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PUBLIC HEARING

87

before

SENATE LIBERTY STATE PARK STUDY COMMISSION

The Development Practices and Issues of Liberty State Park
and its Relations to
The Liberty State Park Master-Action Plan.

March 3, 1987
Interpretive Center
Liberty State Park
Jersey City, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Senator Edward T. O'Connor, Jr., Chairman
Senator C. Louis Bassano
Senator Thomas F. Cowan
Senator S. Thomas Gagliano
Senator Christopher J. Jackman

ALSO PRESENT:

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

* * * * *

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Hearing Unit
State House Annex
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Trenton, New Jersey 08625



New Jersey State Legislature

SENATE LIBERTY STATE PARK STUDY COMMISSION
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Edward T. O'Connor, Jr.
Chairman

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

NOTICE OF A PUBLIC HEARING

Marvin W. Jiggetts
Secretary

February 24, 1987

The Senate Liberty State Park Study Commission will hold a public hearing on Tuesday, March 3, 1987 at 10:00 A.M. in the auditorium of the Interpretive Center at Liberty State Park.

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

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

DIRECTIONS: From Trenton, take the New Jersey Turnpike North to exit 14B. After the toll booth, make the first left. Continue straight on Morris Pesin Drive until you see a barricade. Make a left onto Freedom Way. Continue on Freedom Way for one-half mile and the Interpretive Center is on the right. A copy of a map is attached.

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SENATOR EDWARD T. O'CONNOR, JR. (Chairman): Good morning everyone. The meeting is going to come to order now. Before we start I'd like to make a few introductions. My name is Ed O'Connor. I'm a State Senator and I represent the 31st District in which the park is located. I'm going to serve as the Chairman of the Liberty State Park Study Commission.

Two persons down to my left is Senator Lou Bassano. Lou is from the 21st Legislative District in Union County. All the way on the end is Mr. Russ Molloy. He's a member of the Senate Majority Staff and he will be assisting us here today. On my immediate left is Ms. Madelyn Rumowicz, who is also a member of the Senate Majority Staff. To my right, Mr. Marvin Jiggetts. He's a staff attorney with the Office of Legislative Services and he is the official staff to our Study Commission.

I know that Senator Chris Jackman is here. I believe he's outside and he will be joining us momentarily. I'm expecting Senator Tom Cowan. Senator Chris Jackman is just walking in. Senator Jackman is the Assistant Majority Leader in the Senate. He represents the 33rd District in Hudson County.

Just by way of a short background, the Commission is in existence by virtue of a Senate Resolution which was sponsored by Senator Lynch. That Senate Resolution which was passed by the Senate in January of this year sets up a Liberty State Park Study Commission consisting of six members appointed by the President of the Senate, of whom no more than four shall be of the same political party.

Our specific charge and the duty of the Study Commission is to review the development practices and issues at Liberty State Park, including the proposed marina project and the role of the Department of Environmental Protection therein, and to identify the procedures, activities, and practices that may not conform to be consistent with the Liberty State Park Master Action Plan. The Study Commission shall make

recommendations to the full membership of the Senate for legislation which it determines to be appropriate.

This morning, we've asked a number of persons to come and testify before the Commission. Essentially, our purpose today is one of fact-finding. We want to hear what the issues are about. To that end, we've invited what might be considered persons on both sides of the issue.

SENATOR JACKMAN: The elite.

SENATOR O'CONNOR: Senator Jackman refers to them as the elite. We're going to begin with Commissioner Richard Dewling. I do have a list of persons that we've invited. It's an extensive list consisting of about 10 or 11 people, most of whom I believe are here. If they are not here, they are submitting statements.

Because of the extensiveness of the witness list, I'm going to limit the actual speaking to 20 minutes per speaker. We'll make an effort to give you approximately a two minute or so warning when you're getting to the end of your time. I would recommend that everyone submit a written statement to the Study Commission that will be incorporated into our record and made a part of it.

So without further ado, we're going to begin with Commissioner Richard Dewling, the Commissioner of the DEP.

COMMISSIONER RICHARD T. DEWLING: Good morning. It's a pleasure to be here. I think the reason that I'm here personally is because of the commitment that we have to Liberty State Park and the success that we would hope the vision would show us that this park will probably be the best park in the State of New Jersey as soon as we get on with some of the programs that we have planned. As far as Senator Jackman is concerned, the drought is over and we won't impose any more charges on three family dwellings.

Let me just summarize. I'll only be about 10 minutes then we'll be happy to answer any questions that you have on

the subject. You know I have sent a letter to the Honorable Joseph Doria. I've given extensive background information regarding the proposed development at Liberty State Park.

SENATOR O'CONNOR: For the record, Commissioner, we do have copies of both of those.

COMMISSIONER DEWLING: I have also outlined the financial crisis now being felt by the Division of Parks and Forestry and other natural resource programs, such as Green Acres, and the impact of being unable to meet some of our increasing recreational needs.

I've brought copies of that letter -- if you'd like to give it to any staff that might be here. Rather than discuss any details of that letter, I'm here to basically discuss the major issue, which is the formation of this hearing and the catalyst for moving ahead with the park.

If we look at the real issues, that is, do we as a State want to have a first class park system to serve the recreational needs of the residents of New Jersey? I think the answer to that is, very obviously, very surely. The controversial issue of a marine development in Liberty State Park through public/private business partnership points dramatically to this crisis in park management. Notice I said, "public/private." I put that very sincerely, because the public is what will be served by such a facility. This is not an entrepreneur type of activity where we're developing this park for the public sector. DEP is not relinquishing any of its control or operation of Liberty State Park, and we're not turning it over to the private sector. The park is being developed with a full recognition of its serving the public.

