainly want to plan to keep as much visual exposure as possible in these sections so that police protection can be kept at an effective level.

You must remember that this is one of the reasons, gentlemen, why we do not allow overnight parking on our streets and it has proven to be very beneficial in the reduction of crime.

We could, I suppose, entrust the details to the highway engineers; but as John T. Howard of the Massachusetts Institute of Technology said, "It does not belittle them (meaning highway engineers) to say -- that, just as war is too important to leave to the generals, so highways are too important to leave to the highway engineers". For that reason, specific detail should be spelled out in any highway bill.

Although the engineers know their designing and construction, we at the local level know, I think, our particular area far better and the damage that can be done and result by faulty engineering and faulty planning.

I have complete confidence in our present officials but what about their successors? Who will they be: What will be their thinking? The thinking of highway officials apparently changes quickly and frequently. Prior to the Public Hearing held two years ago, in answer to one of my questions, I was advised that the Federal Highway program prohibited an interchange with a toll road. This policy must have changed for that is exactly what the Highway Department is now planning. How could something that was impossible two years ago suddenly become available when there has been no change in the regulations during that two year period?

In all fairness, I know that during this two year period much progress on this subject has been made by our State Highway Department. In my first conference with Commissioner Dwight R. G. Palmer in 1959, after I was elected Mayor, but prior to the Public Hearing, he advised me that the thinking of the Federal Bureau of Public Roads at that time was for a completely elevated East-West Freeway throughout Essex County. The thinking of the Bureau at that time was that their important job was to move traffic and that it made very little difference to the average highway user whether the road was elevated or depressed. I believe there is some truth to that statement. We know from our own personal experience that drivers who get on the Garden State Parkway at Central Avenue in East Orange where the Parkway is depressed, care little that the next east-west thoroughfare, be it Bloomfield Avenue or South Orange Avenue, is elevated. The driver's main

concern is getting from East Orange to the shore in 1 hour 10 minutes or to drive into New York in 40 or 45 minutes. I believe we owe Commissioner Palmer a deep debt of gratitude for the effort he has expended with the Federal Bureau of Public Roads to get a depressed East-West Freeway. The fact that we now have a firm proposal, with the exception of that portion going over the Garden State Parkway, is a real accomplishment on his part. I trust and feel that Commissioner Palmer will continue his efforts and good offices to provide East Orange with a completely depressed Freeway.

Here, I again might point out the change in thinking of public officials, after they leave public office. Mr. Ellis L. Armstrong was Commissioner of the Federal Bureau of Public Roads until January of this year when he was replaced by President Kennedy's appointee. While in office, Mr. Armstrong had insisted that the East-West Freeway be completely elevated and he, too, apparently has changed his mind. Mr. Armstrong is now President of the Better Highway Information Foundation; and only on last Thursday at the Convention of the Association of Highway Officials, to which I have already referred, he is quoted as having said, "Today's highway program is a real testing ground of our democratic form of government and our ability to produce to meet our needs. We will never complete the Interstate system on schedule or keep up the necessary pace of improvements on the primary and secondary roads without public understanding and support". We know Mr. Armstrong never had public support from the people of Essex County for an elevated Freeway; but if he had taken the same attitude when he was Commissioner of the Federal Bureau of Public Roads as he expressed at the Convention last week, the East-West Freeway would be completely depressed through our City, and it would have been under construction many months ago.

A bond issue of $38,000,000 has been publicized very freely. There is nothing in Senate Bill 102 or in Assembly Bill 487 that mentions anything about the cost of the work that is proposed in either of these Bills. The only information that I have received regarding this $38,000,000 bond issue was in a news release dated February 12th. If either of these two Bills should pass and is signed by the Governor, how do we know how and where the $38,000,000 will be spent?

It is for this reason that I urge priority be given to drawing up full plans for the Freeway, the service roads, the points of ingress and egress, the interchange, the improvement to service roads, and all other features which are anticipated that will be covered by the proposed expenditure of $38,000,000. I strongly believe that planning with local participation must precede the adoption of any legislation of the contemplated long range highway program, as provided in this present Bill. To help secure this participation, I recommend the amendment of existing highway legislation, and in particular R.S. 27:7-37 to require construction of any State highway to conform as nearly as practical to the plan of improvement of the communities through which it passes. This section has been on our Statute books for over 30 years, and makes it optional for the State Highway Commissioner to conform highway plans to local plans. We have learned a lot about highway construction in the past 30 years and by simply changing the above mentioned Statute to say the Commissioner "shall" conform as nearly as practical rather than just "may" conform, our legislators can establish as public policy a requirement that highway planning and local planning be integrated.

My next recommendation is that local municipalities which sacrificed tax ratables in the interest of highway construction, be spared the many additional expenses and

burdens which occur in the aftermath of construction. I am thinking of the cost of widening streets, extra cost of traffic control, restoration of parking facilities to replace present service roads where parking will be prohibited, loss of shade trees, and the salvaging of economically stagnant islands of land. It is for this reason that I ask you as legislators to provide protection to the communities to assure the recouping of many thousands of dollars of expense which our taxpayers would have to pay in order to facilitate passage through East Orange of residents from New Jersey as well as other states.

Next, I recommend a proposal presently being considered by Senator Harrison A. Williams, Jr., for use in the Federal Highway Act. Senator Williams has suggested that there be a Regional Council to advise on plans for highway, freeway and mass transportation, and that this Regional Council be composed of the chief executives of municipalities primarily affected. All plans would be reviewed by this Council; and while the Council functions would be advisory, it nevertheless, would provide machinery for securing the views of elected officials. I think that such a Council of the six or more Essex County municipalities through which the Freeway and Parkway pass would be most helpful to all concerned. To make the Council effective, however, access must be given to the plans of any proposal. Also, if planning funds from the Federal 1 1/2% fund which I previously discussed, could be made available to this Council, it would be possible to hire expert assistance to analyze and study the plans and seek necessary modification or amplification to safeguard local considerations.

We know right now, Gentlemen, that we will have to hire a firm of consulting engineers, and I'm sure they don't come very cheap, in order to go over the plans that may be given to us in the future, to

see how they will affect us. I think we can accomplish this by such a council, by using parts of the Federal 1½% funds.

We would then have more effective machinery for bringing local public opinion behind the highway program. It would dispel the fear of having designs for highway routes and types of construction forced down the throats of local residents.

I am aware of the impatience felt in many quarters to get this Freeway construction under way as quickly as possible. I want it distinctly understood, I am not opposed in any way to the construction of the East-West Freeway, but it is very important that we have the Freeway constructed properly. We are talking about the cornerstone of urban development which is our transportation network. We must be prepared to take the time necessary to set up the two way flow of information and ideas -- up from the municipalities and -- down from the National and State Agencies. We must consider people as well as concrete. We call upon you as our legislators to reshape our public policy at this juncture so that a highway program will be by the consent of the governed and not imposed on us from above. We submit that the recommendations made here today will give us partnership status in the future planning of our City and every other city in New Jersey.

Another part of the Bill which I would like to discuss at this time is the section regarding tolls. I am advised that tolls are necessary in the now toll-free section of Essex County in order to insure the complete amortization of the bond issue

from current Parkway revenues. I think Mrs. White went into that very thoroughly this morning. To fail to do this would place an additional burden on our State Treasury. We are told that these tolls are necessary because the Parkway is presently congested in the Essex area; and unless some relief is given in this area, the loss of through Parkway riders might result. I believe that I use the Parkway as often as the average person, with the exception of daily commuters, and from my personal experience, I find the congestion is not in Essex County but in Union County. The real problem, it appears to me, is between Woodbridge and Route 22. I realize that this section of the Parkway was built with Federal funds and that this section is estimated to have cost between 9 and 11 million dollars of Federal money. As a suggestion, I believe the Garden State Parkway Authority should give serious consideration to the repayment of whatever sum is due to the Federal government and place a toll booth at Route 22 where many of our out-of-state drivers exit to avoid the payment of any tolls whatsoever on the Parkway. This step, I feel, would relieve the congestion at that point.

And if anyone was traveling the Parkway last Sunday night, as I was, they would find out from personal experience that the congestion is in Union County and not Essex County.

Mentioned in this Bill under discussion, is a provision of $13,000,000 for depression. I think we must give serious consideration to the fact that the East-West Freeway is a federal highway - known as Route Interstate-280. I cannot see why it is necessary to collect tolls on a road in New

Jersey, against which the credit of the State of New Jersey has been pledged, to pay any portion of a Federal highway construction program. In a recent economic message to Congress, President Kennedy released $724,000,000 in Federal Aid funds for the remainder of the current fiscal year for improving the Federal highway program. We now have a new Federal Highway Commissioner in charge of the Federal Bureau of Public Roads. The new Commissioner was the former Highway Commissioner of the State of Missouri and has a record of advocating depressed freeways. And I like these fellows from Missouri because of the old saying, "I'm from Missouri."

It is my recommendation that immediate steps be taken to urge the release of $13,000,000 in additional Federal highway funds for the construction of a depressed Freeway with an additional request to cover the cost of complete depression throughout East Orange.

I am fully aware that Commissioner Palmer stated this morning that he has already been in touch with the Federal Bureau of Public Roads and that such a request had been turned down. Commissioner Palmer, with all his charm and salesmanship ability, I am sure can convince the Bureau of Public Roads that this is an absolute necessity so far as Essex County communities are concerned and I believe this $13,000,000 plus the $4,000,000 that may be necessary for East Orange should come out of the Federal program and not out of any funds received from placing tolls on the Parkway.

Since the East-West Freeway will be used by all types of passenger cars, commercial vehicles, tractors and trailers as well as busses, it is my honest belief that if an application is made at this time by our State Highway Commissioner to the Federal Bureau of Public Roads, it would be received much more favorably than any such request for this assistance has been received in the past.

We in East Orange know full well that we are part of the great Metropolitan complex, an area that some have described as one giant city stretching from Virginia to Maine. We know that Freeways, Parkways and Throughways are indispensable to save us from traffic strangulation. We join with all Americans in our desire to see the building of the roads that we need as a nation.

It is our earnest purpose today to ask that in accomplishing this great task that full use be made in behalf of the local municipalities of funds made available by the Federal government. We ask for the right to join in studying the impact of the Highways which will force great changes in our communities. We call out for a share in the planning which inevitably must be done first, before construction gets under way. We request you as our legislators to write into our law a public policy that recognizes these expectations. We, in turn pledge our cooperation towards achieving the overall objectives of improving our highway system. The general welfare will best and most quickly be promoted if there is an understanding not just of national and regional needs by the local communities but also of local problems by our State and Federal leaders.

At the present time, I believe Bill A-487 is premature and certainly incomplete.

At this time I want to thank the Committee for the opportunity of expressing my opinions, on behalf of the City of East Orange, on this very important piece of legislation. I also want to thank the residents of East Orange who have assembled here this morning and this afternoon, for their interest in our local problem. Your attendance is certainly very much appreciated. I also want to take this opportunity to publicly thank Mrs. Fred E. Carlson who worked so hard and is working so hard as Chairman of the Citizens Committee of East Orange for a depressed freeway. Mrs. Carlson has already turned over to the Speaker of the House and to the Chairman of this Committee petitions containing more than 5,000 names. Additional petitions are in circulation and will be presented at a later date by Mrs. Carlson.

Thank you very, very much.

ASSEMBLYMAN CRABIEL: Thank you very much Mayor Kelly for a very comprehensive presentation.

Do any members of the Committee have any questions to ask Mayor Kelly?

ASSEMBLYMAN SARCONE: Mayor Kelly, it is certainly obvious from your presentation what your position is in connection with the interchange at the Garden State Parkway and I know you are fighting to have it depressed, for these reasons which you have given.

MAYOR KELLY: I hope I didn't give the impression about having the interchange depressed.

ASSEMBLYMAN SARCONE: No, no, that is where it crosses over. Now, Mayor, you have referred to one of these bills, No. 487, as being - I believe it was your conclusion - premature. We also have pending a bill which was introduced by seven Assemblymen from Essex County, both Republican and Democrat, who have joined in this bill, Assembly Bill 512, which would make it mandatory that the East-West Freeway would be depressed, that is, depressed under the Parkway. Now, have you had the opportunity to review that bill?

MAYOR KELLY: I have. My suggestion is that you take that mandatory provision out of 512 and put it in 487.

ASSEMBLYMAN SARCONE: Actually, Mayor, the bills are very, very similar except for that provision and the provision --

MAYOR KELLY: Oh, no, not similar.

ASSEMBLYMAN SARCONE: -- and except for the provision in connection with trucks.

MAYOR KELLY: That's right.

ASSEMBLYMAN SARCONE: But what is it that you would object to in connection with 512?

MAYOR KELLY: 512 would give East Orange what we want and that's a completely depressed Freeway, but it would also take into consideration a portion of Bergen County that I know very little of. I am not at all familiar with the traffic count on the spur that you speak of on which trucks would be allowed. I think Mrs. White pointed out this morning that there are many objections to having the mixing of truck traffic and passenger traffic on a toll road and I think

there is some merit because I do believe that it does pose a problem, especially for women drivers.

ASSEMBLYMAN SARCONE: Then, Mayor, is it a fair statement to make that if that portion of the bill were removed as far as the trucks, you would be in favor of 512?

MAYOR KELLY: If you relieve that portion of the bill, you have no bill because you provide - at least, it's supposed to provide - for tolls that are collected on that portion of the Parkway to pay for the complete depression in East Orange. I believe that we can get this thirteen million plus the additional sum, as I said in my talk, from the Federal government.

ASSEMBLYMAN FLYNN: Mayor Kelly, you said you know from this morning's conversation with Commissioner White that there are people against this portion of the bill.

MAYOR KELLY: I had no conversation with her. It was her testimony.

ASSEMBLYMAN FLYNN: You know of no request for this sort of legislation as far as trucks on the Parkway?

MAYOR KELLY: It is included in 512.

ASSEMBLYMAN FLYNN: Sir, what I mean, you say your knowledge of this whole thing is limited as far as that part is concerned.

MAYOR KELLY: That's right.

ASSEMBLYMAN FLYNN: As far as you are concerned there is only that one difference between the two bills?

MAYOR KELLY: Well, there is the advantage in 512 as far as East Orange is concerned against 487 in that it makes the

construction mandatory of the State Highway Department. We don't have that in 487.

ASSEMBLYMAN FLYNN: I see. There is also the small word, but it is how it is interpreted, "adequate" as far as the service roads are to be designed and I believe - as I say, it is only a small thing , but it does depend on how it is interpreted, which 512 also has. I believe that the Commissioner this morning also said that she wasn't really too well aware of what the circumstances were on that Bergen County part in her conversation with Mr. Wilson.

MAYOR KELLY: Well, from the testimony this morning I gathered that traffic could be improved there, but it was undesirable to have truck traffic.

ASSEMBLYMAN FLYNN: Thank you very much.

ASSEMBLYMAN D'ALOIA: Mayor Kelly, as I understand you, you testified that if Assembly Bill No. 487, which is my bill, were to be amended to depress the Freeway under the Parkway, you would be in favor of the bill, is that correct?

MAYOR KELLY: I don't think I would be in favor of any bill, Mr. Speaker, until we knew what the bill was going to do to us. I don't think we can buy a blank check or give a blank check or buy a pig in a poke. How do we know how it is going to affect East Orange? I think we should have plans and specifications and surveys available to our engineers and to other communities to know where these service roads are going to be placed. Once this bill is passed, even if we got the money from the Federal government, I doubt whether it wouldn't be mandatory on our State Highway Department to do just the thing we don't want done. And, as I say,

I am not worried about our present Highway Commissioner or about our present Director of the Parkway, but what about their successors? I think I have proven by Mr. Armstrong's statement that sometimes these people change their minds.

ASSEMBLYMAN D'ALOIA: In other words, neither bill would be acceptable to you?

MAYOR KELLY: Oh, certainly, if you get proper protection. in either of these bills.

ASSEMBLYMAN D'ALOIA: Now, 487, with an amendment in it carrying a complete depression ---

MAYOR KELLY: You don't mean a depressed amendment?

ASSEMBLYMAN D'ALOIA: My bill, 487, with an amendment carrying a completely depressed Freeway through East Orange - what would be your attitude as to that?

MAYOR KELLY: It would be very, very helpful to us. I would certainly like to see more to it ---

ASSEMBLYMAN D'ALOIA: That would be helpful?

MAYOR KELLY: That would be very helpful.

ASSEMBLYMAN D'ALOIA: One other thing, Mayor, I notice you talk about the Assemblyman from Union County, I would suggest you don't interfere with him, you know, since reapportionment, which I objected to, they are getting more powerful in Union County.

ASSEMBLYMAN CRABIEL: Very well, thank you very much, Mayor Kelly.

I am going to recall for the purpose of clearing one question, Commissioner Palmer and his Chief Engineer. I want to point out that we do not expect Commissioner Palmer to answer the twenty

questions posed by Mayor Kelly because I believe that can be worked out between the Committee and the Commissioner and the Mayor, and there are some very patient people here waiting to talk and I know if we attempt to answer those twenty questions, it is going to be very late. So, Commissioner, I would like to recall you for the purpose of asking that question and the Speaker has a question to ask and that would be the extent of the testimony.

COMMISSIONER PALMER: May I ask, sir, if it is in connection with the cost of the underpassing?

ASSEMBLYMAN CRABIEL: Yes.

COMMISSIONER PALMER: May I suggest that Mr. Bruce and Mr. Gray, both of whom are prepared to make statements, and Mr. Fritzsche cover that specific point.

ASSEMBLYMAN CRABIEL: Very well, we will have Mr. Bruce, Mr. Gray and Mr. Fritzsche, and then the Speaker has one question he would like to direct to you, but let's clear this question first.

Gentlemen, through you, Commissioner, this morning Senator Fox raised a point on the cost and several of the other members of the Committee have raised a point on just what was meant when we were talking about the cost of depression. I believe I asked a question as to whether this covered just going under the Parkway or whether this covered the entire interchange. I would like to hear from your engineers exactly your estimated cost and exactly what you are talking about.

COMMISSIONER PALMER: Mr. Fritzsche, would you take the lead on this, please?

MR. FRITZSCHE: The reason there was confusion

morning was because Mr. Gray only made the estimate for going under the Parkway or over and was not involved in the estimate for the interchange connection. Parsons-Brinkerhoff did that part of it. Therefore, he gave an answer of three and one-half to four million going under the Parkway as a differential in cost between that and going over. Added to that must be the cost of the interchange connection which, I think, Mr. Bruce would be better able to answer, but I think he said the amount was ten million three. Is that right?

MR. BRUCE: Yes.

MR. FRITZSCHE: So that you have a total of three and one-half and ten million three, or thirteen eight or fourteen million.

ASSEMBLYMAN CRABIEL: Now, Mr. Fritzsche, when you mentioned 13 million eight, are you talking about the total cost of the interchange or is that the additional cost of the interchange, as to whether it was depressed or over?

MR. BRUCE: Let's just imagine the Freeway was to go across the Parkway with no connection to the Garden State Parkway whatever, and Mr. Gray's estimate of the additional cost for depressing that main line alone under the Parkway is three and one-half to four million dollars. Now, when the Garden State Parkway of the New Jersey Highway Authority was called into this effort with regard to the cost of connecting the two highways by the Authority, that cost totalled is ten million three.

ASSEMBLYMAN CRABIEL: Now, you haven't quite cleared my point. That's the total cost. Now what is the difference in cost as to

whether that were a connection made from a depressed highway or from a highway going over?

MR. BRUCE: The difference in cost, either depressed or elevated, as far as the interchange of the Parkway is concerned is still Mr. Gray's three and one-half to four million dollars.

I think I can clarify it. If you build the East-West Freeway and a complete interchange with the Garden State Parkway, no matter who provides the funds, the cost of the project with the Freeway depressed and interchanging with the Parkway will be three and one-half to four million dollars more expensive than the cost of the project with an interchange to the Parkway elevated.

ASSEMBLYMAN CRABIEL: Are you saying that there is no difference in the cost of the connection to the Parkway no matter whether the East-West Freeway is put under the Parkway or goes over the Parkway?

MR. BRUCE: At this time I would think the cost differential of the Parkway's interchange, whether the Freeway were depressed or elevated - there would be a difference - it would be rather minor - it would be more expensive if the Freeway were depressed.

ASSEMBLYMAN CRABIEL: Very well. Mr. Speaker.

ASSEMBLYMAN D'ALOIA: This question is directed to Commissioner Palmer and the total entourage. I would like to clear the record now in so far as a depressed highway is concerned. Now, as I understand the testimony, if we are to depress this highway through the City of East Orange, it is going to cost between three and one-half and four million dollars more than the estimates heretofore given. Am I correct or am I wrong?

MR. BRUCE: Correct.

ASSEMBLYMAN D'ALOIA: I am correct. Now, has it been suggested by anyone that this money could not be made available, Mr. Palmer?

COMMISSIONER PALMER: Yes, it has.

ASSEMBLYMAN D'ALOIA: By whom?

COMMISSIONER PALMER: By myself for one person; by our financial advisor, another; and by the absence of sufficient funds in the 38 million to stand any additional cost of construction.

ASSEMBLYMAN D'ALOIA: Would you say this, that your present request is for approximately a 38-million-dollar bond issue?

COMMISSIONER PALMER: Correct, sir.

ASSEMBLYMAN D'ALOIA: And if there were three and one-half million or four million put on that, that would be a 42 million-dollar bond issue? Would that make any difference on whether you would be able to finance it or not?

COMMISSIONER PALMER: In the minds of our fiscal advisors, one of whom is here and who would be glad to speak on that point, it would - it would make a substantial difference.

ASSEMBLYMAN D'ALOIA: Do you think you could borrow any funds from your State Highway Department? I know you deal in a tremendous amount of funds.

COMMISSIONER PALMER: Mr. Speaker, I would like to point out that the Budget Director and the Legislature have already borrowed five million one from the Highway fund this year to balance the budget and in addition to that, in so far as transit is concerned, the Highway Department has been called upon to

finance mass transit. Our money, where we were supposed to receive twenty-odd million from a gas tax for the purpose of financing non-Federal projects, has been cut back to around twelve million. So that the Highway Department, speaking in the lore of the church, is sort of a church mouse at the present time.

ASSEMBLYMAN D'ALOIA: A church mouse with all those millions?

COMMISSIONER PALMER: Well, sir with the demands that are made upon us and our recognition of needs, the millions fade into oblivion in short order.

ASSEMBLYMAN D'ALOIA: In other words, Commissioner, if I understand you correctly, you would be opposed to a bond issue for, say, 42 million dollars in order to take care of the situation?

COMMISSIONER PALMER: I would not be opposed, but I have been advised that the amount of bonds that can be floated in this project and be financed could not be extended beyond the 38 million.

ASSEMBLYMAN D'ALOIA: If you would not be opposed, would you be in favor?

COMMISSIONER PALMER: I would only be in favor if I had the facts in front of me.

ASSEMBLYMAN D'ALOIA: Is your financial man here?

COMMISSIONER PALMER: Our financial man is here, Mr. McKelvey.. Would you come and respond to this inquiry?

ASSEMBLYMAN CRABIEL: Mr. McKelvey, would you please identify yourself?

GEORGE MC KELVEY: Yes, I am George McKelvey, Financial Advisor to the Garden State Parkway.

ASSEMBLYMAN D'ALOIA: What is your attitude about this, Mr. McKelvey? I am referring specifically to this fact: The proposal is for a 38-million-dollar bond issue. The question is: If we change the bond issue and add four million dollars to it to accommodate the people of the City of East Orange, would that have any effect upon the bond issue?

MR. MC KELVEY: From the information that we have up to now, I think it would. I think that 38 million is as high as the Parkway would dare to go in borrowing and still maintain the proper coverage for the new debt that would have to be issued.

ASSEMBLYMAN D'ALOIA: Well, what do you base that on?

MR. MC KELVEY: So many intangibles that it would be pretty hard to outline in a public meeting, but finalizing actual cost of construction, we don't know under inflation exactly what the rise in maintenance and operating cost is going to be over the next period of years. We have some estimates given to us on revenues. We may fall short of those revenues; we may go over. That is where a complete origin and destination survey will help us. We have in the trade, in the bond trade, certain requirements that are laid down to us by institutions on debt service coverage before they will buy a bond issue. Add all these intangibles up, and you have a rather formidable something to deal with - plus the fact that this is going to be, if it comes to pass, a subordinated bond. It is not going to be in the same investment category as the outstanding bonds today. And every million dollars that you would add to this debt structure would just make the bond issue that much harder to sell.

ASSEMBLYMAN D'ALOIA: On the present suggestion of a

38-million-dollar bond issue, in your opinion as a financial advisor would that be a triple A bond, a double A or single A?

MR. MC KELVEY: No, sir, this would be an absolutely non-rated, subordinated, second-lien bond.

ASSEMBLYMAN D'ALOIA: And you have no trouble in selling them at 38 million?

MR. MC KELVEY: Well, we will have difficulty, yes, but we think we can handle 38 million.

ASSEMBLYMAN D'ALOIA: Now, how long is the bond issue for?

MR. MC KELVEY: That is open and it would be finally adjudicated by discussion with the buyers themselves, but the thought was to make it run - make a new bond issue run several years beyond the present debt, particularly the debt which is guaranteed by the state so that the state would gets its funds all back and paid off before these subordinated bonds really cut into the revenue, say, 1990, 1991.

ASSEMBLYMAN D'ALOIA: How many years would that be?

MR. MC KELVEY: Thirty-one, thirty-two years.

ASSEMBLYMAN D'ALOIA: Now if that bond issue were extended for a few years, could we get the four million in that way?

MR. MC KELVEY: No, it does not reduce your over-all coverage, even if you extended it out to thirty-five years, which is the law.

ASSEMBLYMAN D'ALOIA: Thank you very much.

ASSEMBLYMAN CRABIEL: Mr. Bruce, I just want to go back to my question to you. As I understand the premise of saying the East-West Freeway will cost more to go under -- your basic premise

is based on the fact that, number one, you have to go down 40 feet in the ground; number two, you will disturb so many more utilities and you will possibly hit rock and it will be more expensive than providing a dirt fill. If that is the premise - plus the fact that you must handle temporary traffic on the Parkway -- if that is the premise of arriving at the three and one-half to four million dollars additional, why do you say to me that if you are going to build this massive interchange which will have to dive down rather than stay even, you won't have to interfere with more utilities, that you won't have that expensive construction on the interchange itself and that the interchange itself wouldn't cost more if you went under the Parkway?

MR. BRUCE: I don't want anybody to get this impression. The interchange will cost more in itself if the main line of the Freeway is depressed. However, that additional cost is relatively small compared to this three and one-half million to four million dollar figure.

ASSEMBLYMAN CRABIEL: Very well.

SENATOR FOX: Mr. Chairman, may I ask a question?

ASSEMBLYMAN CRABIEL: Senator Fox.

SENATOR FOX: I have just been discussing with Assemblyman Bate here -- I would like to address this as a joint question from Assemblyman Bate and myself to the financial expert. Who would that be?

COMMISSIONER PALMER: Mr. McKelvey.

SENATOR FOX: It is our impression that this morning the statement was made, assuming the completion of this entire project -

and we will assume that it is depressed - that the yearly income with the imposition of tolls on the Parkway, discharged of all of the impediments that flow at the present time from congestion, would bring about an increase of $5,000,000 annually. Do you recall that statement?

MR. MC KELVEY: I do.

SENATOR FOX: And then, in addition to that ---

MR. MC KELVEY: That was in 1970.

SENATOR FOX: All right, 1970. What do you mean, $5,000,000 up to 1970 or $5,000,000 annually?

MR. MC KELVEY: It starts off lower and builds up to $5,000,000 by 1970.

SENATOR FOX: All right. We will take your premise. It builds up in 1970 - this is 1961 - to an increase of $5,000,000 annually. Correct?

MR. MC KELVEY: Correct.

SENATOR FOX: Then in addition to that, you have $500,000 or a half million dollars that will accrue annually with the tolls in effect. Correct?

MR. MC KELVEY: I believe the $500,000 is included in the $5,000,000.

SENATOR FOX: Well, that wasn't stated. According to my understanding and Assemblyman Bate's that was an additional half million dollars. But let's eliminate that half million -- rather not eliminate it - that's too much to eliminate - let's include it. Taking that into consideration, do you still contend that it would be impossible over a reasonable period of time to

increase this $38,000,000 to $42,000,000, including the $4,000,000 that has been indicated would be necessary to depress, with this considerable increase in income that you are going to have?

MR. MC KELVEY: Senator Fox, I have to break that into two parts, if you don't mind. The slow increase of revenue which builds up to about $5,000,000 by 1970 has to take care of two things. It has to take care of the service on the bonded debt and it has to take care of a definite flow of funds which must go to the Parkway for rehabilitation, re-establishment of facilities, improvements of facilities, none of which are included in our regular maintenance and operation budget.

SENATOR FOX: I am talking about at the completion of this project, including the extension of the service roads, the taking into consideration of all of the figures that have been given to us up to the present time, which includes the increase in the service roads.

MR. MC KELVEY: Yes, this is not a service-road proposition, Senator. This is improvements up and down the length and breadth of the Parkway, such as eventual three lanes up in Bergen to take care of the Bergen Expressway traffic, such as improvements which have to be done at 127 - that's just north of the Raritan River - items which were in the original Parkway specifications, but which have never as yet been done.

SENATOR FOX: Of course, that's what misleads us. None of these things are given to us nor have they been explained to us.

MR. MC KELVEY: That is why I say I have to break it into two parts. You do have service on the bond issue and we have allowed that $38,000,000 seems to be the maximum that we can handle in the

way of a bond issue from the increase in funds plus the engineers' estimates of what we need on the Parkway over a period from now through until 1970 or '71 for what has to be done to handle the additional traffic that is going to come on.

SENATOR FOX: Let me ask you this: You have set 1970 as the ultimate year in which this will build up to an annual increase of $5,000,000. Correct?

MR. MC KELVEY: That's right.

SENATOR FOX: You have included the half million dollars. After 1970 this annual increment of $5,000,000 would continue, would it not?

MR. MC KELVEY: Yes.

SENATOR FOX: -- to the best of your estimates?

MR. MC KELVEY: Yes.

SENATOR FOX: I don't know, I am a bit of an amateur, but it would certainly seem to me with that annual increment building up to 1970 and the continuation of that $5,000,000 per year, after taking into consideration all of the facts that you have set forth, it would appear to be more than ample to carry an increase of $4,000,000 in this $38,000,000.

MR. MC KELVEY: Well, we would be glad to go over the figures with you, Senator, but it works out that way. You have a debt service charge that has to be met. You have certain improvements which have to be made on the Parkway as the Parkway goes along in the future. There is nothing covered up or hidden in these figures, except one item, which if you don't mind, sir, I would like to bring out, and that is, that if this change in the elevation comes

to $4,000,000, three and one-half or $4,000,000 cost, you would have to finance that amount during the construction period by putting up four and one-half years' interest, which is another $900,000. So add that on to your $4,000,000. That is just a financial consideration.

SENATOR FOX: Do I imply from that then, that it would be closer to $5,000,000?

MR. MC KELVEY: Definitely. When you add the financing cost to it ---

SENATOR FOX: You say there is an additional million from what we were given this morning?

MR. MC KELVEY: That's correct, sir, because when you build a project like this, you have to finance the interest to be paid on the debt. Interest on $4,000,000 of debt, let's say at 5 per cent, is $200,000 a year; for four and one-half years that is $950,000.

SENATOR FOX: Well, I want to get something straight. Pardon me, Mr. Chairman; is it all right?

ASSEMBLYMAN CRABIEL: Proceed, Senator Fox.

SENATOR FOX: Now, are we up to $5,000,000 now?

MR. MC KELVEY: If the gentleman's cost is $4,000,000 for just the actual work and the engineering and its contingencies, I have to add in $950,000 as a financing charge on top of it to put up the interest to be paid on the bonds during the period of construction. If the Federal Bureau pays it, no, but if the Parkway does it, then I have to add $950,000 on to it.

SENATOR FOX: All right, then. This we can assume is

correct, sir. We were talking about $4,000,000 before. Now in your opinion, it is not going to be four, but it's going to be five?

MR. MC KELVEY: Add $950,000. That's right.

ASSEMBLYMAN SARCONE: Mr. McKelvey, do you think you could prepare for us a financing proposal in which you would include the three and one-half million to four million dollar cost item under a bonding issue - and I am not asking you to do it at the moment, but when you can get it to the Committee - which will include all the tangibles and intangibles so this Committee may take it into consideration?

MR. MC KELVEY: I don't see how that can be done. I am not trying to be obtuse; I am not trying to be an objectionist. But until we can come through with a final study so that we know where the traffic is going to hit the Parkway, where the tolls are going to be charged, what the tolls are going to be, it is pretty hard to pinpoint anything. For instance, if I might cite a discussion - and this is out of my bailiwick - a discussion with one of the engineers and one of the traffic engineers, the problem arose as to one certain ramp and putting tolls on that ramp and what that toll might be. We were kicking it around amongst ourselves. One engineer said "If the traffic isn't going to hit that ramp, if, for instance, we find from our survey it is going down the East-West and not coming down Bloomfield Avenue, then we are not going to have to change that ramp and we are not going to worry about any enlargements and we are going to save money there." These are the intangibles that are up in the air until we get this origin and destination study made.

ASSEMBLYMAN SARCONE: Therefore, as I understand it, you require the engineering study first. Is that right? Is that what you are telling us?

MR. MC KELVEY: I would think so.

ASSEMBLYMAN SARCONE: Based on these facts, you can then submit a plan?

MR. MC KELVEY: I would think so, yes, sir.

ASSEMBLYMAN SARCONE: Now, did you assist in the arriving at the figure of $38,000,000? Did you participate in that?

MR. MC KELVEY: Yes, sir, indeed.

ASSEMBLYMAN SARCONE: On what was that based? You must have had information to arrive at that figure. On what did you base that?

MR. MC KELVEY: Well, we based it on what our costs are going to be as near as we can judge from our preliminary information.

ASSEMBLYMAN SARCONE: And is that information available?

MR. MC KELVEY: That was given this morning - $13,000,000 for the depression - $13,000,000 for the cost of the interchange, the improvements on the service roads, installing the toll booths where they have to be, and the balance to go for the financing charges, setting up the interest on the debt and the other Parkway costs.

ASSEMBLYMAN SARCONE: So you came to the conclusion in so far as financing is concerned that this was a safe figure, $38,000,000?

MR. MC KELVEY: That's correct.

ASSEMBLYMAN SARCONE: Yet in response to Senator Fox's question, you indicated that $42,000,000 would not be safe financing -

would not be good financing. Is that correct?

MR. MC KELVEY: I said as far as I had been able to determine from the preliminary figures and studies that have been made that $38,000,000 is as far as I would care to go out on the end of a limb and tell the Parkway, go ahead. I would not want -- as a matter of fact the figure I had set was $37,500,000. They raised it to $38,000,000 while I was in the hospital.

ASSEMBLYMAN SARCONE: Would you, please, submit to the Committee the detailed information on which you predicated your figure of $37,500,000, which would be a figure that you would recommend?

MR. MC KELVEY: I think that could be done, yes.

ASSEMBLYMAN CRABIEL: Very well. Mr. Flynn.

ASSEMBLYMAN FLYNN: Mr. McKelvey, could you tell us on an additional, say, million-dollar-a-year income, how much more you could raise the bond issue - on one million dollars more income?

MR. MC KELVEY: One million dollars more of income?

ASSEMBLYMAN FLYNN: Yes.

MR. MC KELVEY: May I answer that backwards? Well, on four million dollars more of debt, it would take $305,000 a year additional income to amortize that debt over the period that we are talking about.

ASSEMBLYMAN FLYNN: For an additional $4,000,000, it would take $305,000 a year to amortize that; is that correct?

MR. MC KELVEY: Wait until I see if I have my right figures here. That is approximately right - about $305,000, possibly $310,000 a year of additional income.

ASSEMBLYMAN FLYNN: Thank you very much.

ASSEMBLYMAN CRABIEL: Very well. Thank you, Mr. McKelvey and Commissioner Palmer and your aides.

I will now call Mayor Lovell of Irvington.

WILLIAM E. LOVELL: Mr. Chairman and Mr. Speaker: The position of Irvington in relation to these bills is not, I hasten to add, one of either approval or opposition as such. We are not in Irvington obstructionists. We are not unmindful that a highway facility has to be built. And we believe that the sponsors of the bill in recognition of the basic facts should be applauded for an attempt to develop a greater facility for all of us.

However, we have a great and dire fear, not of the bill, but of the timing. It has been related here today that one of the fears, which is ours also, is that after this bill becomes law and the construction is about to be begun, the answers to these questions that have been posed thus far - and they are questions that I have - will not then have been met and we will then face a very dire situation.

Mr. Chairman, I have given to you and the gentlemen of the Assembly a simple map of our community which is affected like East Orange, although frankly not as much and our sympathies go to the good people of East Orange who have this tremendous problem facing them. And from this map, you will be able to see very quickly our basic problem. The Garden State Parkway transects us from north to south. At one of our exits it spills off into Irvington 20,000 cars a day practically. Actually there are only about 20,000 cars in Irvington from the people themselves and

this amount comes pouring forth off of the highways of these exits.

Now, if you will notice the map, you will see marked in red and blue what we might call feeder roads. I hasten to add, however, that with exception of a piece of road about the length of this room, all of these roads antedated the Parkway and were not put there by the Parkway and the Parkway hasn't had a bloomin' thing to do with them. But they are the roads that apparently are supposed to take care of these ten thousand to twenty thousand cars a day who apparently, it is designed, should be kicked off the Parkway.

Now, it's bad enough to have a toll facing us, but the toll by itself isn't our problem. What are we to do with these ten thousand cars spilling off on our streets? We are advised - well, when the bill passes, the Highway Authority will have a public hearing - they will sit down with the local officials and all will be well. Well, that nonsense is what we were given once before and unless we have some study, picture, engineering or facts indicating what is to be done with these things, these vehicles, this traffic flow, we are going to be up the proverbial tree as per usual.

You will notice above the Garden State Parkway in the attendant feeder roads there are some dotted roads, one on top in blue, southbound; one in the bottom in red, northbound. They are respectively Stuyvesant Avenue on the west and Coit Street-Grove Street on the east.. Now apparently it is anticipated that this excess traffic kicked off the Garden State Parkway, if it cannot use these feeder roads, will go to Stuyvesant Avenue and Coit

Street.

Basically, our problems are these: Are these streets adjacent to the Parkway which are 30 feet wide going to be widened? If so, when they are widened - and there are houses alongside of them - are we to lose ratables all along there? And, if you will notice the circle in the middle of the map, this presents a problem in itself. There is one street 29 feet five inches wide, colored both red and blue on the map, which is Washington Avenue. That is the only road that can take both north and southbound in our community in its present direction if this pattern is to be used. As we go southerly, following the blue line towards Exits 143 and 142-A, we go over Union Avenue which is 30 feet, jammed at the present time. That would have to be widened, we assume. It would then shoot up Yale Avenue in a perpendicular direction for a few blocks - a 30-foot width street - until it hit Lincoln Place a residential area. We presume these would be widened. Then it would come back in the opposite direction, perpendicular again, going back toward the Parkway for a block or so to Crodick Place, 36 feet wide, and then go over Union Place to its mystical destination on our south border.

Conversely, going the other way, this line would take us through Union Avenue again, over Claremont and Bald, hit Irvington Center and go over this one street that would accommodate both northbound and southbound onto the Parkway.

We want to know, therefore, what is going to happen to these streets? Are these streets feeder roads? Are they marginal roads? Are they roads over which the Parkway would take authority and develop? What would happen to our citizens up along

these roads? Who is going to pick up the tab?

If these are not to be done and all we are going to experience is blockage by way of toll at out respective exits, what is to be gone, if anything, with Stuyvesant Avenue on the west and Coit Street and Grove Street on the east?

These things, with the 20,000 car spillover, represent a problem that Irvington can't afford. You are talking here about three or four million dollars which is imbalance as to whether this depression should be done, and, of course, it should. But three or four million dollars is certainly just about what we could expect to be losing in Irvington in order to accommodate this system. It strikes us that before the bill is passed, this is the ideal time to have the Highway Authority give us the answers to the questions we want: How is this thing to be done? And when you of the Assembly have the answers to the questions and perhaps would share them with us, then at that time we can go forward and see if we can't work out the solution to our problems that will not hurt anyone to any particular degree. I think it can be done, but it can't be done by the simple expedient of just passing a bill and letting this little community and other communities like it have to fend off the problems that the highway itself has created.

Lastly, I want to remind the members of the Committee that about ten years ago - and I won't go into history; I am mindful, Mr. Chairman, that you particularly noted that - but about ten years ago we were told in Irvington on one of these hearings that the Parkway had to go through our town and East Orange and so forth and couldn't go out in back of Second Mountain because we needed it to relieve local traffic. Statistics galore were given

to us by the Highway Department and we were convinced beyond the shadow of a doubt without this Parkway we never could handle our own local traffic. Now we are back, according to this, we are back exactly where we were a decade ago by being told that we shouldn't have the local traffic on our roads.

Therefore, I think the question of tolls, the feeder roads, the marginal roads and the answer to the questions surrounding the problems given rise by the map should be in your hands, Mr. Chairman and members of the Committee, so that we would know what we are going to be faced with.

I thank you for the opportunity of being able to participate.

(SEE NEXT PAGE.)

ASSEMBLYMAN CRABIEL: Thank you very much, Mayor.

Any questions.

MR. KEEGAN: No questions. I just want to thank the Mayor for his very fine presentation on this matter.

ASSEMBLYMAN CRABIEL: Mayor Steinmann of Bloomfield.

W A L T E R S. S T E I N M A N N: Mr. Chairman, may I say at the outset that we in Bloomfield are appreciative of the fact that the Assembly, and your particular Committee, have afforded us the opportunity of being heard.

Some time ago, a month or so back, there was considerable doubt in the minds of a number of the municipalities and the people in this area as to whether we would have the opportunity of being heard. I think that everyone in this room would agree, sir, that some of the information that has been elicited this morning has been most enlightening - obtuse in the way of enlightenment, I might say, so far as we in Bloomfield are concerned.

I have with me today, as well, sir, my Chief of Police who would like to talk about traffic problems, as well as my Town Engineer. However, you have suggested that they would be heard at a later time in the hearing and certainly we will abide by that.

ASSEMBLYMAN CRABIEL: That is correct. I want to explain that I have followed the policy of calling on each municipality and the Mayor therefrom, and I realize that many of you have been here all morning and have been very patient but I feel that this is the proper procedure. We will hear everyone, especially, Mayor, we will get to your representatives.

We don't want to preclude them from talking but we want to conduct this in an orderly vein.

MAYOR STEINMANN: Thank you, Mr. Chairman, we are very patient people, particularly concerning a thing that is important to us.

I would like to speak at the outset with respect to the East-West Freeway depression. We in Bloomfield are completely sympathetic with those of you in East Orange confronted with a problem. You see, we have lived with it for the past ten years. The Garden State Parkway in the southern end of our community is elevated. We have affectionately and not so affectionately called it in Bloomfield the Chinese Wall, and our commercial community - and we had a thriving commercial center not a block and a half from where this Chinese wall went through - is now something less than that. When we talk in terms of occupancy of stores and business generated in it - in fact, I dare say, guesswise, we have about a 40 per cent vacancy in that particular area right now. So we think it does have a vital effect on the community and certainly we are living testimony of it in the southern end of our town.

I would like to direct my particular thoughts today, however, to another segment contained in these Assembly Bills 487 and 512, and that is particularly as it reflects and affects the Garden State Parkway. Back in 1946, and I don't intend to bore you by going into history, but I would like to point up a few things that were said from 1946 to 1952, when a referendum was held in this county and in every other county of the State, where people were told as to what they could expect from a Garden State Parkway, this facility, what it would

cost, how it would be paid for. Back in 1946 we had Commissioner Miller, following what Mayor Lovell had to say earlier, suggesting that the Parkway should be put where it physically is because it would then take out, as he says, and I quote, "Essex County to be relieved of the traffic problems. The Parkway must be constructed between the Passaic River and the Orange Mountains. The route as proposed would do the least damage to properties, whereas if it bypassed East Orange through the mountains it could only add to the traffic confusion." And we hear from the Newark Chamber of Commerce in 1952 where they talk about, and I won't go into a quote on that, I'll make this all available to the Committee - where they talk about the fact that this is the generator of traffic, this particular area, and therefore the Parkway should be built through here to take intra-county traffic, if freeways were intra-county traffic.

And then we had in 1952, April 3, 1952, a newspaper article appearing in the Newark Evening News, and this is the year, the following year, a referendum was placed on the ballot for all of us in Essex County and in the State to vote upon. And back there - and I think this is most important, because the leader of the Essex delegation made some statements. He happened to be a gentleman who was from East Orange and his name was Joya. He was an Assemblyman and the leader of the Essex delegation and from this municipality, East Orange. He said that Essex was in greater need of traffic relief than any other section of this State. He noted that Oratan Parkway, which the county would surrender to provide a right-of-way for a Garden State Parkway between Irvington and East Orange, presently is a free artery built and supported by the county. Then it goes on to

say: "Another point raised was based on the history and basic purpose of the construction of Route 4 or the Garden State Parkway, namely, to provide a facility intended primarily for intra-state and intra-county traffic, and thus afford as much local traffic relief as possible. This is one of the differences in the conception of the New Jersey Turnpike, which is primarily for inter-county and inter-state traffic, to help accomplish the avowed purpose of the Parkway and to assure the local motorists in Essex County would not lose an existing free-county parkway, the amendment was offered to provide for the toll-free section of the Parkway." This by way of a little legislative history.

Then in November, 1952, the referendum was held. And I will not go into the referendum in detail as it appeared on the ballot, but just, if I may, allude to a document that was handed out to speakers who were going around the state and speaking in favor of the Garden State Parkway - what it would do - what its proposals would do. It is entitled "Here are the Facts." It was put out by the State Highway Department. On the final page of this, and this is the summary and it is documented throughout as to the statements made, here's what it says: "All the facts - What a 'yes' vote at the top of your ballot November 4th for the Garden State Parkway will do for you? Saves $80,000,000 in cost of financing the Parkway with revenue bonds." In other words, pledging the State's credit. "Assures the Parkway will pay for itself as a pay-as-you-go project." This is the basis on which it was submitted to all the voters of the state. "Guarantees the Parkway can be built without one cent of extra taxes. Guarantees

construction of the Parkway in three years instead of forty." And may I point out to those gentlemen on the Committee here who are from counties other than Essex, this is the sixth point made in this particular statement: "Channels $8,000,000 a year of State Highway funds formerly spent on the Parkway to other highway construction in all twenty-one New Jersey counties."

Then the referendum was held and,as you know, it passed. And in this county the vote was "yes," 149,979; "no," 56,567. And in Bloomfield and the specific area with which I am concerned, the vote was 11,000 "yes" in round figures and "no" 3600.

The reason I point out these figures - and you may say it is ancient history - the point I want to get across is this: We in Bloomfield do not take the provincial approach. We are not against for the sake of being against, if there be progress, if it does not mean sacrifice and sacrifice uncalled for in the sense of providing a sensible and suitable means of access north and south.

Now, we have heard a statement this morning by the good people from the Garden State Parkway - I have heard it in personal conversations - I have had communications with Mr. Tonti, the Executive Director - I have had communications with the State Highway Commissioner - I have had communications with the Governor - and they have all said "After these bills are passed, then we will consult with you and we will decide what is best." We have heard "fair and reasonable" tolls this morning as a quotable quote. And we have heard that they will consult with us. But may I submit this to you: I have been in office now seven years in Bloomfield. I was connected with this two years prior to that. And we had discussions. We had discussions with the New Jersey Highway

Authority until we were blue in the face as to interchanges, as to exits, as to improvements relative to the Garden State Parkway, marginal roads and exits, talking about the law, what the law said. They are talking now,"Give us this authority to float bonds and then we'll talk about what we will do in the way of improvements. We will then draw the plans."

May I point out something at this point? There is presently in the law that set up the Garden State Parkway the following provision, and I quote from R.S. 27:12B-20: It's entitled "The Garden State Parkway" authorized. It reads as follows: "The Authority, pursuant to the provisions of this act, is hereby authorized to construct, maintain, repair and operate a project to be known as 'The Garden State Parkway,' ..." Skipping down some things that are not pertinent, we get down to number four, contained in that same original paragraph, and it reads: "(4) shall not collect tolls on such project at Springfield avenue, Irvington or Belleville avenue, Bloomfield, or at any point between said avenues, except with respect to vehicles entering or leaving the project south of said Springfield avenue or north of said Belleville avenue."

Now, why did I read that? For this simple reason - this is the act - this is the law - under which the Garden State Parkway operates. To this day no one in this room, no one in this state, no one in this county has ever gotten off toll free at Belleville Avenue for the very simple reason even with the law that reads as this does, there is no exit at Belleville Avenue. You take into consideration northbound traffic. The last toll-free exit you have is at Bloomfield Avenue. I submit this to you -

this is the law - if you give them the blank check of going ahead and giving us plans later, if they won't even abide by the law of this state as it now exists, how can we go along and say, "Sure, here is the blank check; we are sure you'll do it next time"?

I submit to you that we have a problem, the state has a problem with respect to its traffic and where it is going. We are not unmindful of that, Commissioner Palmer or anyone else on the state level. But we are concerned about what it's going to do to our respective municipalities and this county. We have had all of these assurances before. Ten years ago we had them and they were not met. We'll lay that aside for just a moment.

You have doubtlessly read in the newspaper of a poll we conducted in East Orange. It has been variously alluded to by various adjectives depending upon what axe was ground by whom. What I would like to do at this point, if I may, with your permission, Mr. Chairman, is ask that these be distributed to your Committee and then I would like to refer in detail to them.

ASSEMBLYMAN CRABIEL: Very well.

MAYOR STEINMANN: That is southbound and this is northbound (indicating). While they are being distributed to the Committee, may I point out that our traffic engineer in Bloomfield suggests, and he has checked manuals of traffic engineering studies, that if you have a return on a poll of 20 per cent or more, you have a valid poll and an excellent return. We conducted an informal poll in Bloomfield at the exit at Bloomfield Avenue northbound and at the entrance at Bloomfield Avenue southbound.

Now a very legitimate question by members of this Committee might be: "Why are you as a municipality taking such a poll?"

Well, from the information I have received and we on the Bloomfield Town Council had received prior to our going into the poll business, we were told that no one on any level, any state agency, had any indication by way of study of what the flows were, what motorists might think, etc. We decided we would find out. Through that intersection - and my Police Chief will be alluding to it a little bit later - we had 22,000 cars a day and had considerable east-west traffic as well. So we decided to take the poll. We passed out 5,000 cards northbound and 5,000 cards southbound. And we did it, not trying to "load dice," if I may put that in, in quotes. We passed out these cards only during commuter hours and only during the rush hours because the intent of these bills is to prevent strangulation on the Parkway. So one point leading to the other, we felt it reasonable that if we were going to do such polling, let's take it at the times when people are talking about strangulation of the Parkway. So we distributed postcards with a return address back to us.

ASSEMBLYMAN CRABIEL: Mayor, could I interrupt you just one moment?

MAYOR STEINMANN: Surely.

ASSEMBLYMAN CRABIEL: I would like to make an announcement for Mayor Kelly. Any cars that are parked on Main Street must be moved before 4:30. You can take care of that and come back. Thank you.

MAYOR STEINMANN: We distributed these cards, and as I suggested, we distributed 5,000 in each direction. The questions were as follows:- and I will make available to the Committee as well the questions and the order in which they were placed on the

cards. We started off, and I will read the card: "Do you use the Garden State Parkway to and from work?" - "Yes" or "No." And those who responded in the negative, in other words, they did not use it during commuter hours and we just happened to pick them up in our polling as an incidental to what the actual commuter flow was, we disregarded. Incidentally, if all questions were not answered on the poll, they were disregarded. The cards were set aside as inconclusive.

Then we asked the place of origin "the city from which you are travelling" to the destination "the city to which you intend to go."

The second question was: "Would you be willing to pay a toll for the use of the present Essex County toll-free section of the Parkway if the toll were 25 cents - yes or no?" You say - why the figure 25 cents? That's the present toll used and heard of in Essex County and paid by all of us. "Fifteen cents - yes or no. Ten cents - yes or no." The last two figures were used because of a statement made by the Commissioner that that possibly might be one of the toll figures used on the Garden State Parkway.

The third question was: "Would you prefer the present Essex County toll-free section of the Parkway to be continued?" And these are the results and we further sampled down and we divided our traffic between intra-county, that which emanates within the county and also has its destination within the county, and inter-county traffic.

Northbound, which was put out on Monday, March 6th, we had a 46.1 per cent return, which means as against the 20 per cent

being an excellent return - we are twice as good as that, whatever that is worth. Essex County - willing to pay a 25-cent toll, .9 per cent; under 1 per cent would be willing to pay that of the intra-county traffic. Also under 1 per cent, .9 per cent, would be those willing to pay 15 cents. This is intra-county now, within Essex. Those willing to pay 10 cents, just under 7 per cent, 6.8 per cent. Those who responded "no" - would not pay 10 cents - 91.4 per cent of those responding to the poll.

Now, further, we did something else. We have heard - and you have heard the statement here today - I have forgotten by what particular speaker - that by virtue of having the East-West Freeway considerable traffic that is now zigging and zagging would not be using our present east-west arteries to the extent that they are presently being used; i.e., Bloomfield Avenue in Bloomfield. Well, what is the situation that we find on northbound marginal road, Garden State Parkway?

We find that 77.3 per cent of the people travelling intra-county and inter-county emanating south of the Union County Toll Plaza - 77.3 per cent have as their destination north-south exits that would be facing them either at Bloomfield or north of Bloomfield. Therefore, nothing in this particular grouping would be going east-west; i.e., relieving the traffic on Bloomfield Avenue. Then we had 77 per cent--approximately 22 and a fraction per cent are travelling east-west, in other words, going to Bloomfield Avenue. But we found out that almost 20 per cent of those people would be travelling either to Glen Ridge or the northern area of Newark, the North Ward of Newark, so that they

obviously would not be using the East-West Freeway in order to get to those destinations. So that we are talking then about under 20 per cent of the people travelling northbound on the Garden State Parkway now would be taken possibly off by virtue of the East-West Freeway being constructed.

On the inter-county traffic - and I don't want to take too much time - we had the same situation. Percentages, those not willing to pay 25 cents, 3.3 per cent - not willing to pay 15 cents, 2.4 per cent - those not willing to pay 10 cents, 6.2 per cent or once again almost 90 per cent, 88.1 per cent, of the people presently travelling toll free would not pay a toll of any amount. The same so far as traffic is concerned in this east-west direction.

Let me say this: Southbound our percentages run just about the same, almost 90 per cent.

In the interest of saving time - I know the Committee has copies of this - I would bring this to their attention.

Let me point this out. Ninety per cent said they would not pay tolls. I think I am a realist and I approach the question on this basis: Sure, a lot of people say they would not pay tolls - they are against tolls. Some of them will use the Parkway. But I submit this - even if 30 per cent of those who say they will not use the Parkway, who presently use the Parkway, but would not use it if there were a toll applied, are dumped on our local streets - I submit strangulation - you might be preventing it on the Parkway - but you are going to submit it to the various municipalities that are contiguous to the Parkway in this north-south axis.

May I point out another thing - and I have had a number

of letters and there has been some suggestion by people that this poll is loaded. Well, I submit to them and for the record - and I could triple what I have here in correspondence - letters that people have sat down and taken the time and trouble to write expressing themselves with regard to the proposals that we find in 487 and 512 as it relates to the Garden State Parkway. And a thing that comes up in just about every one of these letters is: "I appreciate the fact that you are giving the motorist consideration for our opinion." After all, they are the people who are going to have to pay the freight.

I would like to go a bit further. We have resolutions on record here and a number of them have been filed with you I know, Mr. Chairman, from our various groups in Bloomfield, some of which are the Bloomfield Safety Council, the Bloomfield Kiwanis Club, the Bloomfield Optimist Club - you haven't gotten the Chamber of Commerce's yet, but you will have it certainly before you people deliberate. There are a number of others coming in and I would make allusion to them at this time.

Well, you say as we come to the end of it, what is your position - what about Bloomfield - where do you stand relative to these bills? I think it is pretty much summed up in what we have to say in a resolution that was passed by our Town Council and directed particularly at that time to Senate 102 and, of course, now applicable to the Assembly Bills 487 and 512. I am not going to bore you with the "whereas's." A number of speakers have gone over a number of points that I would have made had I spoken earlier. But I would like to present this and put it in a nutshell as to our position: (Reading) "Now, therefore, be it resolved by

the Town Council of the Town of Bloomfield that it opposes the enactment of Assembly Bills Numbers 487 and 512 and Senate Bill No. 102 for the reasons stated in the preamble of this resolution, and that it request the General Assembly to defer the passage of Assembly Bills 487 and 512 in their present form until such time as engineering plans have been prepared and formalized and that full and open disclosure be made as to the intentions of the New Jersey Highway Authority relating to such plans, the impositions of additional tolls on the toll-free sections of the Garden State Parkway in Essex County, and such other matters and things as should be fully considered and studied in order to arrive at a sensible and intelligent decision as to whether the contemplated proposals under Senate Bill 102, Assembly Bills 487 and 512 are meritorious and are for the public interest and general welfare of the citizens of Bloomfield and other citizens of the County of Essex in the State of New Jersey."

I would add one thing. We have heard talk today about the Garden State Parkway, how they need aditional toll revenue in order to support the amortization schedule that they have presently on bonds and meet those interest costs and that they are going to be in trouble in 1966. I submit this to you: If our survey is correct, and there is nothing to refute it at this point, and if our engineering department's "guesstimates" are correct - and of necessity they must "guesstimate" because all we have heard so far are estimates by everyone - and if our traffic department headed up by our chief of police is correct, then you are concerned about dollars and cents with the Garden State Parkway, I submit that those of us in these local communities that are going to pay

the taxes for the improvement of our local streets to take this traffic that is going to be dumped on it are going to pay through our pocketbooks, through our tax bills, five fold and many more times what it is going to cost the Garden State Parkway in what they are concerned about of their toll structure. I thank you very much.

ASSEMBLYMAN CRABIEL: Thank you very much, Mayor. Are there any questions of Mayor Steinmann?

ASSEMBLYMAN SARCONE: Mayor, with reference to your poll, other than the conclusions which you would have us draw that the traffic would - at least 30 per cent of it - would come out into the main arteries, are there any other conclusions that you would submit are reasonable inferences that could be drawn from the poll?

MAYOR STEINMANN: Yes, that the people who are paying the freight or that are going to be asked to pay the freight certainly don't want to pay the freight and will be using other methods of access from wherever they are going.

ASSEMBLYMAN SARCONE: And what opinion do you have, if any, in connection with the toll charges themselves, that is, the toll charges that would be applied if Assembly Bill 487 or 512 were enacted into law?

MAYOR STEINMANN: I can't guess. I know Mr. Tonti was reluctant to make a statement today as to what the toll structure would be and I certainly wouldn't put myself in a position of suggesting what a toll structure might be. But I would point out I was before this Committee two years ago, two plus years ago, when a number of gentlemen who are presently on the Committee were

also here, when we were talking about Hoover Avenue and what Hoover Avenue had done with respect to our arteries adjacent to the Parkway. Our position has not just come into fruition over night. Ours has been a problem that we have had for years. We have been talking these problems legislatively, with the Garden State Parkway, even with the State Highway Commission, for years. And so far we haven't gotten any answers that satisfy any of the problems that have been created and that we have.

ASSEMBLYMAN CRABIEL: Thank you very much, Mayor Steinmann. Mayor Sheeran of West Orange.

MAYOR JAMES J. SHEERAN: Mr. Chairman, I am here today, of course, representing my municipality. It is approximately two and one-half years since I first sat down with the mayors of Newark, East Orange and Orange, and it is approximately two and one-half years that we first received the initial data concerning the East-West Freeway. At that time we took the position that we were going to stay together and fight for each other's municipality because we all saw the great need of sticking together in order to protect our people from the damage that could be caused by this facility.

From the very beginning every one of us realized the need for such a facility and none of us - and I don't believe that any of our citizens - took a position in opposition to the Freeway. We only asked for those things that were best for the municipality and that could be provided as they are provided in other parts of the country.

First of all, I would like to speak in behalf of our

neighboring municipality, that of East Orange. The position of East Orange has been constant. The needs of East Orange have been apparent from the beginning and I think that it is only recent that we have received the assurance that the Highway Department has finally realized the need for a depressed facility through Essex County. I think this was the greatest break-through that we accomplished in the course of our two and one-half years and I think that it was only through research, through hard work and citizen cooperation as well as the very enthusiastic support that we received from our Senator Fox and other elected officials in Essex County that we finally accomplished the result of the realization of the need for a depressed facility.

Now I am going to allude to the map on the board and I think that if you will all look, you will see that West Orange has approximately one-half of the Freeway as it goes through at least this section of the Freeway in Essex County. And you will see that we have natural barriers which are First and Second Mountains and those of you who are familiar with West Orange will know that this Freeway as it is planned not only bisects our community, but goes through the very best of our community areas, that is, from a residential viewpoint. We have taken a constant position from the very inception of the Freeway concerning the needs of the people of West Orange. And among those needs because of the physical barriers that exist was the need for a tunnel through our First Mountain. You will see if you look at the elevated section which is approximately a mile long - you will see that some of that elevation between First and Second Mountain goes as high as 60 feet and this is on dirt fill and this is

adjacent to our residents.

I think that it goes without saying that our cause and our problems are serious, that this highway can have an extremely detrimental effect on the future of our community.

In addition to the fact that we will by having a tunnel save ratables, we have a very detailed study that will show the great civil defense benefits that are derived not only to the community in which I live which I represent, but to the people of Essex County.

You will find from our studies which are completely documented, and I am going to present your Committee here and our Assembly with reports concerning these problems, that you will find that from the period of January 1st, 1958, through March 24th, 1959, a period of fifteen months, at the crest of our mountain because of fog and ice conditions we had 341 reportable accidents. That means accidents where the damage to the vehicles was in excess of $100. And you will find that 31 of those were skidding accidents which caused two fatalities. Right now we are discussing an expressway where I am sure we will have speed limits in the neighborhood of 60 miles per hour and you will find that the purpose of this road is to move traffic quickly through Essex County. I will assure you tonight that as we have the problems in -- not the Garden State - I am thinking of the express highway that goes through Newark and offhand can't think of the name of it -- but we have many, many accidents and fatalities because of the fog conditions that exist there. This happens year in and year out. This is the same sort of a problem that is going to exist at the top of our mountain.

This is the same problem that can be avoided if West Orange is protected in its ratables and its future and it would also, of course, be of great benefit to those who use the road.

Let's look to the root of the problem. I am sure that this should be of interest to our legislators here, not only on the state level, but on the federal level. I am sure that it should be of significance to every person in all of the communities affected. The fact is that we in the State of New Jersey may be discriminated against in the distribution of federal funds and I think that it is incumbent upon us and our legislators to find out whether or not there is any discrimination as far as the people of New Jersey are concerned. I say this because there is no question that there are many, many expressways which have been constructed in the United States with federal and state funds which have been depressed and where the people have never been asked to contribute a penny. As a matter of fact, if you went to places like Detroit, Dallas, California, Boston - many other places - you will find that these roads have been constructed in a depressed fashion to benefit the people of the community. In Minnesota, for example, the State Highway Commissioner there has told us that he never would consider submitting a road in an elevated fashion because it is not good for the people and as a matter of fact in Minnesota they do have depressed freeways.

Now let's get to the question of the tunnel. Are we asking for anything that is unreasonable? In my opinion we are not. For example, right in the area of Philadelphia - or Pittsburgh rather - you have two tunnels. You have the Fort Pitt Tunnel and you have the Squirrel Hill Tunnel. The Fort Pitt Tunnel is 3300

feet, which is approximately the length of the tunnel that we need in West Orange. That tunnel was built with federal and state funds. In addition to that, that tunnel was built with the same questions that we have here. In other words, that tunnel instead of being constructed could have been replaced by a cut through the mountain, but the reason that wasn't done was because that affects the very important residential areas just outside of Pittsburgh.

In California we have another situation where a tunnel was built rather than a bridge because it would affect the ratables in the area.

We in West Orange have a great need for this tunnel. We continue to ask the support of the people of the other municipalities and we continue to lend our support to those municipalities.

We are going to submit a great deal of technical data. We will back up the things we have said in reference to civil defense, in reference to these other highways, in reference to our ratable losses and so on by expert testimony.

But I submit that what has been done here may be a discriminatory practice against us on a federal level and it is incumbent upon us before we start looking into the Parkway and before we start asking the people of New Jersey here to sacrifice more and more that we find out from the federal people why other states get depressed freeways and we can't.

With that, I would like to present to you, Mr. Chairman, two copies of our report and you will have this further documented with our expert testimony. Thank you very much for listening to me.

ASSEMBLYMAN CRABIEL: Thank you very much, Mayor Sheeran. Are there any questions of Mayor Sheeran?

Very well, I will call on Mr. John J. Magovern, Jr., of the Newark Association of Commerce and Industry.

JOHN J. MAGOVERN, JR.: Mr. Chairman and gentlemen of the Committee: I am John J. Magovern, Jr. and am appearing today on behalf of the Newark Association of Commerce and Industry.

The interest of this Association in the social and economic benefits of an East-West Freeway facility goes back to 1946 when it was first officially proposed by the Newark Central Planning Board. We have since supported every official move that has been undertaken to bring this project nearer to reality.

After Congress passed the Federal Aid Highway Act of 1956, we urged consideration of the inclusion of the East-West Freeway as part of the Interstate System with payment on the 90-10 basis. We supplied economic data in support of that position. I think for the record that it should be noted that the conversion of that thought into fact represented a signal victory for the imagination, initiative and ingenuity of Highway Commissioner Palmer.

Now, in viewing the suggested right-of-way for this facility, it is almost self-evident that the East-West Freeway will indeed be the economic lifeline so far as travel and communication is concerned for Essex County. As a medium for travel and communication, it will materially further the social intercourse of our people. From all points of view, it is a must if we are to thrive and prosper. Its significance is not limited to

any one area but to the whole of Essex County and beyond.

Although we strongly supported the bond guaranty issue of the Garden State Parkway when it was up for referendum in 1952, we recognized that it alone would never produce the maximum benefit to the area unless and until the East-West Freeway became a reality with an appropriate interchange between them. Based upon traffic studies, it is clear that "appropriate" means a controlled interchange. It is our view that the proposal to alter the free use of the Parkway in this area is necessary to accomplish this desired objective of a controlled interchange.

It is recognized and generally conceded, that a depressed profile for the East-West Freeway is desirable. This, however, does not mean that such a result should take precedence over all other considerations even to the extent of destroying the project itself. This possibility becomes more pointed when we consider that no one at this point can be sure of the effect of requiring the depression at this point of the intersection of the East-West Freeway with the Garden State Parkway, with extensive exits and entrances. It may do just that. It may destroy the project.

Now, as we look at the prospective legislation before us, and that is what this hearing is about, and with this specific point of the necessity of the project in mind, it would seem that there are three items which must be borne in mind.

First, the engineering problem. There can be no doubt, even to a layman such as myself not conversant with detailed engineering principles, that depression of the

East-West Freeway facility at the point of its intersection with the Garden State Parkway will involve tremendous construction difficulties, serious problems of Parkway traffic interruption, extensive additional costs for entrances and exits as well as a host of other difficulties which may well prove fatal to the project if encompassed in a legislative fiat. These problems are properly within the sphere of determination by the Highway Commissioner and, in our opinion, should be left there.

Second, the financing problem. It is my understanding, and I think borne out here this morning, that the depressed profile for the project, with an appropriate interchange at the Garden State Parkway and improvements along the Essex alignment, will cost $38 million over the expenditure which will be authorized by the Federal Government. This cost will be met by the sale of Parkway bonds, not guaranteed by the State but resting solely upon the revenue of the Parkway over and above that required to meet its outstanding obligations. So far as I am aware, and such has been testified here today, there is no evidence that an additional three or four million , which incidentally seems to perhaps be a minimum, with an additional nine hundred and fifty thousand thrown in as financing costs - there is no evidence that the extra amount for bond purposes will be supported by the traffic studies. Neither does it appear that there is any certainty that opening the Parkway to truck traffic north of Route 17, even if such be feasible from an engineering standpoint, will accomplish that result. This is an area which certainly requires careful planning and thorough study by those trained in such techniques.

To demand such results by legislation will not necessarily produce them.

Third,- I choose to refer to it as "good will." As one looks at the background of the pending Assembly bills and reviews the purposes of this hearing, the thoughtfulness of the members and their questions, he cannot help but be impressed with the solicitude of the Legislature for the people, their way of life and, in this instance, even their churches, the edifaces themselves. Likewise, there is every evidence at hand that the Highway Department in its plans assiduously avoided anything which would require the demolition or damage to any religious structure. Everything points to consideration and thoughtful planning. Can one at this point, at this stage, be certain that engineering by legislation is the proper answer to meet these needs? Even the most well-intentioned must have some doubts. Believing that neither the churches, their congregations, the people of East Orange, the people of Bloomfield, or the other municipalities that have been heard here today, are seeking the prohibition of the East-West Freeway as a facility, but rather its accommodation to their needs, on the basis of history and experience we believe that the interest of all would best be served by leaving detailed determinations in the hands of the Commissioner of Highways and not attempt by public hearing, by legislative bills, to define engineering techniques of that kind.

It is the belief of the Newark Association of Commerce and Industry that the welfare of our people and the economic survival of all businesses in Essex County require the quick construction of the East-West Freeway. For who can deny that

the daily East-West traffic load of over 100,000 vehicles on present streets and avenues, with its tremendous loss of time, lives and money, is not a serious drain upon the social and economic well-being of our people. To sacrifice relief when it is just at hand would be the highest of folly. We believe that delay during which the Legislature would endeavor to find answers to all the technical and specific problems which are before us today would not only be inconsistent with proper legislative functioning but may well doom the construction of this facility. We believe that Assembly 487 properly establishes legislative policy and places upon the shoulders of the Highway Commissioner the responsibilities of specific fulfillment. We have not the slightest doubt that he will perform justly, competently and with high purpose.

We recommend the passage of Assembly Bill 487 which we understand is identical with Senate Bill 102 introduced jointly by Senators Fox and Jones.

I appreciate the opportunity to be heard and your considerations, gentlemen of the Committee.

ASSEMBLYMAN CRABIEL: Thank you, Mr. Magovern.

Are there any questions? Mr. Dunn?

MR. DUNN: Mr. Magovern, may I ask you one or two questions, please?

MR. MAGOVERN: Yes, sir.

MR. DUNN: In effect what you are saying, Mr. Magovern, is that this is something the Committee should not interest itself in - in the engineering details of this project, but leave the entire matter in the hands of the Highway Commissioner for his judicial determination. Is that correct?

MR. MAGOVERN: No, sir.

MR. DUNN: That isn't correct?

MR. MAGOVERN: That is wrong.

MR. DUNN: Perhaps I misunderstood you.

MR. MAGOVERN: Well, may I explain?

MR. DUNN: Yes, please do.

MR. MAGOVERN: I believe under all circumstances that this Committee should interest itself, should concern itself with the problems of the people, with the details of all this. I think this hearing is quite appropriate.and proper. What I am saying is that in the legislative bill itself I do not think that it is possible or proper to spell out details. That is what I am saying. This bill is a bill of Mr. D'Aloia's and I thought he had called the meeting and I think that is quite proper.

MR. DUNN: Now you say here as part of your statement under the first point that these problems, the engineering problems, are properly within the sphere of determination by the Highway Commissioner and should be left there. Is that correct?

MR. MAGOVERN: Yes.

MR. DUNN: What did you mean by that? Did you mean that this Committee should not concern itself with locations or the question of depressed areas or elevated highway?

MR. MAGOVERN: I do not feel that the legislation, not this Committee - please don't misunderstand me - I think that this Committee should concern itself, should inquire and should interest itself as well as should the Highway Department in having a public hearing, but I do not think that a bill that says this road shall be built thusly, is proper and correct legislation. I think that the bill of Mr. D'Aloia is correct when he uses the term in the bill generally and when he leaves it open as to what are going to be the facts. To me it is quite clear here today that you don't have facts enough before you. It is almost impossible and inconceivable that you have ---

MR. DUNN: I'll agree with you on that, Mr. Magovern, that a lot of facts are still needed.

Now, you are speaking on behalf of the Newark Association of Commerce and Industry. Is that correct?

MR. MAGOVERN: That's correct.

MR. DUNN: What is the attitude of your Association as to a depressed Freeway?

MR. MAGOVERN: We favor generally a depressed Freeway. We are in favor of a depressed Freeway, yes, sir.

MR. DUNN: And what is your attitude as to a tunnel in the West Orange area of this Freeway as requested by Mayor Sheeran of West Orange? Do you have any opinion on that?

MR. MAGOVERN: In case you should have misunderstood me, I said that we favored generally a depressed Freeway, but I didn't

say that it should be legislated at every point or every turn in the road. So far as the tunnel under the mountain, I am afraid that that would require a great deal more engineering technique with greater knowledge of how it is to be financed on my part than I have. I'm sorry. I'm not an engineer.

MR. DUNN: I see. But in so far as the depressed area - and I am not adding my comments to, for instance, the remarks of Mayor Kelly in stating the position of the people of this community and also the people in the county itself as to a complete depression rather than an elevation- do I understand that your Association is in accord with that basic principle?

MR. MAGOVERN: We are in accord that the depression of the Freeway is a desirable objective. We are not in accord with the thought that it must be legislated at every turn in a bill itself. I could not quite be certain from Mayor Kelly's remarks whether he felt that such legislation had to be -- I think he in effect said that he thought that if it was required to be depressed at all points, he would be happier, but I don't think he quite committed himself if I remember correctly.

MR. DUNN: Mr. Magovern, I notice in the second point of your statement that you refer to the use of truck traffic being permitted on the Parkway. You said: "Neither does it appear that there is any certainty that opening the Parkway to truck traffic north of Route 17 will accomplish that result." Do you recall that statement?

MR. MAGOVERN: Yes, sir.

MR. DUNN: Is that statement predicated upon any studies of any kind so far as you are concerned?

MR. MAGOVERN: The testimony here today is that no one knew and I say "it doesn't appear." I think it's the same thing.

MR. DUNN: In other words, you had no studies?

MR. MAGOVERN: Oh, no. I didn't say it would or would not. I said there is no proof before you.

MR. DUNN: Yes. Assume now that the use of the Parkway by trucks within the area that has been discussed here today would produce an income of $400,000 or more. Would that influence your thinking in so far as using the Parkway is concerned for a greater utilization and helping in financing this project?

MR. MAGOVERN: I think, Assemblyman, you are asking a question that is like saying "if" where there is no -- I heard nothing that indicated at all that either it would be suitable for trucks or that it would produce $400,000 in revenue. Everything I heard this morning was that it would cost probably more to have such traffic than the revenues to be gained.

MR. DUNN: Mr. Magovern, I asked you as a matter of assumption.

MR. MAGOVERN: Oh. Well, would you repeat that question then if you want me to make an assumption?

MR. DUNN: Assume there are some studies or projections that indicate an income of $400,000 or thereabouts from the use of the Parkway by trucks. Would that in turn change your opinion as to whether or not the Parkway should be open to truck traffic?

MR. MAGOVERN: When you say $400,000 - I want to be specific - the $400,000 is net - no expenditures, no cost, no nothing. Nothing has to be done. You just get that net.

MR. DUNN: Yes. Let's assume that.

MR. MAGOVERN: Assuming that you have $400,000 net additional income, I am still not at all sure that I would favor the inclusion of trucks on the Parkway. I think much more is involved than just the mere production of $400,000 of income. I think, if I recall, Chairman White testified this morning that there were many problems involved in the inclusion of trucks on the Parkway even apart from the question of engineering problems.

MR. DUNN: If Assembly Bill 512 were to be amended to provide for a depressed Freeway, particularly through this community ---

MR. MAGOVERN: It does.

MR. DUNN: I beg your pardon. 487 it would have to be. (Continuing) -- would you be still in favor of Assembly Bill 487?

MR. MAGOVERN: No, I do not consider that sound legislation. That was the basic point of my presentation, Assemblyman. I think that when you come into areas of technical presentions of this kind, projects, proposals, general plans, in the wording as couched in 487 is quite proper, is sound. I don't think it is good either for the state or for the legislative body as such or for the people to have legislation that specifically says it must be constructed thusly and so.

MR. DUNN: One other question if I may, please - I notice here early in your remarks you said that you believe "that the proposal to alter the free use of the Parkway in this area is necessary to accomplish this desired objective." Are you saying in effect that it is necessary to create tolls within the Essex County area notwithstanding the prior commitments that have been made to the public when the Parkway was originally constructed?

MR. MAGOVERN: Yes, sir.

MR. DUNN: You are saying that?

MR. MAGOVERN: I am saying that.

ASSEMBLYMAN D'ALOIA: Just one question, please - I call your attention to my bill No. 487, page 4, line 45, which states this; "but either overpassing or underpassing" the Garden State Parkway. You say you favor this particular bill?

MR. MAGOVERN: Yes, sir.

ASSEMBLYMAN D'ALOIA: Suppose I struck out from this bill just one word - suppose I struck out the word "overpassing." What would your reaction to the bill be then?

MR. MAGOVERN: I think it then partakes of the same character of legislation which I do not consider to be sound. It is entirely too restrictive. You are then placing yourself in the position of having to make engineering judgments, financial judgments. You are in effect adopting an executive operation which I don't think is proper within the legislative process.

ASSEMBLYMAN D'ALOIA: Supposing we assume for the purposes of this discussion that the testimony given here today by the engineers that it will cost between three and one-half million and four million dollars to underpass is true and I just struck out that one word from the bill, are you still of the same opinion?

MR. MAGOVERN: If you could assure me that it could be done engineeringly properly and financed. You see there is my difficulty.

ASSEMBLYMAN D'ALOIA: Let's break it down now. According to the engineers here today, they said it could be done for three and one-half or four million dollars. I think that is what they said. Is that correct?

MR. MAGOVERN: That's right.

ASSEMBLYMAN D'ALOIA: Now, from an engineering viewpoint, would you quarrel with my taking that out?

MR. MAGOVERN: From an engineering viewpoint?

ASSEMBLYMAN D'ALOIA: Yes. Let's forget the financial viewpoint for a second.

MR. MAGOVERN: I am not an engineer. But if the testimony today is correct, it could be done properly and so far as I am concerned I am not opposed to a depressed freeway. Don't misunderstand me on that. I think it is a desirable thing. I have said that. But once you put that in a bill, then your problem is there. You don't leave any leeway for the results of any of your studies, your examination - all that is worthless because this is what you have to do.

ASSEMBLYMAN D'ALOIA: Well, do you believe the testimony of the engineers here today when they said it could be done for three and one-half or four million dollars.

MR. MAGOVERN: All right, I agree when they say that, sure.

ASSEMBLYMAN D'ALOIA: Therefore, you would then agree with the bill with that one change?

MR. MAGOVERN: No, no. I still think that that is bad legislation. I do not approve of legislation ---

ASSEMBLYMAN D'ALOIA: Even though the engineer came in today and said it could be done for three and one-half to four million dollars?

MR. MAGOVERN: Then you have the other problem of financing and the financing problem is certainly open.

ASSEMBLYMAN D'ALOIA: Thank you very much.

ASSEMBLYMAN SARCONE: Mr. Magovern, did you hear the testimony this morning?

MR. MAGOVERN: Yes, sir.

ASSEMBLYMAN SARCONE: Your statement was prepared before you appeared here this morning.

MR. MAGOVERN: That's correct.

ASSEMBLYMAN SARCONE: In the light of what you heard this morning you relate that Assembly Bill - you don't give it by number, but I think you are referring to the bill which was introduced by the seven Assemblymen from Essex County, Bill 512.

MR. MAGOVERN: Right.

ASSEMBLYMAN SARCONE: You don't mention it by name, but you hit the salient features of it. This is the bill that would require or make it mandatory that the Freeway be depressed.

MR. MAGOVERN: One of my hesitations on that was that I didn't get my hands on 512.

ASSEMBLYMAN SARCONE: You haven't read the bill?

MR. MAGOVERN: I have read excerpts from it.

ASSEMBLYMAN SARCONE: Well, this bill would require - it would be mandatory that it be depressed.

MR. MAGOVERN: That's correct. I understand that.

ASSEMBLYMAN SARCONE: It would also provide for trucks being permitted to flow in the northern section of the Parkway so we might get some more revenue and also provide for adequate marginal roads. Now you say you are opposed as a matter of principle for legislators to set forth in a bill an item such as a mandatory

depressed freeway. You say that should be left to the Commission. Is that correct?

MR. MAGOVERN: I think at specific points that is correct. See, the other bill, if I may make a differential, says "generally depressed." I am opposed to legislation as a matter of principle that says at this particular point you must do this when there are so many open areas that no one knows what the answer is.

ASSEMBLYMAN SARCONE: Assuming, Mr. Magovern, that the testimony was that engineeringwise this freeway could be depressed under the Parkway - assuming, Mr. Magovern, that after we obtain - and I hope we obtain them in the very near future - all of the facts that we ascertain that the freeway can be depressed under the Parkway at a cost which can be met - and assuming as legislators, Mr. Magovern, we ascertain for the welfare of this community for many, many reasons that they should not have a wall or an elevated freeway - are you telling me now that as a legislator I must not urge that this matter should be set forth in a bill?

MR. MAGOVERN: I didn't use the word "urge." I think even before you could reach your conclusion to get the bill passed, the Highway Commissioner would have reached a similar conclusion if the facts are as you assume them.

ASSEMBLYMAN SARCONE: There is only one difference, Mr. Magovern - I represent the people. The legislators here represent the people, not the Highway Commissioner.

MR. MAGOVERN: Well, I won't get into the techniques of legislation. I wouldn't want to get into a philosophical discussion.

ASSEMBLYMAN FLYNN: I wanted to ask Mr. Magovern the

following. If it's not all right, you stop me right away. You are here representing the Newark Association of Commerce and Industry.

MR. MAGOVERN: That is correct.

ASSEMBLYMAN FLYNN: You are also President of the Citizens Highway Committee of Essex County, is that correct?

MR. MAGOVERN: Chairman.

ASSEMBLYMAN FLYNN: Chairman of that. You don't mind my bringing that in, do you?

MR. MAGOVERN: I am very proud of that.

ASSEMBLYMAN FLYNN: Now, as my colleague here brought out, this was a prepared statement, prepared before.

MR. MAGOVERN: That's correct.

ASSEMBLYMAN FLYNN: And would you say after hearing the testimony here today that there was much to be desired as far as planning is concerned about this road? Would you say that there was confusion today here as to whether there is the money - what the interchange would cost?

MR. MAGOVERN: I would say, Mr. Flynn, since you refer to my prepared statement, that everything that was presented here today supports the correctness of my statement.

ASSEMBLYMAN FLYNN: All right. Now, one more thing, I seem to find here in a couple of the statements that have been brought in today - I think it is a threat.

MR. MAGOVERN: On my part?

ASSEMBLYMAN FLYNN: No, no.

MR. MAGOVERN: I didn't think I had the power.

ASSEMBLYMAN FLYNN: It's your prepared statement --"but would doom the construction of this facility." It seems to be a threat more or less if we don't go along and stop asking these questions, we may lose this. Now I for one see no reason why if we ask questions concerning the people we represent we should be threatened with the loss of this road.

MR. MAGOVERN: I think if I may find the spot, I think I can ---

ASSEMBLYMAN FLYNN: It's in the next to the last paragraph of your statement on page 3.

MR. MAGOVERN: Yes. I think if there is the failure - if we are unable to even get legislation until we have all these surveys, until we have these origin and destination surveys, until we have all the answers to this problem which, as I would view it here, would take many, many weeks, there is a serious question in my mind that the project may not be doomed. Yes, sir. That is not a threat at all; it's just a statement.

ASSEMBLYMAN FLYNN: Perhaps I misunderstood it. On the $38,000,000, would you say after hearing today's testimony that there is a possibility of shaving that $38,000,000 to the extent that some of it could be used for the depression so that the bond issue might not go over $38,000,000?

MR. MAGOVERN: I know the question was asked. It was asked, I believe - and I am not sure of this - but I believe it was asked of Mr. Fritzsche, the engineer. Do you recall that, Assemblyman? Is that correct? Is my recollection correct?

ASSEMBLYMAN FLYNN: I think it may be.

MR. MAGOVERN: If it was asked of him and he didn't deny it - and I didn't hear a denial - then I certainly would not deny it. I have no knowledge.

ASSEMBLYMAN FLYNN: Then you go along with the thought if you did shave a million or so off there ---

MR. MAGOVERN: When you shave a million, that's quite a shave.

ASSEMBLYMAN FLYNN: Well, actually, we are talking $38,000,000 and I wouldn't be surprised if it could be shaved, a million.

MR. MAGOVERN: I have no dispute with that. I do not know.

ASSEMBLYMAN FLYNN: You think it is entirely possible?

MR. MAGOVERN: I have no information. I wouldn't know.

ASSEMBLYMAN FLYNN: Now you say here as far as Route 17, there is no showing what they could make so far as income from permitting trucks.

MR. MAGOVERN: I heard none nor did I know of it before.

ASSEMBLYMAN FLYNN: I wanted to refer over here -- I think Tony is still here - perhaps not - I saw him earlier -- to the Citizens Highway Committee.

MR. MAGOVERN: May I enlighten you that that is not the committee of which I am chairman.

ASSEMBLYMAN FLYNN: I understand that. I thought there was a close affiliation there.

MR. MAGOVERN: I happen to be a member of it.

ASSEMBLYMAN CRABIEL: Mr. Hagios will be called eventually.

ASSEMBLYMAN FLYNN: All right. I will skip that.

You have in your statement: "First - the engineering problem. There can be no doubt, even to a layman not conversant with engineering principles such as myself, that depression of the East-West Freeway facility at the point of its intersection with the Garden State Parkway will involve tremendous construction difficulties, serious problems of Parkway traffic ..." Now, the construction difficulties seemed to be summed up this morning at about three and one-half million dollars.

MR. MAGOVERN: Yes.

ASSEMBLYMAN FLYNN: On a hundred-million-dollar project, does this strike you as very much of a problem? We are talking about the over-all job through Essex County. It's going to run approximately one hundred million dollars. Does three million dollars sound like a tremendous problem?

MR. MAGOVERN: Except that I didn't relate the three million dollars to the entire project; I related it to the interchange question and the depression under the Parkway which involves the question of about thirteen million, if I remember the figures correctly.

ASSEMBLYMAN FLYNN: I believe one of the gentlemen whose name slips my mind right now was questioned rather extensively about it when he came up with it, but it still remained three and one-half to four million dollars whether it was elevated or not. Does this more or less reduce the size of this problem in your mind?

MR. MAGOVERN: No, it doesn't because the question gets to be one of financing. Don't misunderstand me; it's a real problem, this financing. I think if you have the financing and you turn the

money over to the engineers, they would be very happy to do the job - they could do it. You can do anything with engineers. At least, I think so. I hope I have been responsive.

ASSEMBLYMAN FLYNN: One or two more questions - I see where one organization here has said that probably $400,000 a year would be the more likely figure that would be raised by letting trucks on the north Bergen part of the Parkway. Now, this is just a figure.

MR. MAGOVERN: I think there was a reference to that earlier here.

ASSEMBLYMAN FLYNN: Now I asked the gentleman who is in charge of bonds, the finance advisor for the highway, and he said that $300,000 to $305,000 a year could finance around $4,000,000. So now, if $400,000 could be realized on this northern section, wouldn't you consider that worthwhile if that would take care of $4,000,000?

MR. MAGOVERN: I don't like to avoid that question, but it is substantially the same as the other ones you asked me. I do not recall that there was any reference that there would be a net of $400,000 realized from trucks being on that. Now, I first have to start off that I don't understand that the assumption has any basis in fact whatsoever. And it gets down to a question -- I would say this; let me reverse the thing: If there were a means of financing this appropriately, then that's fine. Is that sufficiently responsive without knowing whether it is $400,000 from the northern Parkway?

ASSEMBLYMAN FLYNN: Well, I'll ask one more question along the same line. Are most amounts of money that have been speculated

or figured by the Parkway or the Turnpike as to what their annual income would be over a certain period of years -- to your knowledge have they always run under?

MR. MAGOVERN: As far as I know they have always been under, with the exception of some -- you mentioned two - you didn't mean turnpikes generally, did you?

ASSEMBLYMAN FLYNN: Well, I did say ---

MR. MAGOVERN: Because I can point you to one in West Virginia and I can point you to one in -- we happened to have some bonds on it ---

ASSEMBLYMAN FLYNN: Well, we are talking about New Jersey now.

MR. MAGOVERN: You are absolutely correct in New Jersey.

ASSEMBLYMAN FLYNN: They have always run under as far as their estimates are concerned?

MR. MAGOVERN: Yes, sir, as far as I am aware. I don't know about southern New Jersey on the Parkway, but generally I would say you are absolutely right.

ASSEMBLYMAN FLYNN: Thank you very much, Mr. Magovern.

ASSEMBLYMAN KEEGAN: Mr. Magovern, I was interested in your approach to this problem so far as being a legislative problem and the theory which you project that the legislative function is to give the specifics of any project to the engineers and the people who are technically equipped to handle that. From what one of the mayors who appeared here before us quoted from one of the sections of the enabling act of the Highway Authority itself with respect to this facility, it would seem that same criticism would hold to the original act, would it not? They seemed to put right

down the exits and entrances and so forth.

MR. MAGOVERN: I don't recall the original act sufficiently to know it did quite that. I am sorry.

ASSEMBLYMAN KEEGAN: Were you here when ---

MR. MAGOVERN: I was here, but I didn't think -- my recollection was that ---

ASSEMBLYMAN KEEGAN: Mayor Steinmann of Bloomfield pointed out to us that there were specific exits and entrances.

MR. MAGOVERN: He was talking there, if I recall correctly, about the area that was to be defined as being toll free. When you define an area that is to be toll free, you have to be specific.

ASSEMBLYMAN KEEGAN: Right. We are going into financing.

MR. MAGOVERN: No, you are just designating an area that will be toll free, the same as you may say "Our village hall or City Hall is to be placed here," you have to designate the lot. But that is something quite different than going into engineering problems on a whole facility.

ASSEMBLYMAN KEEGAN: I was interested in the further comment that there are no such exits or entrances, whatever you want to call them.

MR. MAGOVERN: I make no comment on that.

ASSEMBLYMAN CRABIEL: Very well, thank you very much, Mr. Magovern.

MR. MAGOVERN: Thank you gentlemen very much for your patience.

ASSEMBLYMAN CRABIEL: As the next speaker, I will call on a former colleague. Certainly he is entitled to that much consideration - Mr. Bowser, to speak for East Orange, New Jersey.

EDWARD T. BOWSER, SR.: Mr. Chairman and Legislators: My name is Edward T. Bowser, Sr., of East Orange, former Assemblyman from Essex County.

May I make just an observation that the former speaker, Mr. Magovern, has just stated that the churches of East Orange will not be affected by the proposal of the East-West Freeway. Perhaps Mr. Magovern hasn't read or seen the chart which hangs on the wall. First, I might say this, that in 1952, when I was a member of the General Assembly, I and the rest of the Essex delegation went on record that the Parkway through Essex County should be toll free, which became the law, as has already been stated.

Also at that same time, the church of which I am a member, the Calvary Baptist Church, on the Parkway and Main Street, was in the course of erection - a new church. We ascertained from the Garden State Parkway and the proposed Freeway at that time that our property would not be affected.

I might say that I have always taken the position in the General Assembly that the granting of authority to a given body is all right to a certain degree, but when such an Authority assumes the responsibility of dictating to the public what they intend to do, I think they go beyond their realm of duty as citizens of the State.

I might also say this, that the map that has been proposed, as you see on the board, is not a true picture as to the

interchanges that will affect the three churches involved. Neither does it show all the details that are necessary to decide what should be done with these churches in East Orange.

I do not see the mayor of Orange here to speak either for or against it, and I can very well see his position, because when this Authority takes into consideration that they can destroy a YMCA, a YWCA, and a church in Orange and save a brewery, that is going a little bit beyond the thinking of the general public of the State of New Jersey. [Applause].

Also, when we take into account that this Freeway that has been proposed will take and demolish three churches in East Orange, whether they come within 20 feet or 100 feet of it, you might just as well give up and forget it. There is also another church which is in the lower part of the city which will be affected. But I note when they get to the City of Newark, they bypass one of the largest Catholic churches in the City of Newark by going through Sussex Avenue and coming out at Seventh Street.

It is true that this Parkway should be built and we as members of the Calvary Baptist Church and the present Church Council of this city do not expect to deter the progress that is to be made, but when we come and we are asked, as I often have said in the Legislature, to give any Authority X number of dollars, whether it be five dollars or five million dollars, and they say we will give you a plan later, I say to all of us, "You better be careful -" because our church, which I represent, was constructed on the premise that we will not be interfered with, the tolls that were free on the Parkway would not be interrupted, and here ten years after that time

we come with the problem, attach the tolls to the people who are riding in Essex County. I think it is quite unfair; I think it's unreasonable, and I think the Authority should take into account not only the brewery who pays perhaps some dollars to the City of Orange in taxes but that they should consider that the Freeway is not a thing that is to be used for general purposes and that they are proposing something that would be a deterrent in our city or our cities and would eliminate the churches that are on our public streets.

Now when we get to the Parkway, I fail to see by Mr. Tonti, Mr. Palmer, Mr. Gray, or any of the others who showed us that map - you may look at it at East Orange and you will see three red spots, which will be intersections and interchanges of that particular area. I question why that was put in there. It was done for an extreme purpose and that is to not let you know where it will come, because the engineering studies will produce it later and will be too late, and we will be out in the cold.

Now I say that as a member of a religious organization, when anybody in our State or Government refuses to recognize the potentials of an organization which represents religion and says to us, "Let us determine where these things should go," I think it is high time that some of us ought to sit up and take notice.

It has also been expressed that the Parkway has somewhat gone in the red. I might refer you to "The Constructioneer," a magine that is put out, in an issue as recent as March 20, 1961, and this is what it says: "The New Jersey Highway Authority has set aside $400,000 to find out why some sections of the

Garden State Parkway show a tendency toward crumbling and to make repairs where necessary. Chief Engineer Carl J. Teegen says there is no pavement failure yet but certain locations in Bloomfield and Wast Orange areas have shown indications of breaking down. Now they are broke so they propose to set up a fund of $400,000 to find out why there should be a break, and yet none has been indicated." And this was in a publication that is printed, a photostatic copy of which is here. If this is true, why can't that money be diverted to some other use that would provide the interchange if it is going to be done in East Orange and Bloomfield.

I say this also, that when the road comes down from West Orange, which is purported to be a six-lane road, and when it strikes the City of East Orange it becomes an eight-lane road, and when it leaves East Orange it becomes a six-lane road, and they say to us that it takes 125 feet for the lanes which will come through East Orange. According to my recollection, and I'm not an engineer, I'm an architect - my two sons are engineers, however - this map purports that the road will be 125 foot in each section, which would be approximately 300 feet from the railroad or any other section that may be through East Orange. It would mean that there is a loss of tax ratables and we do not get anything in return as citizens of East Orange. And I think, while we are not against progress of any East-West Freeway which we are in dire need of, that there should be some consideration given that this depressed Freeway should be all the way through East Orange. It already has been said that it will cost approximately $4,000,000. Mr. Palmer said $7,000,000. So we will compromise at $5,000,000 - that between

now and the year 2,000 - the fiscal officer says 1999; I say the year 2,000.- it doesn't make much difference - if these things are depressed, that these highways can be built and built to the satisfaction of the citizens who have to live with them. My opinion is that they do not give us enough information and I am asking my colleagues in the Assembly and in the Senate to consider well before giving approval to this bill, whether it is S-102, A-487 or 512, and that you know all the facts so that in the years to come we won't be living behind a Chinese wall as they are doing in Bloomfield today. I respectfully ask Mr. Palmer and his associates in the Authorities to see to it that the real things come out in the record so that we may know as citizens and taxpayers, in the City of East Orange in particular and the other surrounding communities in general, and that we will not be able to say, "You didn't play your cards face-up," because, remember, there will be an election. [Applause]

ASSEMBLYMAN CRABIEL: Mr. Bowser, do you think there is need for the East-West Freeway?

MR. BOWSER: I think this has been on the books since 1921. Somebody has said 1946 but I have a clipping at home dated back to 1921 that this project was first started and thought of. I would say there is a need, but the need has to be met with the needs of the communities without too much inconvenience to those who must live with it from now until 2000 - the year 2000.

ASSEMBLYMAN CRABIEL: Mr. Bowser, you said you were an architect and your two sons were engineers. Would you admit that New Jersey, and particularly North Jersey, is the

most densely populated area in the country?

MR. BOWSER: According to statistics, Essex County is the most thickly populated of the 21 counties in the State and Hudson comes next.

ASSEMBLYMAN CRABIEL: Under those circumstances, if you were given the responsibility of laying out the route of the East-West Freeway, after it was admitted the need was there and realizing that the tax structure of our counties and municipalities rested on real estate taxes, would you think it would make sense, if you were an engineer laying it out, to miss a church or a brewery?

MR. BOWSER: Well, now, if it was missing one church, it wouldn't be so bad, but when you are taking over five churches in the two communities, I think that it is ridiculous.

ASSEMBLYMAN CRABIEL: You missed my question. Maybe I didn't make it clear. My point is that if you were looking at this as an engineer who is laying out the route for the benefit of the people - and you must realize that this is a dense area and you must either hit a business enterprise - we'll not call it a brewery - a business enterprise, or you might hit a church which is presently tax exempt, or you might hit an apartment, which means moving people, is there anything wrong from your knowledge of engineering or architecture, and further consider this, that on the basis of state law, any damage done is paid for? Is there anything wrong in an engineer picking the choice of churches to come out rather than a business enterprise or apartments?

MR. BOWSER: There isn't anything wrong when you are thinking in terms of ratables in one area against the loss of

ratables in another area. The amount of ratables in the City of Orange for one brewery - I designate that, because that's what it is - against the millions of dollars of ratables in apartments and other institutions in our city, I say that you cannot compare one with the other. However, engineeringwise I would say that it is always good to bypass something that pays the freight, providing that the state authorities would give all the churches the amount of money that may be necessary to relocate, but you do not know that in the City of East Orange all the property that we have has been absorbed and if these four churches must move, they will have to move out of town and they are no good then to the City of East Orange, and that is the premise on which we base our position.

ASSEMBLYMAN CRABIEL: Very well, Mr. Bowser. Are there any questions?

ASSEMBLYMAN KEEGAN: Mr. Bowser, you made the observation that you note there is an election coming. Do you have any personal plans?

MR. BOWSER: For the record, yes. [Applause] I might add this, for the record also, that if elected I would see to it - this is off the record - that the people of East Orange were given "a fair shake" whether it be by the county, the State, or any other such agency. Thank you. I am not campaigning.

ASSEMBLYMAN CRABIEL: Thank you, Mr. Bowser.

The next speaker is Donald F. Mac Art, Chairman of the East Orange City Council.

DONALD F. MacART: Mr. Speaker, Mr. Chairman, Members of the Committee, Members of the Legislature, and you faithful people who are still with us.

If I am permitted, I have a 12-page statement that I would like to submit. It was prepared yesterday and I will submit it, not change a word in it and not alter a word in it, but in the interest of brevity I would like to submit it as it is and speak off the cuff for a few moments if that is agreeable to your Committee.

ASSEMBLYMAN CRABIEL: Very well, sir.

MR. MacART: Thank you. I might add that this talk could have been given ten years ago. When Mayor Steinmann showed you a booklet, "Let's Face The Facts" it brought back memories to me. Rev. Dr. Lester Clee was asked by Governor Driscoll in 1952 to form a committee of voluntary speakers to speak in favor of a referendum which would enable the Garden State Parkway to be constructed quickly. I was one of those speakers. I went before sixteen different groups as a volunteer speaker - sixteen different service groups, church groups, here in Essex County, and the theme was that by voting yes you would be pledging the faith and credit of the State behind these bonds - the faith and credit of the State.

In case there is any doubt in anybody's mind what the Parkway has done for local traffic - prior to the time the Parkway was opened up, North Arlington Avenue, the street right here - and my office is located on it - at five o'clock in the afternoon had no traffic backing up from the Main Street traffic light. When the construction was started on the Garden State Parkway, the then free Oratan Parkway section

was closed off for construction. Mind you, the road wasn't built; it was just being built. Traffic backed up past my office, past these buildings, and half way down to William Street. All the engineering figures in the world, gentlemen, couldn't prove anything better than that. Oratan Parkway was carrying traffic and a lot of it, and it's now being carried on the Garden State Parkway. The people in voting to pledge the faith and credit behind these bonds were doing what they were asked to do by the then New Jersey Highway Department so that the New Jersey Highway Authority could create a road which would relieve traffic from our local streets - the faith and credit.

Now, Mr. Speaker and members of the Committee, just a few weeks ago in the Newark Evening News I saw an editorial which praised the United States Government and the Department of Indian Affairs for upholding and honoring the treaty with the Seneca Indians in upstate New York in regard to a power project, and I would only hope that the State Legislature will have faith with us on our treaty of 1952, and I am convinced you will have faith with us and that you will not abrogate this treaty. And I am convinced that in your wisdom you will see that this project, which has been on the books for so many years, if built through the center of this town, elevated, will create a monstrosity. It will force our school children to go under three hundred feet of darkened tunnels. Our Health Officer sitting out there tells us what we know. Gentlemen, when you leave the hearing go over and look at the present short underpass of the Lackawanna Railroad and find the bottles, the filth, and, if you please, in some cases the human waste.

And you will find in some cases in the Police Department - our Chief is sitting out there - we have had cases of mugging in some of these underpasses - they are places for perverts to lurk. You will be creating not just an area such as we have here now through the poor planning of the Lackawanna Railroad with its present overpass but you would have one, not 70 feet, but you would have one in some places 250 feet.

Many cities have used closed-circuit television so that they can see what is going on in these darkened tunnels. This is poor planning. It's not good thinking. I don't know what in the name of God is the matter with the State Highway Department when they propose blighting an area, cutting down our trees. You are sitting in a civic center now that's been known all over the country for being being one of the finest and most beautiful. We have Japanese cherry trees on the lawn, rhododendron, azaleas. How many of those can you plant under an elevated structure. And so it goes.

Four million dollars. We will lose fourteen billion dollars to the Garden State Parkway and to the East-West Freeway, and this is not just once. We will lose $14,000,000 a year in ratables each and every year.

Now, as Chairman of the City Council in East Orange, it was my very unpleasant duty just a few weeks ago to vote on a budget which took $250,000 from the Board of Education in the City of East Orange, and most of the members are sitting right here in the front. Well, there were some before - the President, Mrs. Stark. This is 6 per cent of the total that it would cost to depress this Freeway. We had to take $250,000 out of the budget in one year from our Board of

Education, reluctantly. This is 6 per cent of the total that it would cost to depress this road through East Orange and do it correctly. I will say nothing of our urban renewal problems. The Executive Director, Mr. George Gerung, of our Federal Housing Authority, is sitting out there.

Our project in the Fourth Ward. I heard today "co-operation - co-operation. We will co-operate." The Highway Authority, "We will co-operate." Five years ago I stood out on this corner with the former Mayor, Bill McConnell and myself, when Dwight Palmer, the gentlemen who just left, told us, "If you prove to me that this road must be depressed, we will depress it." Well, it's now some $60,000 later; that's what we've spent in East Orange to try and prove it, and apparently we have only proven about 60 per cent of the fight. Gentlemen, anything that I say more now will be repetitious. You have heard it again, again and again. I have confidence in you men; I have great confidence in you men to know that you are going to do that which is right, and that is all we ask.

Thank you. [Applause]

[No questions].

(The following statement was submitted but not read by Mr. Mac Art.)

Mr. Chairman, you must realize that when we say we are opposed to any segment of this road coming through East Orange as an elevated structure, we mean just that - any segment. It may sound as if we are against this road coming through our city at all. WE ARE NOT. We are only against present plans to have it go over the Garden State Parkway.

This profile, as I will attempt to show, creates conditions in East Orange which would become intolerable for the stability of our city. The Mayor and I have asked the head of every department in the city to provide us with a detailed analysis of the problems their departments would encounter should the section of the Freeway from South Burnet Street to Maple Avenue have to come above ground and go over the Parkway. In the interests of brevity, I will highlight their responses only insofar as they affect the immediate pressing problems we will have. You all know, from the hearings held in Newark in 1959, that the long range effects of an elevated roadway would cost every community millions of dollars in ratables, would create havoc in those very areas where the federal government is committed to spending millions in urban renewal, would create slums faster than we would be able to eradicate them.

I might say, with some pride, that we believe the studies and analyses made by our city and its consultants before the first public hearing in Newark in 1959, contributed greatly to the writing of the very bills we are discussing today. It is well known that until these factors of decay and blight, crime and inconvenience, health and insecurity, were so graphically portrayed at the hearing in Newark, the prevailing opinion was that this highway would best be built as an elevated structure all the way along its route through the Oranges and Newark. That is one reason I am so happy to see at least this recognition of the problem. If you seek additional money to depress this freeway, you must have been convinced by our former arguments. Why not go all the way? Why propose depression through the route, except where it will hurt the most, in the very heart and core of a city of 76,000 people?

.....more

I will outline what bringing this highway out of the ground in East Orange for so brief a span as is proposed would mean to us who live here, work here, send our children to school here and pay our taxes here.

1. First, in the matter of crime and police problems. By coming out of the ground at Burnet Street, the elevated section of the Freeway would create a no-man's land between itself and the Lackawanna roadbed. Our police chief advises me that such an area, from the experiences of law enforcement agencies, has a much greater local crime potential than an area open to view. This is so even if this area is accessible by public road or public walk. As a matter of fact, such public access even increases the crime potential. No amount of fencing would be of any value.

This area would be a haven for lurid crime commissions. It would serve as a base for striking operations against the surrounding territory. It has been found by police authorities that such a secluded area has always been attractive to the criminal mind. Secluded areas such as this have always been a playground for psychiatric misfits.

The high-banked secluded strip of no-man's land would become an attraction for couples searching for a lover's lane. It would also serve as a haven for the repugnant and dangerous homosexuals and other perverts. Besides the degenerating moral affects of this situation, such secluded parking areas are always the prey for criminals and robbers, in many instances resulting in murder.

Consider one more factor. The double elevation of the Freeway and the railroad would create tunnels almost 300 feet long on some of our main north-south streets. The police problems mentioned above would apply just as forcefully to the lengthy underpasses so created.

This leads me to the corollary problems involving our school children and our senior citizens.

Over 1,000 school children, ranging in age from five to 19, would need to use these proposed tunnels every day. In winter, after-school activities would delay them so that hundreds would be traversing these passages after dark. Evening programs and games would cause night travel for thousands of these youngsters throughout the year. Need I paint a more vivid picture of the crime potential in this case? Would you parents sitting before me today feel comfortable if it were your child going through those dark tunnels, those crime pockets?

Let us turn to our senior citizens. In East Orange, 20 per cent of the population is over 65 years of age, according to the 1960 census. We are proud of the facilities our city has to offer these senior citizens. One of the most important is the Memorial Field recreation area, which is directly adjacent to the proposed right of way. As a matter of fact, part of the play area at Memorial will have to be taken according to plans of the Highway Dept.

Now, our latest attendance figures show that in a 7-day week, 12,000, yes, 12,000 visits, are made to the playground facilities at Memorial. At least half of these visits are made by children and adults living north of the railroad. This means at least 348,000 trips a year through these dark tunnels.

While we are on the subject of recreational facilities, I might point out that our program offers a wide range of year-round activities for our senior citizens. Three of the meeting places for these citizens are in churches which are all within 300 feet of the proposed elevated section of the Freeway. The picture here is obvious.

Our fire chief points out several more problems of an elevated structure. When proceeding to a fire through underpasses, for instance, fire trucks must move a greatly reduced speeds because the sound of the sirens is muffled by the walls of the underpass and because the embankment walls create a blind spot, obstructing the drivers' view of cross traffic. A review of the records shows that 60 per cent of our fire calls in the section south of the proposed freeway are answered by our engines in houses north of the road and would require use of these underpasses. The delays could be the cause of accidents, property loss, even the loss of life itself.

The problem of a fire on an elevated structure is another hazard we face. Such fires require the raising of ladders, a cumbersome and hazardous procedure. Unless the elevated section were equipped with water supply facilities, the Fire Department would have to stretch hose from street hydrants at grade level and in many instances this would require stretching such lines across lanes of oncoming traffic. This creates an additional hazard because of the location of the right of way.

The increased traffic problems and congestion created by interchanges, additional service roads, need for additional dead end streets, would cause serious delays in the Fire Dept's prompt response to other sections of the city. This means increased life

hazard and fire potential for the city as a whole. It also could mean a change in insurance rating class for the city which would affect every property owner.

Everything I've pointed out before with regard to schools, our children and our senior citizens, is again magnified by the location of our Main Library, which lies directly adjacent to the proposed elevated section. All of you who read the Readers Digest and other magazines are aware, I am sure, of the top-flight standing of this institution. I will not dwell on the pride we feel in its excellence. All the problems we mentioned above, the possibility of criminal acts, the traffic hazards, the traversing of dark tunnels at all hours, apply just as strongly to those thousands and thousands of all ages who use the library, both children and adults. There are other problems connected with the location of this building which make an elevated highway near it a cause of great concern. This building might become useless, should the freeway be elevated either to the front or the rear of this structure. It could mean the building of a new library at great expense to our taxpayers, even though the highway department would not claim the structure under eminent domain.

As a health hazard, we have had long years of experience with elevated structures in our midst. The Lackawanna Railroad creates long underpasses on our north-south arteries. These are mere archways to the size of the underpasses which an elevated freeway would create. Add the freeway underpass to the railroad underpass and you can multiply the health hazard five fold.

Our Health Department receives frequent and serious sanitary complaints connected with the railroad underpasses. These are inadequately lighted and serve as hideaways for debris of all size, shape and form, some of the most filthy and disgusting nature.

Broken bottles, newspapers, garbage, human excrement and urine odors appear to be a natural state of affairs in tunnels. The police in some cities have tried closed-circuit TV as a method of inspection over underpasses.

Our health experts tell me that, no matter how thorough a cleaning these tunnels receive, it is only a matter of hours sometimes, before they are right back in the degrading condition in which they were found. Contrast that with the clean, airy, fresh feeling you get when you walk across one of the bridges straddling the depressed Garden State Parkway.

You must have read that East Orange was chosen as the cleanest city in the United States, regardless of population, in a recent national contest. We are proud of that honor. Our Shade Tree Dept. has initiated a program of even greater beautification through a planting of trees and flower beds in areas adjacent to and even on Garden State Parkway in the city. How many flowers would grow in an underground passage, 300 feet long? How many trees could you plant under an elevated steel structure in the heart of our city, right in front of these buildings that have been recognized as one of the most beautiful Civic Centers in the State? Take a trip to Third Avenue in Brooklyn, as we did, over the Belt Parkway, which is elevated. See the decay, the disease, the dirt, the degenerating influence of a monstrosity which blots out the sun and is a spawning ground for filth. Is it any wonder that the New York highway planners are building a parkway across the most valuable real estate in the Bronx, at this very moment, and spending millions extra to keep

it depressed all the way? Yes, all the way across seven miles of New York City, where realty values are at an all time high, and it is DEPRESSED! They even went to far as to RAISE THE TRACKS OF THE THIRD AVENUE subway line. This is an interruption of traffic if I ever heard of one. Yet the highway planners there insist it must be done, so that property values would be enhanced, would be increased, not be destroyed. That is vision. Whatever extra cost the depressing of that road means at this moment will be recouped in additional taxes on improved property for generations to come. What does three or four million dollars mean when the economic life of a city is at stake? I cannot conceive of any government being so shortsighted, so devoid of practical sense as not to see that the additional cost of depressing this roadway throughout our city is infinitestimal compared to the loss in tax dollars which would result, FOREVER, if the road were to be brought up right in the heart of our city.

What do we ask here that is so unreasonable? The road is completely depressed in our neighboring communities. Do we not deserve the same status? Must East Orange be drawn and quartered, by highways, and have to suffer an additional burden of ratable destruction just because we already have the Garden State Parkway in our town? We know it is feasible as far as engineers are concerned, to depress the freeway under the parkway, or to raise the parkway sufficiently to go over the grade level freeway. If this were not so, why has the highway department come up with an additional figure on how much this would cost? As long as we are being asked to approve a bond issue, does the extra three or four million mean so much

difference in the sale of the bonds? Is the Highway Authority fearful that the additional 3 or 4 million would never be repaid? I cannot understand, in the light of the evidence presented to me by every responsible official in our city, showing the havoc even a small elevated section would cause, that you gentlemen would not sympathize with our pleas.

In 1959, we complete a real estate survey, at a substantial cost, which showed the difference a road can make, right here in our own city, by the way in which it is constructed. I will not bore you with figures which I can make available to you at your pleasure. Every real estate man can tell you the difference between a site adjacent to the depressed Garden State Parkway running through the city and the elevated railroad line. Ratables have accrued to us along the Garden State Parkway which have almost made up for the loss of ratables due to the construction of the road. Even now, as you leave this building and go to the parkway, you may see apartment buildings being constructed on several sites right adjacent to the depressed parkway. How many apartment buildings do you gentlemen think will be built next to an elevated freeway section?

This situation with regards to urban renewal is even more serious. You must know that this problem is so acute that Congress has seen fit to introduce legislation designed to help cities with urban renewal programs which are being disrupted by highway construction. Our executive housing director has been wrestling with this problem of the Freeway and how it affects our Fourth Ward renewal program. But he is being stymied because he doesn't have the answers to many questions. Some of them are:

1. What will be the exact route of the Freeway in the 4th Ward of this City?

2. Will the Freeway be elevated or depressed, and where?

3. How will the interchange effect the 4th Ward Project Area adjacent to the Parkway?

4. Has consideration been given to locating the exit and entrance ramps which are tentatively planned in the 4th Ward Area across the Newark City line as the traffic entering and leaving the Freeway will seriously impair the character of the quiet residential neighborhood environments which presently exists, and is to remain under the City's urban renewal plans?

Is this a good location for the exit and entrances, considering the present plan for the interchange with the Garden State Parkway?

5. If the exit and entrance ramps must remain in the 4th Ward Area, can they be designed in accordance with the proposals which have been prepared by the Housing Authority Site Planners?

6. Will the State Highway Department enter into an agreement with the Housing Authority whereby the Authority will purchase the properties in the Freeway right-of-way, relocate the families therein, and then sell the buildings to the State Highway Department at cost, after relocation is accomplished?

7. If the proposal in question 6 cannot be worked, will the Highway Department schedule freeway demolition in the 4th Ward to meet the relocation schedule of the Housing Authority?

8. If the depressed southerly alignment K is selected will there be adequate through streets in the 4th Ward to relate the commercial section on Main Street between the railroad and the Freeway to the residential neighborhood on the southerly side of the Freeway?

9. If the depressed, southerly alignment K is selected, will the State cover over the section between Grove and Main Street and lease the air rights in order to provide continuity to the 4th Ward neighborhood shopping area and establish the area around the Grove Street Station?

10. What will be the traffic flow in the 4th Ward neighborhood in relation to the Freeway? Will this necessitate amending the 4th Ward Urban Renewal Project boundary to establish better traffic flow and the widening of streets such as Grove or Oraton Parkway?

11. Since the Housing Authority and its Planners feel that they have given due deliberation to the aforementioned questions and have generally worked out solutions which will minimize the adverse effects of the Freeway upon the 4th Ward, will the Highway Department properly coordinate its program with the Housing Authority in order that the proposal will be incorporated in the final highway design?

THEY HAVE RECOMMENDATIONS ON HOW #11 CAN BE ACCOMPLISHED:

1. Schedule a series of meetings between responsible officials of the State Highway Department and the Housing Authority in order that a full presentation of the Authority's plan might be made and then follow this with a series of meetings to coordinate these plans.

HERE ARE PROBLEMS THE HOUSING AUTHORITY FEELS WILL EVOLVE IF ADEQUATE SOLUTIONS ARE NOT WORKED OUT BETWEEN THE HOUSING AUTHORITY AND THE STATE HIGHWAY DEPARTMENT IN REGARD TO THE AFORE-MENTIONED MATTERS:

1. Hundreds of families will be displaced from the route of the Freeway in the 4th Ward without any place to move.

2. Residents in the 4th Ward will be forced to either move from the City, overcrowd into existing dwellings, or assume rentals beyond their financial capacity.

3. The whole residential character of the 4th Ward could be destroyed.

4. Traffic flow in the 4th Ward could become unmanageable, and tear down the quality of the neighborhood.

5. The feasibility of reestablishing the lower Main Street Shopping Area can be seriously impaired.

6. The East-West Freeway could become a monument to bad planning in our City, the scars of which can be felt for years to come.

You are all aware of the importance of an overall master plan to any city, especially one of this size and complexity. East Orange first had a master plan adopted in 1950, then revised, brought up to date and amended in 1958. This was done at great expense and laid out the plan by which our future growth and development must be guided. In order for us to live, the freeway must do justice to this planning. Any other course will mean not only that all the time, effort and money we have expended on our Master Plan will go down the drain, but our very life as a functioning city is in danger.

The opening of the Garden State Parkway resulted in a lighter load of traffic north and south through this city---at first. Now, traffic volume on our major north-south streets has increased once again. Unless this traffic is routed properly when tolls are imposed under the bill now under consideration, our streets will be choked.

When our master plan was adopted, one whole section was devoted to the then proposed freeway. We recognized its importance to our overall planning and we took measures to conform to its eventual coming. But we have made certain recommendations to minimize its disruptive effect on our future.

Our experts recommended that the Freeway be aligned as close as possible to the Lackawanna railroad tracks from its entry at the Orange line to the Garden State Parkway and to veer in a southerly direction at this point to a location along Sussex Avenue.

The master plan goes on to point out the terrible prospect of having one elevated structure near the railroad already in existence, resulting in a corollary depreciation of the social environment in this area. I need not repeat the effects, most of which have been or will be related in this testimony.

It is hard for us to believe that the federal authorities in the highway construction department are not aware of the difference between an elevated and a depressed freeway, where it passes through a congested city. But that is not your purview here. You are considering legislation for the construction of a highway. This is your rightful duty, indeed it is your charge under our constitution. The way in which this highway is built is more important to us, even, than where it is built. We have been called obstructionists, as well as some other names I won't mention in this company.

Let me make our position clear. We are NOT OPPOSED TO AN EAST-WEST FREEWAY. WE ARE ONLY OPPOSED TO AN ELEVATED EAST-WEST FREEWAY, no matter how small a segment, where it passes through our city. We do not wish to stand in the way of progress.

No matter how little of this you read in the press which is so anxious to have the road into Newark, it doesn't care what happens in between, we do not oppose this highway. Why then, cannot the highway department see our attitude? If we agree that a highway is needed, and we do not oppose its right of way, is it so difficult for anyone to see our wish to have it do as little damage to our community as possible. Since this means spending an additional few million dollars in an overall cost of $ 62,000,000 , is this so much to ask? We cannot understand any opposition to our desire to preserve our integrity as a place for our citizens to live, to worship, to play, to read, to study, to remain in peace.

I ask you, in behalf of our City to give heed to our pleas. They are so simple. Let us continue to develop. Let us create a good life. Let us have a fair chance to keep our cost of government down. Allow us to continue to contribute to the welfare of the state as well as our city in the best way we know how---by leaving our city in such a condition that it will remain a magnet for those who want to live in peace and tranquility in an atmosphere of fellowship, free from fear, from burdensome taxation, free from the spectre of a ribbon of concrete on steel which would rise from the ground like the dragons of old, slashing about with destruction as its only aim.

ASSEMBLYMAN CRABIEL: The next speaker is Francis McCormick, County Engineer of Essex County.

FRANCIS P. McCORMICK: Mr. Chairman, Members of the Legislative Committee, I have been asked by Director Gene Moss and Supervisor Weldon Sheets of the Board of Freeholders, who had to leave for another engagement, to make a brief statement for them.

The Essex County Board of Freeholders realize that an East-West Freeway project is of vital interest to the county. They also sympathize with East Orange and urge that the Freeway be completely depressed. They are deeply concerned with the plans for constructing adequate marginal roads and interchanges with our county roads along the Parkway. We request that any bill adopted require approval of the Parkway marginal roads and interchanges with county highways by the County Engineer and the Board of Freeholders. This was an original provision of the Parkway bill but was never lived up to in fact.

The Freeway will have an impact on all county north-south roads, especially those which have interchanges with the Freeway. The County wants assurances from the State Highway Department that the resulting problems will receive consideration and financial aid.

That is all, Mr. Chairman. [Applause]

ASSEMBLYMAN CRABIEL: Thank you, Mr. McCormick. Are there any questions?

ASSEMBLYMAN SARCONE: One question, please, Mr. Chairman.

Mr. McCormick, you have, have you not, in the past

several weeks been viewing the alignment of the proposed Freeway?

MR. McCormick: Yes, I have.

ASSEMBLYMAN SARCONE: Have you taken into consideration what effect it would have on feeder roads and traffic in our county?

MR. McCORMICK: Yes, I have, so far as our county roads are concerned.

ASSEMBLYMAN SARCONE: Is there anything you can indicate as to what effect it would have?

MR. McCORMICK: With county roads, providing there is an adequate marginal road system provided along the Parkway, our main problems are west of the mountain with the interchanges at Prospect Avenue, Northfield Road, Pleasant Valley Way, Livingston Avenue, etc. - all these roads are going to generate an enormous amount of additional traffic that will feed into the East-West Freeway at those points. They will require widening by the county. That is why we ask for some assurances from the State Highway that financial aid will be forthcoming.

Now, Prospect Avenue at this time will be a natural extension of Route 23. All of Route 23 traffic will now come over Prospect Avenue into the Freeway. It seems unrealistic that the county should be put to the expense of widening Prospect Avenue when it is actually an extension of Route 23.

There are many problems. I could go on forever on this feeder road problem. But we do have problems and we will have them no matter how the Freeway is constructed.

ASSEMBLYMAN SARCONE: But it will present problems -

MR. McCORMICK: It will present problems and financial ones of magnitude.

ASSEMBLYMAN CRABIEL: Mr. Julius Fielo, of East Orange. [No response]

Mr. Mervin Wiener, of East Orange. [No response]

Mr. George R. Genung, of East Orange.

G E O R G E G E N U N G: My name is George R. Denung, Jr. I am Executive Director of the Housing Authority of the City of East Orange.

Mr. Chairman and Mr. Assemblymen, you have heard our Mayor and the Chairman of our City Council and other representatives from East Orange talk about the Housing Authority and they have mentioned my name. The reason we are concerned about this East-West Freeway is a little bit of a different situation from much of the presentation that has been made today. We have within the Fourth Ward of our City an estimated 500 families, many of considerably low income, who will be displaced by the current route of the East-West Freeway. This is a serious human problem.

We have talked about highway planning; we have talked about interchanges; we have talked about financing; we have talked about entrance and exit ramps; but here we have a large group of citizens who, because of this public improvement which we have all discussed as being needed, are going to be uprooted from their homes and, to be very frank with you, there are very few opportunities or places for them to which to move.

The Housing Authority, in conjunction with the City, has therefore undetaken an urban renewal project around the

environments of the East-West Freeway in the Fourth Ward project, simply because the federal highway law and the state highway law do not provide that families being displaced in this type of public improvement will have to be relocated. The urban renewal laws do require this. So, therefore, by combining these two public programs, the Housing Authority will be able to provide relocation assistance to each and every one of these families and see that they are provided for. Certainly this is not unreasonable to ask of anybody who is making the sacrifice of having to move. Many of them are homeowners and many have owned their homes for a long time. They are being uprooted and they should be looked after; they shouldn't be thrown out.

When the Garden State Parkway came to our city, there were sections in there through our Fourth Ward where families were displaced, and I have been assured by ministers - the Reverend Bill Bailey back here, the pastor of the Calvary Baptist Church, that as many as four of his parishioners suffered nervous breakdowns merely because of the upset and turmoil that was inflicted upon these people's lives.

Now, we as public administrators, elected representatives, and planners and technicians certainly can spend a lot of time and a lot of effort studying the planning and the engineering of public improvements, but we also cannot underestimate the value of a human being, and this type of consideration we must give. The Housing Authority has, therefore, been, since July of 1958, attempting to coordinate with the State Highway Department in its plans for the development of this Fourth Ward urban renewal project in conjunction with the East-West Freeway. To date we are no further along in

coordinating these plans than we were in July of 1958. This is merely and simply because of the confusion which has surrounded this particular type of Freeway and particular type of development.

I think it was brought out and it was quite evident to each one of you gentlemen here that there is no adequate information available as to what is going on, what is happening. I have listed here - I won't take your time to read them - exactly dates and correspondence, and who wrote them, and answers and referrals. It's been around and around the merry-go-round we go. Nobody has any answers - what is the situation here?

Commissioner Palmer, a few weeks ago, spoke in Newark. I listened to him talk down there and he was setting out a schedule for the East-West Freeway. He is anxious to get this roadway built and I don't blame him. He's had a lot of troubles and a lot of delays. However, he was setting up a schedule where within nine months' time they were talking about getting out there and starting to build the roadway. We've got hundreds and hundreds of families along the route of this Freeway who can't be relocated in that time. Especially in our Fourth Ward in East Orange, we've got many families of low income for which the Housing Authority is going to have to develop some low-income public housing. This takes two years; it absolutely takes two years, and we cannot start this as part of the over-all program until we have coordinated our plans with the State Highway Department. It's a vicious cycle.

I have a list here of ten or eleven specific questions

which I will not take your time to read, as to the complications in planning in urban renewal projects and coordinating it with a highway program. We do have a regulation under the federal laws of the urban renewal administration that highway programs and urban renewal programs, which are being carried out under public funds, must be coordinated. The White House, the Senate and Congress have made many press releases and public statements about coordinating these two programs. And I say to you, gentlemen, this one example that I am pointing out here today of coordination has been exemplified by many other speakers in the need for coordination and understanding in planning, and I say, why should we, and why should you as legislators, go ahead and take action on a bill for which we don't know what we are getting. This has been said before, but I think it needs reemphasis. I feel that we should go ahead and plan our projects;after the plans have been completed, review our projects, and after our projects have been reviewed, then take action on our projects and carry them out. Certainly when the Housing Authority undertakes an urban renewal project, it first goes to its City Council and it requests funds to study an area. This is approved; plans are then developed; public hearings are held. Then it goes back to the City Council and it presents these plans for approval. After these plans are approved, then the Housing Authority can go ahead and arrange to get funds to carry them out. Certainly we are not permitted to be given a check for a million or two million dollars to run out and start redoing the city until our City Council knows what they are undertaking. And certainly I don't think the Highway Commission should be

entitled to be given the money to carry out their program until the plans have been completed.

Thank you, Mr. Chairman. [Applause]

ASSEMBLYMAN CRABIEL: Thank you. Any questions? [No questions].

The next speaker is Councilman Soriano of Bloomfield.

J A C K S O R I A N O: Mr. Chairman and Members of the Assembly, Ladies and Gentlemen: I realize the hour is getting a little late and I will try to be as brief as I can.

I would like say at the outset that I am unalterably opposed to any of the bills that are presently before the Legislature. There is no doubt in my mind that the East-West Freeway should be built and it is extremely necessary, but the thinking to date appears to me to be a Freeway at any price. I am opposed to this sort of thinking. In the first place, I still question why the State Highway Department has seen fit to tie in this particular development with the Garden State Parkway. And I charge here and now that the Garden State Parkway is already badly run, badly managed, and unresponsive to the people of those towns along the Parkway. To add more money to their budgets, to raise more money so as to tie it in with the Freeway, would only cause additional trouble. I think there should be no doubt about the fact that this Freeway should be built and it should be built first with the federal funds allocated and the rest to be paid in full by the State. As I gather, the original construction was contemplated with state funds, and then somewhere along the line the federal government appeared and they have some funds which they give to this sort of

highway construction, with the balance to be paid for by the State.

There should be a further attempt and a very severe attempt to obtain the balance of the money to fully depress this Freeway from the federal government, with the State adding the additional funds. I don't think we should give up at this point. I don't think we should be required in Essex County to tie in the need for a Freeway with the raising of additional funds and the giving this up to the Garden State Parkway.

I might say in addition that it seems to me, and I may be wrong, but it is my own opinion, that this is a scheme that has been evolved after many others not only to raise the money for the Freeway, which they know is needed, but also to cure some of the ills of this Garden State Parkway.

Let me point one other thing out, and this has been pointed out by many other speakers today: It seems that there is a lot of guessing being done by the experts. Maybe I should be an expert too, because I could guess. It seems that they are talking thirty-eight million dollars and I have not yet heard any additions that add up to thirty-eight million dollars. I have heard these comments -"give us this money, give us this legislation, and we will take care of everybody." Well, I'm going to make another frank statement and I am not going to do any pussyfooting: I don't trust the State Highway Department, and I trust much less the Garden State Parkway Authority and their Mr. Tonti, and I am basing it on the record.

I have been a Councilman in Bloomfield for five years

years. We have requested many things of the Garden State Parkway, and none of them unreasonable, and I would hate to tell you how few of those requests have been honored. The point is always made by Mr. Tonti, and I wish he were here, whenever anything is suggested in Bloomfield - and I gather in any other town - "well, we must think of the bondholders." Now the cry has even gone further - we must think not only of the bondholders but also the State because the State will pay if the revenues are not sufficient to pay the bondholders. I never heard any one of them say that we must think of the people along the line. And that's why I'm a little excited today and that's why I'm unalterably opposed to these bills. I am unalterably opposed to tying the Garden State Parkway in with any of the East-West Freeway construction. No promise that they have made has been honored in Bloomfield, and if they have they are so small I don't know about it. Our marginal roads are not cleaned, the weeds are not cut from the sides. We have had a terrific traffic problem at Bloomfield center, at the junction of the Parkway and Bloomfield Avenue. We have made many requests for the Parkway to do something about it. I wrote to Governor Meyner; I wrote to Tonti; I wrote to everybody else. We sat with them many times. We have had a number of very expensive studies from this firm that Mr. Bruce represents, but we have had nothing else.

ASSEMBLYMAN CRABIEL: Councilman, I am very much upset about your talk. I think it is all in poor taste. There are many serious people who have been sitting here all day long waiting to be heard. I recognized you because

you are an elected official of Bloomfield, and I have heard nothing but a tirade against the various officials of the State. Everyone is working hard to solve this problem, and I urge you to stay on the subject.

MR. SORIANO: I certainly will. And I think, Mr. Chairman, that in speaking of these people and these Authorities it is certainly germane, because these very people are asking this Assembly to pass some bills allocating money to them which they will spend to develop this particular roadway, and I am trying to inform the people of my knowledge and my own opinion as to what the experience was with their prior promises, and I think the other speakers did. Maybe they did it a little more gentlemanly than I did. But I'm sorry; I can't help it. I don't think they have honored their promises and I think the Assembly ought to know that. This is my opinion and I think, knowing that, they should not vote in favor of any such bills as are presently before the Assembly.

That is all, sir. [Applause]

ASSEMBLYMAN CRABIEL: Are there any questions? [No questions].

Mr. Mervin Wiener of East Orange.

M E R V I N W I E N E R: Mr. Chairman, Ladies and Gentlemen: My name is Mervin G. Wiener and I happen to be the immediate Past President of the Chamber of Commerce and Civics of the Oranges and Maplewood. I hope you will not hold that against me because of any remarks that have been made by a representative of another organization that you might think is the same as ours.

Now, as I sat here and listened to this fine hearing,

it occurred to me, as it must have occurred to you, that a rather surprising and even colossal ignorance has been disclosed by it. If the hearing didn't do any other thing for it, it did disclose the fact that the officials who the people of East Orange have had every right to assume had all the facts and figures at hand on which their conclusions were based, or should have been based, didn't have quite a few of them that would have been helpful to us here today.

Now, it probably also occurred to you that their strange lack of facts and figures has not prevented these highway officials from making what we all know to our sorrow have been some strongheaded and flatfooted positions about the Freeway.

Almost exactly two years ago this coming Good Friday, there was another East-West Freeway hearing in the Mosque Theatre in Newark, and at that time - and I was then President of the Chamber - I said, "Our Chamber of Commerce insists that no one, absolutely no one, has the right to say to the people whom we represent, 'You'll take the Freeway my way, the high way, and if you fight for the Freeway your way, the low way, you won't get the Freeway no way.'" [Applause]

Well, we showed them then that we were not just underdeveloped children amenable to that kind of discipline. They learned that we were intelligent adults who would not be silent when we knew we were right. And what was the result? Well, you know. As soon as it was made clear that good citizens were not to be intimidated, the threat of "no Freeway" was withdrawn. But now we are faced with a new situation, and it's almost as bad. Our representatives at

Trenton have recommended and, with all due respect to them, the public might get the impression, although we know that it isn't so, that they have been thinking to foist or force upon us legislation which in effect is now saying this to the poor benighted people of East Orange: "O.K. You will get the Freeway anyway, but if the Commission of the Highway says it will go over the Parkway, it will stand up there the stark way; it will not go under the low way."

Now, we are free and independent citizens of East Orange. We will not supinely surrender the privilege of making such a vital decision to a Commission which originally threatened us with "no Freeway" unless it was constructed their way, the high way. We think, with the courage of our well-reasoned convictions; we say that we have every right, gentlemen, to a Freeway that is depressed throughout our city. We demand - yes, and I use the word advisedly - we demand that our representatives at Trenton oppose every piece of freeway legislation which does not unequivocally provide for exactly that and nothing else, and no alternative. We are not satisfied with any either-or bill. We can see only too well what will happen to us if such a bill is passed. We are here to impress upon our legislators to the best of our ability that they must kill any such bill and that they must pass a bill that will surely permit our city to survive and to prosper.

We know that a Freeway elevated over the Parkway would be contrary to the clearly expressed and predominant will of our people. We know that a Freeway which raises its ugly and destructive middle over the Parkway would be a monstrous,

unsightly and ruinous monument to penuriousness. We still have faith in the far-reaching power of public opinion, honestly formed and fearlessly expressed. Now, we are firmly confident that our public representatives, both here and in Washington - and there I might pause to say that I do not believe that the possibilities of obtaining further funds from Washington have been exhausted. I do not have the feeling, as some of you may have, that they have been sincerely and actively and urgently enough carried on because of the thinking that has controlled the people who have the say.

As I say, we are sure that our representatives here and in Washington will meet our overwhelming demands for that to which we are so truly entitled, that which, for the welfare of our city, we absolutely must have - a completely depressed Freeway.

Thank you. [Applause]

ASSEMBLYMAN CRABIEL: Any questions? [No questions]

The next speaker is James Mazza, Chairman of the Authority of the People Incorporated of the State of New Jersey.

J A M E S M A Z Z A: I am James Mazza and I represent the Authority of the People Incorporated of the State of New Jersey and I live at 495 Belleville Avenue, Newark.

Well, I had a lot of good things over here. At least, I thought they were good, but after listening to everyone here I feel like striking a lot of it out. Last Monday, being that I read all this in the paper, I thought I would go down to Red Bank. I started to go to Red Bank. They told me to go to Red Bank to get the information. At Red Bank

they sent me over to Eatontown and I went to the Parkway headquarters and I got this information. This is their own report, 1960, (indicating booklet).

Now, I have been listening here to Mr. Palmer claiming he was broke, and the more I look at this the madder I get. The revenues from 1960 broke all kinds of records anticipated by the engineers. You have heard one of the engineers claiming or crying the blues about what is going to happen in 1965, and here is what they had: The intake in 1960 was $20,610,981. Now, they have $991,000 revenue from restaurants, service stations, and other things. Now, below here, it says they have earnings on investments. Did you ever hear of anything like that? They go into the investment business with the tolls that we pay and we are called stockholders in the State of New Jersey. We voted for it way back as some of these members have talked about, and we are the State. This is serious business.

Now, they've got another page over here and they've got this thing so broken down that you need a mathematician to get it, the way they've got it broken down in different categories. I believe I have average commonsense, but when you get to this you'll go dizzy. They have another place over here where they say, "New Jersey Highway Authority, Construction Fund, statement of Construction Costs to December 31, 1960." They break it down - it will take too long to go all the way through - but they break it down to $302,000,000, and then it says "Less income on investments." Now, look at this figure - "$4,332,803." And they have "Liquidated damages and penalties assessed, $165,000. Sales of scrap iron, construction

materials, etc., $108,000; Interest on deposit with Clerk of the Superior Court, $51,500; Insurance claims recovered $92,000; Miscellaneous, $6,000." This gives you a total $4,757,000. Now, they were talking here a little while ago about three or four million dollars. Now, what happened to this money? Did they invest it in business or are they going to take care of the highways and the bottlenecks that we are talking about that badly needed money. I am confused now. I was going to go along with that $38,000,000 worth of depressed highway, which we do need a depressed highway and the best we can get, because at the hearing the Mayors of East Orange, Bloomfield and Irvington - they are really taking it on the chin; I mean, the people of the town are taking it on the chin, and they've got to have facts and figures.

Now, what I had in mind over here is: They have $1,566,000 over the 1959 revenues and ever since 1955 they have been breaking the records, they have broken the record that was anticipated by the Parkway engineers, and the same engineers are crying the blues, hollering "wolf", and that we are liable to go under in 1965. Now, I differ with the idea. I think with good management - to have democratic methods of free enterprise - you know, give everybody a chance to put up a restaurant along the highway and, instead of having nine, have one every two or three miles, and also service stations, and don't just give it to a selected few like Howard Johnson and Cities Service. Give every oil company a chance. I see by that way that in 1965 you will have million of dollars of take by that alone - if we had good management, but we

don't; we have false figures - the worst - and all you have got to do is this and this and this, for you to get nothing if you ask for it.

I just happened to run into this accidentally.

ASSEMBLYMAN CRABIEL: Mr. Mazza, there is no question abot the Parkway Report. The report is on record and the Committee all have copies of it, they are familiar with it, and it is available to the public. We would appreciate it if you will stay on the subject of the East-West Freeway.

MR. MAZZA: Then why didn't the Committee say something about it? I was here all day long expecting to hear something good. Why do you wait for me to bring this up?

MR. CRABIEL: Will you go on with your presentation, please?

MR. MAZZA: Now, what I have in mind here is to eliminate, due to the fact that they promised free tolls through Essex County; my idea is this, to eliminate all toll stations in Essex County. The Union toll plaza should be moved to a little south of Route 22. This would alleviate the bottleneck throughout Irvington. In the north section, the Essex plaza toll station should be moved to Route 3 in Passaic County. This would give much-needed relief to Bloomfield and for the first time will make Essex County toll free, as it should be.

Well, I got through this as fast as I could go because this makes me sick. Nobody else brought this up. I had to come over here and be the goat. I'm happy about that.

Now, this morning you all heard Mrs. White say to keep the toll-free cars from the Parkway. Now, isn't that nice. Do you know what that does? These people don't know a thing about the Constitution of the United States, and the more I talk about the Constitution, the more I can talk about what the politicians have done to the people of New Jersey since 1957 at Rutgers University. They went over to revise the Constitution of the United States, and I'll give you a little education on the Constitution. In 1947 -

ASSEMBLYMAN CRABIEL: Mr. Mazza, I urge that you stay on the subject, please. There are many people here to be heard. We have all been patient and we all want to hear what the others have to say.

MR. MAZZA: Well, according to their faces, I think they like it.

ASSEMBLYMAN CRABIEL: I don't want to limit you, Mr. Mazza, but I would like you to stay on the subject.

MR. MAZZA: Well, the subject was that Mrs. White, or Miss White, said she would like to shoo off the free riders from the Parkway. Now who are these people? These people are like you and I, like myself. I go to work for a living. They go to work. They have to skimp pennies to buy food and shoes and stockings for their children. Now they are the people that Mrs. White wants to shoo off from Parkway. Now, they have a right just like any citizen. They have the same rights in the Parkway in New Jersey as they would have in California. That's in Article IV of the Constitution.

Well, I don't want to keep you any longer because

I guess a lot of these people want to say something on their own. I will say thank you. [Applause]

ASSEMBLYMAN CRABIEL: Thank you very much.

Mr. Edward Stanton, Attorney for the Munn Avenue Church.

E D W A R D S T A N T O N: Mr. Chairman, Mr. Speaker, Members of the Committee, and Ladies and Gentlemen: My name is Edward Stanton and I appear here today on behalf of Dr. Mueller of the Munn Avenue Church. As most of you know, Dr. Mueller has had a heart attack approximately six or eight weeks ago. I wouldn't be surprised if all the agitation and upsetment caused by the East-West Freeway was partly responsible for that. Of course, this cannot be proved but, as I say, I wouldn't be surprised if that happened to be the case.

But briefly I would like to state the position of Munn Avenue Church here to the Committee, and we certainly want to thank particularly the Assemblymen from Essex County who introduced the bill making it mandatory for depression in East Orange. The highway , as its plans are right now, would be approximately 60, 70 - I'll even concede it 100 feet away, from the doors of the Munn Avenue Church and it would be elevated. It's one thing, gentlemen, to take church property and pay for it, but it's another thing to take a church property - not physically take it but to put it out of business. And that's the position you will force us into if you elevate this Freeway in East Orange.

Approximately two-thirds of the membership of the Munn Avenue Church come from members who do not live in

the immediate vicinity of Munn Avenue. A Chinese wall or an elevated Freeway there within a matter of a very few short years, within a matter of 10 years at the most, would bring our income and membership down to such a point where we could not even maintain the buildings properly.

Now, there was a question asked before, Mr. Chairman; I think I would like to answer the question which you asked of Mr. Bowser. And, as I recall, that question was, if you had a choice, which would you take, considering all aspects of things, whether you would take a brewery or a church? My answer would be clearly that you would take the brewery, that you would not take a church or a series of churches. I think the churches contribute much more to the community than any brewery in Orange or any other place contributes, particularly when there is more than one church involved here. There are several churches involved. And if you consider the properties and ratables, we have in Munn Avenue over twelve hundred members. We also have property which is worth over a million and a quarter dollars. And again I can't cease to re-emphasize that if this elevated Freeway exists or it is constructed elevated, you are in effect taking our property without any compensation, and this is the biggest tragedy that could happen at all. We don't want our church property taken, but if it has to be taken, we at least hope to be compensated for it.

This Freeway must be depressed, gentlemen. There is no question in our minds. If it hadn't been for the municipalities and the churches which organized so quickly, there was an effort to put this thing through under bulldozer tactics.

We are glad that the Assembly particularly, and the Senate - and we certainly want to give credit where credit is due in the Assembly to those who stopped immediate passage of this legislation, despite what the Newark newspapers had to say in criticism of one of the Senators who did take that action. But we certainly are glad you are holding this hearing and we appreciate this opportunity to speak here before you, but we also say that these churches, which have such a terrific influence on our community, must be preserved.

Now, we want the bill, which is 512, I believe, introduced and sponsored by the Essex Assemblymen, which calls for mandatory depression. We are firmly, and I will even say violently opposed to any discretionary authorization in Commissioner Palmer or anyone else to be given a blank check as to where and how a freeway will be built. We don't want to infringe upon the Highway Department's engineering features on this, but fortunately we are in the position that we can't risk or take the calculated chance that that freeway will be elevated. We can't take that chance. We have to insist, gentlemen, and I think you are going to go along with us, that this freeway be depressed, not elevated, and that it be depressed completely throughout East Orange. And this, we sincerely ask you and beg you to do.

We feel very strongly about this, and I think it is unfortunate, frankly, that the City of East Orange and its citizens have gone to such a terrific expense - I think the figure was $60,000 - and all the agitation, nervousness, and upsetment and work that we have had to go through to get across our point to those who represent us, both in elective positions

and administrative positions. We think, frankly, that we should have been entitled to this consideration without all this effort. We don't think we are unreasonable. Gentlemen, we ask you to completely depress that Freeway. [Applause]

ASSEMBLYMAN CRABIEL: Any questions? [No questions]

The next speaker is Mrs. Fred E. Carlson.

M R S. F R E D E. C A R L S O N: I am Mrs. Fred E. Carlson. I am Chairman of the East Orange Citizens Emergency Committee for a Depressed Freeway.

As a citizen of the United States, I recognize the importance of the interstate system of highways. As a resident of the State of New Jersey, I also recognize the necessity for the East-West Freeway and the necessity to build it as soon as possible. However, as a resident of East Orange - and I have resided here for 20 years - I also recognize the necessity to build the East-West Freeway depressed underneath the Garden State Parkway and completely throughout the length of East Orange. This is a very grave situation, because the economic life and the future development of our city depends on the depression of the Freeway, and it is doubtful whether our city can survive as a first-class municipality with an elevated freeway piercing 40 per cent of her heart.

Now, this is no ordinary city, gentlemen. This is a city with a background of tradition and with a dynamic pattern for growth. We have had planning committees and planning boards since the year 1922, and these planning boards did not merely put their plans in blueprint form and keep them on the drawingboard; these plans were put into actual physical changes for our city and for development for our city. The

future of our city depends on a depressed freeway, and the citizens of our Committee are working together with the government in a combined effort to achieve legislation which will assure us of complete depression. We will not be satisfied, gentlemen, with either/or legislation. We need to be assured. We need a guarantee that the freeway will be depressed underneath the Garden State Parkway and completely throughout the City of East Orange.

I believe in the future of East Orange. I believe in her growth potential. I know that she has a tremendous future ahead of her, and I beg of you gentlemen, do not sign a death certificate for this city by passing legislation that is weak. Give us the guarantee. Give us the guarantee that we will have a future. [Applause]

ASSEMBLYMAN CRABIEL: Any questions of Mrs. Carlson? [No questions].

Mr. William M. Foster, President, East Orange Chamber of Commerce.

W I L L I A M M. F O S T E R: Well, what kind of a day has it been?

This statement has been timed at one and a half minutes, and I'm speaking for the East Orange Chamber of Commerce as its president. The Chamber of Commerce of the City of East Orange has always maintained and still maintains that the East-West Freeway must be depressed wherever it passes through East Orange. Elevated highways are a known cause of property deterioration, declining real estate values, and a proven factor in urban crime rate.

For many years, East Orange has been known and respected as a fine suburban community, With the character of the city rapidly changing from suburb into urban, we cannot allow this community to deteriorate, which it surely would do if the East-West Freeway were elevated over 40 per cent of its path through the city. Engineers tell us that it is possible for the Freeway to pass under the Garden State Parkway. We know that our State Highway Commissioner, as a former resident of East Orange, has the best interests of our city at heart. We respect his judgment. But we also know that it would be foolish for any city to agree to invest one man with the authority to elevate or depress a highway project of this tremendous magnitude and tremendous importance to our city's welfare through a large portion of East Orange.

We must insist on a Freeway built that guarantees complete depression of the highway throughout our municipality. East Orange knows what is best for East Orange. We are inclined to think that our state legislators and officials know it also - and that is a completely depressed East-West Freeway. We want the Freeway but we want it built right. [Applause]

ASSEMBLYMAN CRABIEL: Any questions? [No questions]

Mrs. T. McLoughlin, East Orange League of Women Voters. [Not present]

Robert Hollins, Jr. of South Grove Street, East Orange. [Nor present]

Mr. J. Anton Hagios, New Jersey Citizens Highway Committee.

J. A N T O N H A G I O S: Mr. Chairman and gentlemen of the Committee, this is actually a statement of Mr. A. Carlton Durling who is Vice President of the New Jersey Citizens Highway Committee and who was here this morning and stayed until three-thirty but he had another appointment and asked me to read it in his behalf. The New Jersey Citizens Highway Committee does not normally inject itself into local highway situations, as a matter of policy, because these are matters to be settled primarily between the local governing bodies, civic groups and citizens on the one hand, and the State Highway Department on the other.

However, Interstate Route 280, or the East-West Freeway, as it is called here in Essex County, has statewide implications in that part of its financing is to be made available by the New Jersey Highway Authority.

The New Jersey Citizens Highway Committee was pleased and gratified that Commissioner Palmer was able to work out a special financial arrangement with the Garden State Parkway Authority which will at least make possible the construction of New Jersey's most urgently needed highway project. Not only will this important traffic artery be 90 per cent depressed through Essex County but, except for the Garden State Parkway contribution, will also be 90 per cent financed with federal-aid funds.

No final decision has been made as far as we know as to the profile of the remaining 10 per cent of this route; namely, the section intersecting the Garden State Parkway. We understand that the State Highway Department and its consulting engineers are still studying the financial and engineering feasibility of both an elevated and a depressed

profile. We, therefore, cannot understand the purpose of Assembly Bill 512 which by legislative mandate would dictate engineering requirements which, in our judgment, are strictly within the province of the State Highway Department to decide. In fact, we are certain that federal-aid funds would be denied New Jersey or any other state, for that matter, unless its federal-aid projects had the full approval of the State Highway Department.

Also, we question the estimate of the additional toll revenue that would be derived if trucks were allowed to use the Garden State Parkway from the Route 17 intersection north to the New York State line. The situation there is not unlike that of the New Jersey Turnpike on which the ratio of trucks to other vehicles has never exceeded 10 per cent, because a perfectly fine truck route parallels the Turnpike.

If the Turnpike experience can be taken as an indication of the projected truck revenue on the northern end of the Garden State Parkway, it would seem to us that the relatively small percentage of trucks using toll roads would produce something like four hundred thousand dollars per annum - which is a rather big estimate, I think - and NOT the four million dollars which the sponsors of Assembly Bill 512 reportedly anticipate. At best, this additional source of revenue would be a very unstable base for financing the cost of depressing the interchange. Also, if this additional cost is to be four million dollars, the total of the bond issue will have to be raised by at least five million dollars in order to provide the actual construction funds and to defray the additional financing charges.

The New Jersey Citizens Highway Committee, therefore, approves Assembly Bill 487 and opposes Assembly Bill 512.

Mr. Chairman, we appreciate the opportunity that you and your Committee afforded our Committee to present these views to you.

ASSEMBLYMAN CRABIEL: Very well. Thank you. Are there any questions?

ASSEMBLYMAN SARCONE: Mr. Hagios, I note that you approve quite readily Assembly Bill 487 and you raise no question with reference to that bill. Is that correct?

MR. HAGIOS: That's right.

ASSEMBLYMAN SARCONE: Now, as to Assembly Bill 512, I happen to be a co-sponsor with Assemblyman LaMorte.

MR. HAGIOS: I know you are.

ASSEMBLYMAN SARCONE: Of course, I am not here as a co-sponsor but as a member of the Highways Committee. But you raised questions as to that. In essence, both bills are the same except for three things: (1) Our bill, 512, makes it mandatory that the East-West Freeway be depressed under the Garden State Parkway; (2) it uses the word "adequate" for marginal roads; and (3) there was a hope that we could bring in more revenue, which seems to be a very important question, as far as using trucks. Now, do you object - you heard the testimony this morning of the witnesses, didn't you?

MR. HAGIOS: Yes.

ASSEMBLYMAN SARCONE: And you prepared the statement before you entered the hearing; is that right?

MR. HAGIOS: We did.

ASSEMBLYMAN SARCONE: So, therefore, this statement is predicated on the information which you had before you appeared at this hearing; is that right?

MR. HAGIOS: Well, it's testimony that I believe from my experience.

ASSEMBLYMAN SARCONE: And everything you have here was written and prepared -

MR. HAGIOS: Prior to the hearing this morning.

ASSEMBLYMAN SARCONE: So, therefore, you don't take into consideration anything that went on this morning; is that correct?

MR. HAGIOS: No, I have listened to the discussions pretty carefully all day long, and I still stand by the statement.

ASSEMBLYMAN SARCONE: In spite of the fact that it was testified to by an engineer that engineeringwise it was feasible to go under the Parkway, you still would oppose making it mandatory?

MR. HAGIOS: NO. It is our understanding that the New Jersey State Highway Engineering Department is still studying the engineering feasibility.

ASSEMBLYMAN SARCONE: Mr. Hagios, we must consider all the facts and we have heard some testimony this morning. Have you taken into account this testimony?

MR. HAGIOS: I have taken into account the testimony.

ASSEMBLYMAN SARCONE: Did you take into account the fact that the engineering expert who is relied upon, as I understand it, by the Highway Department, indicated that it could, engineeringwise, be feasible to depress the Freeway

under the Garden State Parkway?

MR. HAGIOS: Yes, I heard that.

ASSEMBLYMAN SARCONE: Did you take into consideration the fact that it would cost approximate three and half to four million dollars?

MR. HAGIOS: I heard that too, but I wonder whether it does.

ASSEMBLYMAN SARCONE: What is it that you object to?

MR. HAGIOS: No one at this hearing so far has talked in terms of the long-range cost. There are two elements involved. The first cost is the initial capital improvement cost. Uncle Sam pays 90 cents of the dollar. At the moment that highway is built, Uncle Sam walks out of the picture, and the total maintenance cost is going todevolve upon the local State Highway Departments. And incidentally, I might add that if they go below the Garden State Parkway, they probably are going to run into a water situation, that which may possibly require a pumping station and that sort of thing. And if some of the elements in that water situation are of a local nature, it is going to mean eventually a cost to the City of East Orange for maintaining those pumping stations for water created by their own sewerage system. That is just one aspect of the situation, and I was surprised the engineers didn't bring that out. I'm not an engineer but I get around highway people all over the country and that's what I hear about depression. That's one of the elements; that is the negative element of the picture.

ASSEMBLYMAN SARCONE: I'm surprised they didn't bring that out, too. Has the New Jersey Citizens Highway Committee

taken into account - you say over-all long-range - what kind of life it would be for the people living near an elevated express highway to the left and the right? I am certain, Mr. Hagios, you have viewed such elevated expressways or speedways in New York - they are very common - and if you look to the left or the right, there is blight. Did you take that into consideration as part of your recommendation?

MR. HAGIOS: Yes, we have taken that into consideration. In some instances, yes, an elevated freeway can have a depressing effect on a community, but that is not generally true in our opinion.

ASSEMBLYMAN SARCONE: And you feel that if the highway were elevated, it would not effect the economic, social and welfare being of the citizens of East Orange?

MR. HAGIOS: Not necessarily.

ASSEMBLYMAN SARCONE: And you have considered that?

MR. HAGIOS: I have considered that, yes - the committee has in formulating its policy.

ASSEMBLYMAN SARCONE: Are you in favor, sir, of injecting tolls, which is in the bill which you favor, 487, on the toll-free section of the Essex County Parkway?

MR. HAGIOS: Yes, we are. So far, we have merely considered the rights of the people here in Essex County, and I have nothing against them, for riding on the Freeway freely, but no one has talked about the rights of the thousands of other citizens in one end of the State who want to go to the northern end of the State, who are up against this situation of terrific traffic jams on the Garden State Parkway every morning and every night. What about the people

who do pay the tolls that have made the Parkway possible? Don't they have some rights?

ASSEMBLYMAN SARCONE: I have no further questions.

ASSEMBLYMAN D'ALOIA: You mentioned something about traffic jams. Have you personally seen any traffic jams on the through traffic, or are the jams referred to when they go on and off?

MR. HAGIOS: I have seen traffic jams on the Garden State Parkway literally hundreds of times. They are primarily, I admit, on the outside lane waiting to get off but every once in a while they extend on the inner through traffic lines and it is hazardous for the through traffic in the morning hours and in the night hours to get through there because of the pile-ups that extend into the inner lanes.

ASSEMBLYMAN D'ALOIA: You mentioned something about the water situation and you said you were surprised that nobody brought it out. Don't they have package deals where that is handled very cheaply today?

MR. HAGIOS: It still needs pumping stations.

ASSEMBLYMAN D'ALOIA: Don't they have package deals where it is handled very cheaply today?

MR. HAGIOS: They have, yes.

MR. DUNN: I notice the name New Jersey Citizens Highway Committee, Hopewell, New Jersey. In what county is that?

MR. HAGIOS: Mercer County.

MR. DUNN: I notice your president is George Munsick. Where is he located?

MR. HAGIOS: He is located in Morris County, but that happens to be an old letterhead. Our new President

is William H. Clark of Essex County.

MR. DUNN: What part of Essex County?

MR. HAGIOS: Livingston.

MR. DUNN: And the rest of the officers, are they from Essex County too?

MR. HAGIOS: We have six other directors from Essex County.

MR. DUNN: And are all these directors of the New Jersey Citizens Highway Committee in favor of an elevated highway through East Orange?

MR. HAGIOS: They are in favor of whatever in the final engineering judgment of our Highway Authority is the thing that can be done.

MR. DUNN: One other question, sir. Are you saying in effect they are in favor of whatever the Highway Commissioner designs should be done, or in the alternative are you saying that if a particular bill before the Assembly contains a directive for a submerged highway that your New Jersey Citizens Highway Committee would be in favor of that kind of bill if it were legislated?

MR. HAGIOS: The New Jersey Citizens Highway Committee does not believe in legislation which dictates engineering structures. We don't think that is good legislative practice.

MR. DUNN: Do you feel that the Legislature does not operate within its own realm by prescribing a condition or conditions to highway construction?

MR. HAGIOS: I don't want to say that, but I would like to answer it in another way if you will permit me. I get bulletins and information services from national organizations on legislative highway and legislative transport

information, and I have never come across thie type of legislation either in New Jersey or elsewhere in the country where engineering standards of this specific type were written into the legislation anywhere.

ASSEMBLYMAN D'ALOIA: You keep talking about engineering standards. What about the human element? What about the lives of the people in the community?

MR. HAGIOS: They are very important. That is one of the prime reasons why the New Jersey Citizens Highway Committee is in business. We would like to see these highways built so human beings can enjoy them.

ASSEMBLYMAN D'ALOIA: What about the people who live in the area? What about the effect upon their homes and their buildings and their churches? Aren't they to be considered?

MR. HAGIOS: They ought to be considered but you've got to again follow the democratic principle of a majority versus a minority. Now if a large minority were involved, I don't think the New Jersey Highway Citizens Committee would get on the band wagon on this thing, but you are legislating this for the greatest good for the greatest number.

ASSEMBLYMAN D'ALOIA: In your deliberations in this statement that you have drawn, are you telling us that you have given consideration to the minority?

MR. HAGIOS: We have.

ASSEMBLYMAN D'ALOIA: And you think an elevated highway through this community, regardless of the apartments, the houses, the churches and the buildings that abut this elevated highway, would be good for the citizens of East Orange in contrast with a depressed highway where the construction would remain as is and the plan of the community would be carried on and the

beauty of the community would be maintained.

MR. HAGIOS: Let me answer that this way. If engineeringly and financially feasible to have the entire road depressed throughout East Orange, the New Jersey Citizens Highway Committee would be most happy. If, on the other hand, it cannot be done, the New Jersey Citizens Highway Committee would be opposed to abandoning the project because of the opposition of a relatively small minority, with all due respect to the fact that it means hardship for some of the people who want to go to the library, which will have to be relocated, and they will have to walk further, and that sort of thing. But we do have to make some sacrifices in order to get these highways through.

ASSEMBLYMAN FLYNN: In reading your statement - or it was Mr. Durling's statement -

MR. HAGIOS: Mr. Durling's statement, yes.

ASSEMBLYMAN FLYNN: But you are Executive Director?

MR. HAGIOS: Well, it was worked up by the Committee. Mr. Durling was delegated to present it here.

ASSEMBLYMAN FLYNN: It says here in one sentence, "We are certain that federal-aid funds would be denied New Jersey or any other state unless its federal-aid projects had the full approval of the State Highway Department." Now, the State Highway Department apparently is willing to be shown or, if this thing can be depressed, they are willing to go along. I read that in your statement, which in a certain sense I think constitutes a threat -

MR. HAGIOS: Oh, no.

ASSEMBLYMAN FLYNN: In this other one by Mr. Magovern which was presented on behalf of the Newark Association of

Commerce and Industry, I saw something there this afternoon that I thought could be interpreated as a threat - if we don't take the thing the way they are offering it, we don't get it. I thought it was a threat. I also think this: In today's paper, it says "Freeway Is Seen Perilled by Delay, warning by Commissioner Palmer on funds." I think that's a threat. Two weeks ago when the hearing was going to be postponed over a month, there was no worry, the Commissioner said; absolutely no worry, we have plenty of time. Today we are having a hearing and we are being warned as to the delay. I think that's a threat.

MR. HAGIOS: Let me assure you, sir, that there is no threat intended on the part of the New Jersey Citizens Highway Committee. Since your bill was reported in the press, I happened to inquire into the matter in Washington last Friday as to whether or not the Federal Bureau of Public Roads could approve funds for a highway project which did not have the prior approval of the State Highway Department, and the answer was a flat no.

ASSEMBLYMAN FLYNN: From hearing the testimony here today, would you think there has been much planning going into this?

MR. HAGIOS: I would say there has been a great deal of planning going into it, not just by official bodies but by communities. I was in on this thing myself, if you don't mind my saying, and worked closely with the Town Councilmen and Planning Boards, going way back to 1947 and even further back with the Newark Central Planning Board, where I was Chairman of the Highway Committee back in 1944 and 1946.

There has been a great deal of planning going into this East-West Freeway, in fact too much planning and not enough construction - no construction.

ASSEMBLYMAN FLYNN: For something that has been under consideration for 30 years and the question that has been brought up for the last couple of years, it seems to me that there is very little known about this, extremely little. I think it was brought out here today that we didn't get decisive answers; we got evasive answers. Now, Mr. Hagios, you are from the New Jersey Citizens Highway Committee. Is there a connection between this organization and the Prudential Insurance Company?

MR. HAGIOS: There is no connection whatsoever, except -

ASSEMBLYMAN FLYNN: There is no connection?

MR. HAGIOS: No connection.

ASSEMBLYMAN FLYNN: Is Mr. Magovern still here? Mr. Magovern, I believe, is Vice President of the Mutual Benefit?

MR. HAGIOS: That's right.

ASSEMBLYMAN FLYNN: I thought there was a connection between the Citizens Highway Committee and the Prudential Insurance Company.

MR. HAGIOS: If you want to call membership on the part of Newark corporations a connection, yes, but the Prudential Insurance Company doesn't happen to be a dues paying member of the New Jersey Citizens Highway Committee.

ASSEMBLYMAN FLYNN: I just wanted to bring your attention to these two points. I mentioned it before to

Mr. Magovern when he was here. I took that as a threat when he said that money would be taken away because we are probing into how it shall be done. We are only trying to get the thing done right. I don't think that there should be any threats.

MR. HAGIOS: I'm sorry, but I don't think that Mr. Magovern meant to express a threat. He simply - Well, I can't speak for him, but he was visualizing, perhaps, a situation where - let us assume your legislation passes; let us assume that the State Highway Department acts in accordance with your legislation and goes to Washington. I am just theorizing now. And let us assume that Washington says, "Do you, the New Jersey State Highway Department, approve of this connection under the Garden State Parkway as an depressed proposition?" And the New Jersey State Highway Department in its best judgment says, "No, we don't," but under the terms of our state legislation we are required to make this recommendation." We feel that Washington will say no.

ASSEMBLYMAN FLYNN: Do you think, for three and a half million dollars, which seems to be the cost - three and a half to four million dollars - there would be any reason why the Highway Committee shouldn't say it was the best way to do it?

MR. HAGIOS: I think the cost will be higher than three and a half million dollars, and I am not an engineer.

ASSEMBLYMAN FLYNN: We had a qualified engineer here today.

MR. HAGIOS: I know, and I was disappointed that they didn't talk in terms of the long range effect of this

thing, very much disappointed.

ASSEMBLYMAN FLYNN: On mentioning the use of the northern part of the Parkway for trucks, you estimated that approximately $400,000 per year, not $4,000,000. I think if they took in $400,000 a year, they would be doing very well. According to the Finance Director of the Parkway today, it would only take $310,000,00 to support a $ 4,000,000 bond issue.

MR. HAGIOS: Well, I think it would probably produce somewhere between $300,000 and $400,000.

ASSEMBLYMAN FLYNN: And all the estimates have always been low on what would come in on the Parkway.

MR. HAGIOS: Well, there is another thing. I am thoroughly familiar with the area. I lived up in Mahwah, New Jersey, for 15 years and I just can't see why a truck, once it gets beyond Route 17, from that point on, you know, the intersection, traffic thins out as you go up to the New York State line - why a truck should want to use the Parkway; there is no advantage, except possibly in the Ramsey area there are some fairly steep hills which slow down the speed of the truck. But except for that, there is no real reason why a truck should go on the Parkway. In the first place, it's a direct connection, it's a direct line from the intersection up to Suffern, while on the Parkway he goes due north and then he goes due west, and I dare say he goes out of his way something like 10 or 12 miles and he might gain a little faster speed, but even the Garden State Parkway is hilly up there.

ASSEMBLYMAN FLYNN: But the direct route of the

Parkway or the Turnpike, do they have what they call "induced traffic," people who would use that to go a few miles further?

MR. HAGIOS: They have that. I wonder whether that affects trucks in view of the terrain up there.

ASSEMBLYMAN FLYNN: The New York Throughway gets heavy traffic down from Buffalo and down from Detroit. I believe there has been a study made as to the percentage of trucks that would use this and I think your figure of $400,000 is a little low. I think if the State could pick up $400,000, whether it was used on this project here in Essex County or not, if it went into the general fund of the Parkway, making it more solvent, at an earlier date, it would be worth while and deserves consideration.

MR. HAGIOS: Except that the location of the New Jersey Turnpike is a much more important traffic band than the Garden State Parkway ever will be in that section. And on the New Jersey Turnpike, only 10 per cent - not even 10 per cent, according to the annual reports of the total traffic, is trucks.

ASSEMBLYMAN FLYNN: Do you think that this phase of the bill is totally without merit?

MR. HAGIOS: No, I don't think that at all. I think that what you are after is good, but I don't like to see it written in legislation.

ASSEMBLYMAN FLYNN: Well, that would call for further study. Thank you, Mr. Hagios.

ASSEMBLYMAN CRABIEL: Mr. Joseph Manjo, Newark.

[No response]

Arthur M. Karl, 81 Eastwood Street, East Orange.

[No response]

William R. Bailey, 228 Main Street, East Orange.

REV. WILLIAM R. BAILEY: My name is William R. Bailey. I am Minister of the Calvary-Baptist Church, East Orange, and I am also President of the East Orange Council of Churches.

As a result of an executive Meeting of our East Orange Council of Churches, we have put on our books as a formal act that we are in favor of only one thing, and that is a depressed East-West Freeway. We say this not only because it intimately and personally involves our churches but we know that it is best for the community.

We are also in favor of an interchange so that our churches will not be seriously affected.

Someone, a short while ago, spoke about the churches as if they were a sentimental organization which could be replaced here or there and that money could be given to build another edifice. But I would have you know from my own personal experience that churches are planned and placed wherein they might do the most strategic good. The First Baptist Church was placed in its given position because it could be of greater service in this area. For sure, the Munn Avenue Church has fulfilled a strategic role in our community for many, many years.

My own Calvary-Baptist Church was in a very fine place at one time, we thought, but then there came an elevated structure, namely, the DL&W Railroad, as the result of which our church was isolated. And as our community grew, we were not able to be of service to the constituents and, therefore, we found it of great importance that we should move

from where we were to our present position.

It would be a tremendous hardship upon us. We would not be an instrument of good for our community if we were set aside, if we were isolated by an elevated structure or if some kind of cloverleaf affair were arranged. Further, we would also be hindered if an elevated structure were erected. It would be a dastardly deed to our City of East Orange.

I've heard it discussed today that some $3\frac{1}{2}$ or 4 million dollars extra would be needed for the interchange or the necessary construction at the Garden State. And the financial expert was of the opinion that this extra $4\frac{1}{2}$ million would be hard to realize.

I am sure that if the problem were put before the people and the financiers actually knew the situation, some way it could be worked out.

Personally, we have not had much dealing with millions of dollars but I would have you know, sir, that churches do deal with money and our existence depends upon money to some extent. Therefore, we must figure and work out means and we understand the problems that are involved.

Further, we would have you know that when it comes to breweries on one hand and churches on the other hand, churches play a creative role in the community and not a destructive role in the community. Therefore, if it means the going of a brewery or a church, it should be the brewery every time. And in the long run the money that is realized from a brewery tax could be made up because of the constructive ends and the constructive roles of a church.

Therefore, we would suggest, the East Orange Council of Churches, that every means be worked out whereby we would have a depressed highway, one; and that the interchange would be so installed that it would not seriously curtail our work. Churches do play an important role in a community. They should not be isolated, they should not be set aside, but everything should be done for their welfare. This is true of Negro churches as well as the White.

I come to you not in particular reference to my church, Mr. Bowser spoke to you in that role, but I speak of the East Orange Council of Churches of which our church is just one.

We do hope that you will give us every consideration so that we might continue our constructive work.

Thank you.

ASSEMBLYMAN CRABIEL: Thank you very much, Rev. Bailey.

Are there any questions? (No response)

Rev. F. A. Dana.

REV. F. ALLAN DANA: Mr. Chairman and members of the Committee, my name is F. Allan Dana, Associate Minister of the Munn Avenue Church, also Vice President of the Protestant Council of East Orange. I am speaking, however, though I substantiate everything that Mr. Stanton said on behalf of my own church and everything Mr. Bailey said about the Protestant Council, - I'm speaking now, in addition to that, principally as a voter and a taxpayer, being a home owner in this City, to say that I am for this Freeway but, as has

already been said, I am not for it at the expense of the whole city. It was made clear a moment ago, though, by one of the speakers that in a democracy the rule of the majority should be taken into consideration as final. The minority is sometimes right and it isn't right to say that we in a democracy should have the will of the majority if the majority happens to be wrong. So while we want the Freeway, we want it to be the right way, and we feel that the only right way is a mandatory depression underneath the whole area of the Oranges and Newark.

It seems to me that it is poor government to spend millions of dollars on the one hand to eliminate slums and then on the other hand spend millions to create slums. That, it seems to me, is not good government, and if four million dollars or five million dollars, taken over a long view, will depress this under the Garden State Parkway, then it seems to me we should pass legislation which would make it mandatory, because I believe it is the only right way. [Applause]

ASSEMBLYMAN CRABIEL: Rev. C. Marshall Muir. [No response] Raymond J. Bean.

UNIDENTIFIED VOICE: The Reverend Bean had to leave for ceremonies. I believe there is someone here who wanted to speak for him.

ASSEMBLYMAN CRABIEL: Is there someone here to speak for the Reverend Bean. Will you come forward and identify yourself.

J E S S I E W. B O U T I L L I E R: I am Jessie W. Boutillier, President of the Advisory Council of the First Baptist Church of East Orange. Dr. Bean had a very important other thing to do and he did not want the First Baptist Church of East Orange

to be on record today as being unalterably opposed to any elevation of the highway near our churches. I speak in the interest of all churches. We have worked together; we have shared things together in the Protestant Council, and we feel that any attempt at elevation in that area will be very, very serious to our churches.

Our church is celebrating its 125th year next year. We love our church. We have a great many people who come from west and north of Main Street and Oratan Parkway. We feel that a wall between our church and that area would do serious damage to our church, render our work certainly very much more difficult and very much less efficient. In fact, we think if walls go up all churches in East Orange will have a great deal to do to combat the increasing delinquency that comes when you have islands shut off, dark, underground, and such things.

I do want to express our thanks for this hearing to the Assembly and the men who have planned this. I do also want to reminisce just a minute, because I have lived in East Orange for fifty years. I saw our Highway Department come along and take away those cherry blossoms on Oratan Parkway, which were more beautiful than the ones in Washington, destroying something of our culture; I saw the Garden State come along and destroy the houses in the neighborhood where I lived, taking away our homes; and now I would hate to see our churches taken away and rendered more difficult in their work. I am glad that somebody around here expressed a preference for leaving churches instead of breweries. It may mean a few more dollars and cents from the brewery, but can human lives and can honor and integrity be measured against the dollars and cents?

Thank you very much for this opportunity. [Applause]

ASSEMBLYMAN CRABIEL: Thank you very much.

Mr. Julius Fielo.

J U L I U S F I E L O: My name is Julius Fielo. I come as the President Elect of Temple Sharey Tefelo, the largest Jewish congregation in the City of East Orange. I am under a mandate by my Board of Trustees to make its position perfectly clear. I suspect that at this time of the day, you gentlemen have heard thousands of words, and I shall not weary you with another thousand.

Suffice it to say that we at Temple Sharey Tefelo feel very keenly as to what may happen to the churches within this community. I may turn to Bill Bailey and say to him that I worshipped in his church as an individual. My Temple joins with me in saying that we would be horrified if anything happened to your edifice. C. Marshall Muir, who I regret to say is ill - I have worshipped in his church, and I say to him and the members of his church that the whole of Temple Sharey Tefelo would be horrified if anything happened to his church, and to the other church involved, the self-same comment.

I want to add one statement and a very brief one. I sat through most of the morning and listened to what was said. We talked in terms of four million dollars; we talked in terms of thirty-two million dollars, and I appreciate that these are staggering sums. I am disturbed that not one speaker made mention of the human values involved here, and I utter a protest at this point that no issue was made with respect to that. Certainly, all of us in this civilization must understand that we must preserve and protect those aspects of our culture that lead us to the worship of God, and I urge you gentlemen upon

the Committee, when you think in terms of deciding what to do for the City of East Orange, to give some attention to that.

Thank you very much. [Applause]

ASSEMBLYMAN CRABIEL: There appear to be no questions.

I will call Freeholder Arthur N. Skeels.

A R T H U R N. S K E E L S: Mr. Chairman and members of the Committee, I just happened to read across the shoulder of Assemblyman Sarcone the headline in the Newark News which reads, "Freeway seen periled by delays," and I think perhaps it would have been much better had they printed "Freeway perils the economic factors of communities along its right of way." It would have been more in order.

I prepared this statement and wrote it yesterday. Perhaps if I had waited until after listening today here to some of the statements that were made, I would have embellished it considerablye, but I'll read it as I originally wrote it and perhaps make some comments here and there.

I am Arthur Skeels, a freeholder from Essex County, living in Livingston, New Jersey, and I appear before you today as a citizen, as well as a member of the Board of Chosen Freeholders of Essex County. I have followed the progress of the plans for the installation of the East_West Freeway for a number of years as a municipal official as well as currently as a member of the Board of Freeholders in this county.

At a recent meeting with the consulting engineers it was disclosed to me that the Freeway could be depressed under the Parkway as opposed to going over it. Then I questioned, if this is true, what will the additional cost be and why shouldn't it be done?

It is said that if the Freeway goes over the Parkway it will run about 20 feet above ground level for a distance of 1600 feet through the heart of East Orange and will cut the City in half. It is my opinion that this will depress values of properties either side of this elevation and under such circumstances it would be more economical in the long run to depress the Freeway through this area and conserve the ratables. It has been said by the consulting engineers that this can be done and would require an additional $4,000,000. Is this true?

Well, as we all know, we heard here today an expression of somewhere between three and a half million and four million dollars as being the additional cost.

The City of West Orange has fought continuously for the tunnelling of their section through the mountain to avoid destroying a goodly amount of prime ratables. Here again I pose the question of whether or not this is good, sound economics, whereby in the long run, similar to East Orange, it couldn't just as well be justified, instead of reducing these ratables to nothing and jeopardizing the economy of the City of West Orange, that we shouldn't tunnel through. Of course, in all these remarks that relate to that which I learned today of limitations on how a bond issue can be floated by the Parkway Commission -

It has been called to my attention by our County Engineer and the Freeholders of Essex County that very little or no consideration has been given to increasing the width of the connecting roads to the Freeway. I might add that our County Engineer spoke before me here and in a very cursory manner outlined some of the problems we may encounter. However,

I heard earlier the engineer s for the Freeway express the opinion that we could work out this problem as for its cost between the county and perhaps the municipalities as well for the extension and the widening of roads necessary to achieve the interchanges. By not giving this full consideration, the County could be faced with millions of dollars of road installation and reconstruction. As an example, at the Prospect Avenue interchange in West Orange, the State will take into account the widening of the Avenue for a distance of 500 feet north and south at the interchange. However, going north from this point to Route 23, the State highway, there is only a 2-lane road and the volume of traffic that will go to the Freeway from Route 23 on this 2-lane section will congest this route beyond comprehension unless it is widened to its full length. The same applies going southerly to Route 10 and Northfield Road. I have learned since, by our own traffic counts and our own traffic study group in the County, that it need not quite go this far, that it should go for a widening to Eagle Rock Avenue. Is the County to be burdened with this expenditure? Why should they be and, if so, where will the moneys come from with our already inadequate state aid for roads to the County. This doesn't only apply to this interchange, but others as well, and it appears as though no consideration has been given to this aspect.

No engineering map has been shown by the State Highway Department as to its intentions as to the location of the new toll booths to be installed on the Garden State Parkway in Essex County by virtue of the proposed $38,000,000 bond issue. Nor have any maps been shown disclosing the improvements

and relocation of interchanges and improvements of access roads as proposed under this bond issue. The Highway Department must of necessity consider both of these projects as one, in that both improvements are proposed under this bond issue. It is most understandable under these circumstances that the communities and the county show so much concern for the lack of engineering plans for this area. It is of utmost importance that due to our already poor traffic conditions, as generated by the present Parkway, that such disclosures as to the new proposed ingress and egress roads be made in advance of the Legislature action on either the Assembly or the Senate bills affecting this bond issue. The municipalities would like to be able to know how much relief these new plans will give them from traffic congestion and the county would like to know the effect the new plan will have on existing county roads and whether or not they will have to make any expenditures for road improvements because of these plans. Under these circumstances, it is not hard to understand the objections of the people, municipal officials and county officials of Essex County who, by virtue of giving up a toll free section of the Parkway, are questioning what they are going to receive in return.

The foregoing would all be clarified if all of these matters set forth above were considered and made available as engineering data on maps. It could very well happen that, if this were done, all of the essential needs for both the Freeway and Parkway installations would not be covered by the $38,000,000 bond issue and under which circumstances Essex County would be short-changed with a second best and costly installation for its citizens.

I know and recognize the urgent need for the East-West Freeway. I also know that we will have to live with this creation for a long time to come, and I believe it is incumbent upon the State Highway Department and the State of New Jersey to give us the best possible facilities within reason for us to continue to prosper, progress, enjoy and rehabilitate with a minimum disruption of the economies of our communities along both routes.

I realize full well the financial problem involved in this creation and if, as I set forth above, the $38,000,000 is insufficient to furnish adequate facilities, it would be well to increase this amount to whatever is needed to permit a proper installation. How to substantiate or support an increase in the bond issue should be studied as outlined in Assembly Bill 512 with respect to permissive use of the Parkway north from Route 17 by trucks provided they will not congest this section of the Parkway and that the roadbed is of sufficient construction to withstand such usage. If this also is insufficient, it would perhaps be in order, if legally possible, for the N. J. Highway Authority to consider the purchase by bond issue of that stretch of the Parkway now owned by the State Highway Department from the Union, New Jersey, toll booth to the South Amboy toll booth, which stretch is now toll free. Now, I heard this morning Assembly Sarcone and Assemblyman Flynn express opinions in this particular direction. Apparently there are a number of us who are thinking along the same lines, and that is, providing sufficient funds for all the facilities which Essex County is entitled to. By so doing, we would be able to install tolls along this heavily traveled section which would sustain the purchase by bond issue. The moneys which would accrue to the

State Highway Department would have to be split 50 per cent to the Federal Government and 50 per cent, of course, going to the State. It might be possible under these circumstances to have the Federal Government reallocate this amount back to the East-West Freeway along with the State contributing whatever balance was necessary from that which the State would receive. In addition to creation of much needed funds by this procedure, all users of the Parkway would be participating in the overall cost of the East-West Freeway, as well as the needed improvements of the Parkway. In that both of these improvements will benefit the entire State, I can see nothing wrong with this procedure. Although I have no way of making a determination as to the feasibility of this latter plan, it is of sufficient substance, in my opinion, to warrant a study and is put forth as a positive approach to a problem instead of just appearing here in a negative fashion.

It is further my considered opinion that Essex County, in relation to its contribution to State-Federal highways funds, is also most deserving of full consideration by the Governor and the Legislature for whatever additional moneys may be needed for both the East-West Freeway and the Garden State Parkway improvements by budget appropriation, if this is the last resort. Essex County has long been neglected in State Highway improvements.

In conclusion, let me thank the Committee for the privilege of appearing before you to set forth my views. These views are without prejudice and are not meant to delay the installation of the much needed East-West Freeway, but only to bring to your attention the problems attendant to the installation and their effect upon our communities and county

and to intercede with you gentlemen for you to give these matters, of grave concern to us, your utmost consideration. For, as I said before and I reiterate, we will have to live with this creation for a long time to come.

Thank you very much. [Applause]

ASSEMBLYMAN CRABIEL: Thank you. Any questions?

ASSEMBLYMAN SARCONE: Freeholder Skeels, Mr. McCormick, our County Engineer, testified this morning and expressed the position of your Board and through Mrs. Moss and Supervisor Sheets, I know that you have been actively participating in this problem, not only as it would affect the people of the State but Essex County in particular, being a member of their governing body. Freeholder, has there been presented to you any material in connection with the alignment, whereby you might here in Essex County, through your consulting engineers, come to any conclusion as to what effect it would have so far as the feeder roads are concerned and the cost in connection with making them adequate and maintaining them?

MR. SKEELS: Well, the first time, at a hearing we had with the consulting engineers for the East-West Freeway last Thursday morning, a week ago almost - after that meeting we were provided a map of the alignment of the East-West Freeway. It was provided to our County Engineer. I might say that, so far as the interchanges are concerned, this was the first time that we at county level had had an opportunity to study its implications with respect to any cost that might accrue because of these interchanges to the county. We worked, up in our Engineering Department, very avidly since last Friday, inasmuch as, after the meeting on Thursday, I went with our County Engineer to the County Engineers' Convention in Atlantic City,

and we did not return until Friday evening and we worked since Friday evening until yesterday, all through yesterday, in trying to make a determination.

I was not here when Mr. McCormick appeared, but we had transposed this alignment on another map of our own and on there he had set forth - and I'm sorry it's not here - what the interchanges would mean with respect to traffic flow leading to them and the widening and the mileage involved. We did not get to a point where we were able to come up with figures. Time ran out on us, but we will have them within the next week, which we will be only too glad to provide you with. However, as I told you earlier, I heard the statement made here today, although it was not made by any state official - it was made by Mr. Grey of the Consulting Engineers - that the State and the municipality or the county could get together and arrive at some way or manner, I suppose, of getting the money to perform this service. But I can tell you now that it will come to a tremendous amount of money. We are going to get relief on our east-west county arteries, relief to the extent that the roads for a change will be that which they were intended for, inter-community use. However, north-south will suffer; east-west will be relieved, because we do not have adequate roads to meet the interchanges that are being proposed by this Freeway.

ASSEMBLYMAN SARCONE: Thank you.

ASSEMBLYMAN CRABIEL: Mr. Jack Jarman.

J O H N F. J A R M A N: My name is John F. Jarman and I generally sit right over here as Councilman. I am also a member of the Planning Board and I am Chairman of the Zoning and Planning Committee of the City of East Orange. I am going

to make my remarks very brief. You gentlemen have heard ample testimony, I think, as to the things I would normally talk about, but I would like to make just a couple of comments. One is, there was a gentleman speaking tonight who talked about the greatest good for the greatest number. I think that this statement stands by itself. None of us can deny it, and yet that is the only thing I agreed with in what he said. The greatest good for the greatest number is a good over-all concept to use, and yet the greatest damage to a very few is something you must avoid at all costs too.

Another thing I noticed as I was listening to the testimony, and I have been here all day long, was that the Highway Authority personnel, both the professionals and the Chairlady, I believe she was, thought in terms of dollars and cents, thought in terms of getting people from here to there. This is not the only problem, as has been brought out very ably by some of the Assembly delegation who are here. It is inconceivable to me - and yet it happens all the time in my little local circle here in the city - that you see a group come in who can see nothing except their own problems. We, sitting here as Councilmen, have to think of the over-all picture, just as the delegation here must think about it - the Committee must think about it. It is almost inconceivable that there can be such blinders on people that they will go ahead and put forth propositions which cost the people more than the gain that comes from them. And it's a bromide perhaps, but it is true, that the people are the ones who pay for everything. Whether it happens to come out of this pocket or this one doesn't matter - it still is money the people pay. So if you put up a road which, in the case of the depression, causes more blight than the

difference between doing it the depressed way as against the elevated way, you have done someth ing that is economically unsound, and the Highway people seem to be very much concerned with what is economically possible. Well, let me just remind them that if they create more blight they are costing the people more money than the amount of money that they may be able to save through a different type of engineering.

Now, the same reasoning I think applies to the situation regarding the toll free area. I am not going to go into history, but the fact is that it was made toll free for a very good reason. We in Essex gave up more than people in other areas. They gave up wastelands, open lands; they gave up most anything except the kind of land that you find in the most congested areas in the State. Therefore, we were deserving of recognition. We got a commitment at that time. We have every right to expect that that commitment will be lived up to by the Highway folks and I believe that it will be lived up to by our legislators. The fact is, we had a figure thrown out today of $47,000,000 for the widening of Grove Street 14 years ago. Imagine what the widening of that one street will amount to now, and there is no question and no amount of engineering studies in the world could ever change the fact that just that one street alone must be widened to take care of the increased traffic which will be thrown onto our streets.

Now, the objective of the legislation, so far as the toll free area is concerned, seems to be two-fold. Number 1, you get money because the people do use it and, Number 2, you get rid of those people because they are local traffic and won't pay it. You can't have it both ways. The truth of the

matter is, of course, that a certain number of those people will move off, will use our local streets, and the fact beyond that is, we no longer have proper roads. We used to have the Parkway, as the Chairman of our Council remarked earlier. We used to have the Parkway. It was a nice parklike road. It took care of the traffic. The minute they took this thing away, our only alternate north-south route, other than Grove Street, was taken away from us. You cannot take away the major artery and still expect that we will be able to take care of our traffic.

Now they say they want to get rid of the local traffic. What does this mean? It means it goes on to the local streets. I submit to you that it will cost millions and millions of dollars more to take care of them on the local streets than the amount of money which is coming to us as a result of this very drastic step.

Now, on another tack: The benefits of this interchange are to be felt throughout the entire State for all practical purposes. The benefits are not going to be felt in East Orange. It will be a detriment rather than a benefit. And yet what are they asking East Orange to do? They are asking us to pay for the stone that whets the knife that cuts our throat. That's about what it comes down to. This should not be required of us. There are various possibilities. I am not here to say how the State should get the money. There have been numerous suggestions made, including the fact that there may be federal moneys available. It was brought out that there may be federal moneys available for coordinating between housing and the Highway Authority. We are, of course, much smaller than the State here, but we have a proposition which seems to me to be eminently reasonable. When you have a proposition to study, you gather

together the money to study it, as Mr. George Genung, the Executive Director of our Housing Authority brought forward. Getting down to practical suggestions, I would say that, No. 1, we should be exploring all the avenues of getting additional moneys - perhaps from the State - and nobody mentioned this, perhaps from tolls some place else - because, believe it, the benefits will be elsewhere and not here. Maybe you should make some 10-cent toll some place else 15 cents, but don't do it until you study it. Don't do what you are trying to do to us - get the money, study it, then consult with us and then do what you please anyway, because that's exactly what all of the legislation so far comes down to.

That's all I care to say. Thank you. [Applause]

ASSEMBLYMAN CRABIEL: Any questions? [No questions]. Thank you very much.

Mr. Anthony Russoniello. [No response]

Dr. W. G. Hayward.

D R. W. G. H A Y W A R D: Mr. Chairman, I am George Hayward, Assistant Superintendent of Schools. I felt there ought to be at least two things said concerning the proposal as it exists at the moment: First of all, we are very pleased that it has been depressed as it has for the safety and interest of youngsters. Second, I would point out that we have a high school of about 1500 students a block and a half from where this proposed artery goes, and the point at which this comes up out of the ground, with trucks on that particular portion of the highway - it would come up just at Walnut Street according to the present plan - if these trucks have to "gun" their trucks to get up to that point and come up into the open - even more open than the difficulty we have

had with the Parkway, which is adjacent to our Scott High School, which has created a noise problem for us there - I feel certain that there will be a noise problem as well.

The other thing which I want to mention is the fact that we have been very much concerned about any tunnels which might be part of the program, of getting the youngsters across. There would be somewhere between eight and nine hundred students who will have to cross that Freeway in order to get to East Orange High School. A large percentage of them would come through tunnels. At the previous hearing, our former Superintendent made a strong plea to see to it that we would not have that kind of a problem in dealing with our children both coming to and from school and during the evenings.

I see the Chief of Police here and he knows that we have worked cooperatively on a number of problems, and this certainly would create one more problem for us.

I felt that these two points - the matter of getting these youngsters across the Freeway is a problem of considerable concern to us, and I do hope in terms of some of the other problems with the school along this alignment that we can come to a decision to depress this Freeway completely and get the decision made soon so that we can go on with some of the solutions to other problems that exist as far as the schools are concerned.

Thank you. [Applause]

ASSEMBLYMAN CRABIEL: Thank you very much, sir.

I will now call on Mrs. Victor Ruder. [No response]

Next, the Chief of Police of Bloomfield. [No response]

Mr. Longzello.

J O S E P H L O N G Z E L L O: Mr. Chairman, my name is Joseph Longzello. I am a resident of East Orange, and I would like to join in with all the people so far who have expressed a desire to have a depressed Freeway in East Orange. I think the people of East Orange owe quite a bit of gratitude to the sponsors of Matthews-Flynn amendment, because these people sincerely have made an effort, and I think that they have displayed it today, to get a depressed Freeway in East Orange. Not only did they come out and say they were for it, but they tried constructively to provide a means to pay for it, which is a very important thing.

Now, I am opposed to any plan that gives Mr. Palmer or Mr. Tonti carte blanche on what they can do on this plan, not because they are incapable or because we can't trust them but rather the decision on this problem should be made by the people. We should support the legislation on this thing, not put the responsibility on one man's shoulders. I think many people have stated they are against the toll on the free section of the Garden State Parkway. If we eliminate in the bill before the Senate or the House, if we eliminate the toll, then you eliminate thirteen million dollars which is to be used for the depression of the Freeway in the Oranges and in Newark. So, if we are firmly against the toll, as many of the people have stated, then you are not looking merely for four million dollars or five million dollars to depress the Freeway under the Parkway, but if you eliminate the toll then you are looking for eighteen million dollars. If we come out strongly against the toll, we are destroying the one means that seems to be an opportunity to get a depressed Freeway.

I'm sorry Mr. Tonti and Commissioner Palmer aren't here. I had a proposal I thought might be of interest to them that might raise revenues. I think it's the responsibility of the people who are interested in this not to just say to Mr. Tonti and Mr. Palmer that we want it depressed, we don't want the toll, the problem is yours, you find out who you are going to finance it. This is a big problem. We can't throw it on Mr. Tonti and Mr. Palmer, but rather we have to seek a solution ourselves that we can offer, and this is one of the commendable things about this Matthews-Flynn amendment, that it not only came out for the depressed Freeway but sought a measure to actually provide the funds.

Thank you very much. [Applause]

ASSEMBLYMAN SCARONE: I would like to say one thing. I know you have probably been reading the papers a great deal and heard statements made about the bill that you have been referring to as the Flynn-Matthews. Assemblyman Flynn is the chief sponsor of the bill. I just wanted to correct that.

ASSEMBLYMAN CRABIEL: Before I call on the next gentleman, I want to give an explanation. The chair has been torn all day as to just in what order to call on people, realizing this was going to be an awfully long day and realizing that some people would want to leave. The fact that anyone has been left until later in the hearing does not mean that the Committee does not show an interest or will not show an interest in what he has to say. The problem was that there seemed to be so many people from East Orange who were particularly interested in one problem and the citizens of West Orange have a little different problem, and our problem was what to do.

I will call on Mr. Charles Tavener of West Orange at this time, and with that explanation - I am sorry, Mr. Tavener, but it seemed that that was the way to conduct the hearing.

C H A R L E S T A V E N E R: Mr. Chairman, Members of the Assembly, Mayor Kelly: I think I used to hear at one time that "the first shall be last and the last shall be first to enter the Kingdom of Heaven." I don't know whether I've got there or not.

I think you all should know that I've been working on this Freeway now for about three years, and it was approved as part of the interstate system in early December of 1957 and welcomed by all the communities as the finalizing of this thing we have wished for for 30 years. The delay we deplore, for it is now three and a quarter years since the location was accepted by the Bureau of Public Roads. However, the delay may not be attributed to the action of our four municipalities or their citizens.

One thing that hasn't been mentioned here tonight is that the power of selecting, designing and constructing a Freeway is vested in the Commissioner of Public Roads. The Highway Act of 1956 requires that a State Highway Commissioner, when he submits his proposal of a freeway that bisects or bypasses a town shall certify that he has considered the economic impact. In the case of the East-West Freeway, we have no evidence that in the original submission, the economic impact, tangible and intangible, was carefully studied and submitted. In fact, when Mr. Magovern spoke earlier here today, he mentioned economics that he had studied but it was only the user economies that he was talking of.

To the contrary, we believe that the Highway Department only developed the standard yardstick of freeway location. You have the line of desire and then you see whether it is feasible, and that is done by what they call a user-cost-benefit ratio. Since the elevated solid-fill and deep-cut design served the user equally well as a depressed freeway, and a tunnel in West Orange, which would cost more, the least costly was the recommended design.

We would point out, while the user-cost-benefit ratio is the yardstick agreed upon by the Bureau of Public Roads and by AASHO (American Association of State Highway Officials), there is nothing in the act which states that you may not equate the non-user economic impact, tangible and intangible, along with the user-benefit-cost ratio.

The State Highway Department's experience in the past, along with most of the others, has been with rural location and not urban. From coast to coast, as was evinced by magazine articles, the great debate has been in the urban areas.

The popular conception of the depressed design was advanced and spearheaded initially by East Orange. Our Highway Commissioner demanded that the Mayors of the four municipalities prove to him that an elevated solid-fill, deep-cut created more damage than when depressed. It was also reported in the newspapers that an elevated solid-fill design was aesthetically more beautiful than when depressed.

Placed in the position of having to prove their case - which was truly the function of our State Highway Department, because it says that they shall study the economic impact - the four municipalities have spent much more than $100,000,

and their citizens - the greatest amount that has ever been spent over such a controversy in the United States.

Our main concern in West Orange is the detrimental effect of the present proposed plan of the New Jersey State Highway Department as compared to a tunnel along the original lines of the plan which is known as W-5. To summarize this:

The tunnel would have a four or five per cent grade leading up to it on the east slope of First Mountain. The present design calls for six per cent for a length of approximately 4,000 feet. This enables them to recover the 40 feet lost in depressing the Freeway at the bottom and arriving at the same height at the top so they had the original cut which has a maximum of 120 feet. We were told at the start that five per cent was the maximum grade. However, when I shouted at six per cent, we looked further and found that it is to be used in mountainous regions, and First Mountain is 625 feet high. A six per cent grade will cause more noise than that caused on the New York Throughway in Pelham Manor, where a suit was recently brought in the New York Superior Court. You have just heard testimony as to the Scott High School and the problem they have there with just a short run.

A six per cent grade will decrease the safety of the Freeway because we have very serious road conditions in this area - snow, ice, fog, mist, etc., and our Mayor has already told you of the number of accidents which occur on the straight level. A tunnel design will greatly increase the safety factor.

A tunnel is 1500 feet shorter than the button-hook across the top of First Mountain.

A tunnel will provide for civilian defense and disaster storage of essential equipment and very likely can house

people, both military and civilian. The civilian defense man from West Orange was here today and stayed as long as he could. He has a complete report which will be given to you Assemblymen, and in it it states that the Civilian Defense is very much interested and believe it should be studied for the use of the tunnel for such purposes.

The proposed plan of a deep cut of 120 feet cuts the Merck property in half, some of the most valuable land in West Orange, and it will inflict a terrific amount of economic loss to the Town in the matter of taxes and the development of that area. The probable tax loss for a quick check is that it will increase, by having a deep cut and the six per cent grade, 30 points in the Town of West Orange, which is $3.00 per thousand.

The present design will seriously affect the entire Llewellyn Park area, which I do not believe you know the extent of, so far as we are concerned. It's a gold mine to West Orange. It's one-mile square. The fair value is ten million dollars; it can be projected to eighteen or twenty million dollars without any damage; and out of that mile square we have eleven youngsters in our schools. And they take care of their streets, their sewers, their police, their trees, and all that sort of thing. So any loss in that area will produce a terrific impact upon West Orange.

I submit that as it was in the past, it is now more so, reasonable to expect assistance from the Urban Renewal Authority since urban renewal is now in progress in Newark, East Orange, Orange and West Orange. I believe, in view of the correspondence which is in effect, that we should be able to get some assistance, or at least real consideration, from

Civilian Defense. Under the new frontiers in the Department of Commerce, it seems to me that the Bureau of Public Roads should be expected to agree on additional funds due to the favorable sociological and non-user economic impact of a depressed Freeway and tunnel. Now they are paying more and more attention to that. For the last five years, Dave Levin in Washington, and a fellow by the name of Goldstein, have been cruising up and down the country and they have been subsidizing universities and colleges with papers so that at every Highway Research Board annual meeting that I have attended we have had a whole series of those articles presented, which are trying to get the State Highway Departments to pay more attention to the non-user impact. And that was culminated at the Sagamore Conference in 1958 at Syracuse University, where they had a terrific meeting, and that was followed by another meeting at the University of California in Berkeley, and since that time 34 states have added urban planners to their staffs, which shows that as time goes on, more and more people will pay attention to it- and I predict that if this road were being built five years from now, we wouldn't have any problem in having valuation given and additional money furnished for a depressed Freeway and a tunnel in West Orange.

In light of the present trend and, since everybody wants the East-West Freeway to get off the ground at least for land acquisition and because only two hurdles remain to be surmounted, I am going to suggest a possible solution which will probably have to be tailored to protocol and legal requirements. I would hardly expect it not to have a lot of objections to it. But anyhow: Approve the present East-West Freeway

design by Section - from Stickel Bridge up to the point where the controversy exists between whether or not it should go over or under the Garden State Parkway, which I assume would be somewhere around Grove Street; then approve from a similar point to the west, which I believe is somewhere around South Burnet Street , and that would go all the way up First Mountain to a point where the tunnel is in controversy, which would be somewhere around where you project Gregory Avenue into the Park and then, if there is no controversy on the Freeway from Pleasant Valley Way to the Livingston Line, have that approved also. That would mean that 75 per cent of the 7.5 miles could get off the ground and then we could get started on the programming and we would have enough time to complete the data which is missing now from the State Highway Department and the Garden State Parkway.

The main objection as I see it would be probably a budget program problem to Commissioner Palmer. On the other hand, we would have the Freeway off the ground and it would let our municipalities, the urban renewal project, builders, and residents know the alignment and put pressure on all the rest of us who are still arguing to get together and get this thing finished.

Thomas A. Edison once said, "There is a better way to build it. Find it." Let it be our duty, as reasonable citizens, since we have found it, to insist that the government, from the Governor down, and our elected officials in Washington use every means at their disposal to work hand in hand as partners to secure the added funds required on a 90-10 basis. And I don't see any reason why, if we do this, we

cannot roll on Route 280 on schedule, as per Commissioner Dwight R. G. Palmer's program, and I don't believe there is anything that would give him more pleasure than to see that getting off the ground.

Thank you.

There is one other point that I forgot to make mention of. COmmissioner Ellis Armstrong, who has been mentioned here today, has been telling everybody that it is not satisfactory for a State Highway Department to present one plan. You should give all the alternates, equally and carefully studied, and that is good engineering anyway. This he mentioned at the AASHO Conference in Los Angeles in 1957, in December. If this had been done, I think we would have gotten off the ground long ago. And I offer you gentlemen to look at one of the best presentations I have ever seen, which is the study of the East-West Expressway in the City of Baltimore, which I believe is the finest example of doing all the alternates and giving them all the reasons, and it is involving 90-10 funds. Thank you.

ASSEMBLYMAN CRABIEL: Thank you. There seem to be no questions.

Now is there anyone else here who cares to speak on this matter. Is the Chief of Police of East Orange here?

J O H N M c G I N T Y: I am John McGinty, Chief of Police Department, East Orange: Out of thirty years of practical experience in police work, out of 30 years of study, and out of the last ten years of instruction in police administration work, I believe I am qualified in being able to recognize breeding places of crime. For the last number of years, I have studied very carefully the alignment of the proposed Freeway through East Orange and was greatly concerned

about the elevated parts of it. And I still see by the present proposed plan that there is a segment of elevation. I do know out of my own experience, out of my own studies, that these will be breeding places of crime. I do know that they will be an attraction to a certain element of our people who, by a quirk of human nature, desire danger. These things must be eliminated. It is absolutely essential.

I will not shock you with my personal knowledge of experiences and incidents that have occurred even in our present elevation of railroad and its underpasses. We try to keep these things away from our citizens - the knowledge of it and certainly the experiences of it. These things I have made a matter of report to the Mayor, and I believe he has compiled them in his report to your particular committee. But one other thing that has come to my attention today, in listening here - I have been here every minute of this particular hearing - and I am deeply concerned about one thing that has been inferred today, that any group of public servants should be given a free and uncontrolled way of performing its duty to the public. I don't think anyone would dare give this freedom to the law enforcement agencies of this country of, let's say, enforcing the laws enacted by the people. And we in Law Enforcement would be the first ones to contend against anyone that would allow us this freedom of action in enforcing the laws. I think any group of public servants must be sensitive to the demands of the people, and I do suggest that our scientists in finance and in engineering certainly should give a little study to the humanities. Thank you.

ASSEMBLYMAN CRABIEL: Thank you very much, Chief.

Is there anyone else in the audience who cares to speak on this matter? [No response]

ASSEMBLYMAN SARCONE: Assemblyman Crabiel, if there are no other persons to testify, I see Commissioner Palmer is still here and he was gracious enough to remain. With his consent, I would like to recall him for several brief questions.

ASSEMBLYMAN CRABIEL: I don't see any need for that at this time. But first of all, before we take that point up, I would like to read into the record several things I have here, please. I have here a statement from the New Jersey State Chamber of Commerce, which I will file with the stenographers, basically favoring A-487 and S-102. I also have a statement from the Bloomfield Safety Council which opposes all legislation. I have telegrams - one from Ira C. Moore of Essex County favoring the proposal; another telegram from Joseph T. Vroman of Essex County favoring the proposal; another telegram from members of the First Baptist Church of East Orange urging support of A-512 and opposing anything else; another telegram from H. D. Pollen of Newark favoring the proposal; another from Robert Debold of Watchung opposing Senate 102; and a telegram from various citizens of Paramus opposing trucks on the Garden State Parkway. I also have a statement from the H. R. Ritter Trucking Company urging that trucks be allowed on the Garden State Parkway; a statement from the Paramus Chamber of Commerce urging trucks on the Garden State; and a presentation of the Kiwanis Club of Bloomfield opposing any legislation of this kind. I think they should be noted and put in the record.

ASSEMBLYMAN SARCONE: I would like to ask Mr. Palmer

three questions, and I believe it will take less than three or four minutes. I don't expect his answers will be very lengthy.

ASSEMBLYMAN CRABIEL: If Commissioner Palmer will consent. It is very late. Commissioner Palmer?

DWIGHT R. G. PALMER: I started out by being Alpha and now I'm Omega. You folks have been very courteous to stay and the least I could do is be equally courteous.

ASSEMBLYMAN SARCONE: Mr. Palmer, Assemblyman Frank LaMorte, of Essex County, in behalf of our delegation, directed a telegram to you, dated January 15, seeking certain information. You replied by letter of January 16 which did not include all the information. Mr. LaMorte directed another letter, dated January 19, 1961. I'm not going to read the letter, but he is seeking information as to the amount of funds appropriated to your department for the years 1958, 1959, and 1960. I don't believe you have them available to you at the moment -

MR. PALMER: No. Anything of that kind is -

ASSEMBLYMAN SARCONE: Would you be able to furnish it to Mr. LaMorte?

MR. PALMER: Certainly. As a matter of fact, most of those things go in the hopper to people who are qualified on those things, and if he hasn't gotten all the information it is simply -

ASSEMBLYMAN SARCONE: He is seeking on behalf of our delegation an answer to this question: Is there any such thing, and I say "such thing," as a revolving fund? Does that mean anything to you?

MR. PALMER: There is no such thing, no, sir.

ASSEMBLYMAN SARCONE: Now, on behalf of the governing