The controversy seems to stem from the idea of a public marina on the Hudson Waterfront of Liberty State Park. That's not really the issue, but the issue here is whether or not all of the park development will be undertaken by public funds. As ideal as this might be it's not a realistic objective unless the broad crisis of park management is addressed.

When we look at some of the fiscal issues that we have to deal with in the State, I can relate to it in a different type of focus: when we deal with hazardous waste. We went out and we surveyed the public about the confidence level they had with some of the issues we have to deal with. Ninety-eight percent of the people out there, if we tell them don't drink from the cup, they will believe us. They won't drink from the cup. If we say that it's okay to drink from the cup, only about 50% of the people will believe us. They have a tendency to accept the bad news first and the good news secondary.

It's the same thing with the park. The bad news is that we don't have public dollars. The good news is that we can get private sector involvement here and provide the necessary recreational resources to the State of New Jersey, by having this type of active involvement.

I can only hope that public discussion on the Liberty State Park development might lead to the passage of pending legislation which would provide for a stable source of funding on behalf of the State's faltering natural resources program. S-1897, the Natural Resource Restoration and Preservation Act, is now stalled and needs support of all citizens, because without that money, we have no sustained funding program.

This year, we are effectively broke relative to parks, relative to Green Acres, and relative to shore protection. We're out of the Green Acres money this year, we have no dollars for shore protection. So, it's almost essential that we provide those dollars for the capital projects.

When we look at the State of New Jersey right now, we have 35 parks, 11 forests, 4 marinas, and our total capital dollars on the public side is \$2 million for all of those facilities. Obviously you can see what some of the problems are that we have.

We look at -- on a national scale -- all of these public infrastructure programs are being impacted by other pressures. Government support for park and recreational development, open space preservation and wildlife, and natural resource protection have been accepted without question by citizens as a basic need. However, the picture is changing. It's been many years since public dollars had provided support for parks development open space preservation, both nationally and locally. Today, it's only states like Florida and Maryland which has a stable annual source of public funding for park and resource management which are not turning out of necessity to creative public/private partnership in order to develop facilities to meet the increasing public recreational needs.

The challenge of public administrators with too few dollars as in New Jersey, is to balance public park and recreation objecti es with private investment incentives. We've done it before; we've done it in the Allaire Village area; we've done it in the Atlantic City Marina; we've done it in the Tech. Center; and we're doing it at Waterloo area. We have developed these types of partnerships. The difficulty is that as a park's fiscal needs becomes greater with the disappearance of Land and Conservation Funds and State Green Acres funds, reliance on the private sector grows and will continue to grow.

This reality has generated grave misgivings by those desiring to see continued traditional park management with public funding. Despite the goal of having Liberty State Park be developed as New Jersey's only urban park within reach of 20 million people, it still remains an undeveloped park after 10 years of State effort and limited public funds.

Frequently crises in government get things done. When we had the July Fourth celebration last year, that was the best thing that ever happened to us. Things happened. Things motivated activities. Roads were finished, utility lines were

down, and things were developed knowing we were going to have a sizable number of visitors. If we could have a July Fourth celebration like that every year, I'm all for it.

What we're lacking now, regardless of the park's present minimum recreational facilities and the great hurdles still to be overcome such as development-- The park attracts more public visitors than any other State facility, because of its spectacular urban setting and its accessibility to a population lacking in recreational opportunities.

The park also inspires some public criticism because of its limited staffing, lack of quality recreational opportunities, and traditional park ambience. These criticisms have been met with the constant optimism that someday the park will indeed reach its potential of becoming the State's premier urban park showcase to the metropolitan region and a symbol of pride for all citizens of New Jersey.

Over many years, attempts have been made to develop the park to respond to the growing public demand for recreational opportunities. Sometimes they have been discouraging. For that reason, it was felt that park development would move forward only if a well designed Master Plan could serve as conceptual guidance for park development. In 1983 that plan was undertaken through extensive contract and open meetings with all interested parties, including Jersey City and the Liberty State Park Advisory Commission.

The location of marinas, golf courses, intra-park road, the Science/Technology Center, historic features, the Nature Center which we are in today, the potential Circle Line departure sites, and use of the terminal and trains sheds, were incorporated as acceptable development elements in that plan. The plan was approved by the Department of Environmental Protection, by the Commission -- in fact, Vince Murphy, who is here today, was the head of that Advisory Commission at that time -- and as well as the Governor.

At the same time, it was also recognized there would not be adequate public funds for the park's development. So the Department and the Governor encouraged the formation of a private nonprofit Liberty State Park Development Corporation -- similar to the Ellis Island Foundation -- to work with the State.

The Liberty State Park Development Corporation is now the second nonprofit group working on behalf of Liberty State Park development -- the other being the New Jersey Natural Resources Education Foundation which is assisting the State in financing quality interpretive exhibits and programs for the two million visitors who visit the park.

The proposals for marina development have been reviewed by the State and the Development Corporation in terms of their major contributions to additional recreational opportunities, new building facilities, aesthetics, and fiscal return which could benefit further development within the park. The proposal cannot be weighted strictly in terms of annual economic return because the public objective would be lost.

Of equal importance in the selection of the developer are design features, such as the Hudson Walkway, the great lawns, the public boat ramps, the sizing and capability of the landscape, the architectural design of the buildings, and the quality of the management. In other words, in contrast, a traditional business enterprise with profiting as the basic criteria versus a public/private partnership, is a studied balance of meeting public needs, achieved through providing sufficient incentives for private investments in developing public facilities appropriate to the park.

If we are against something that is a public/private system, then we have to be for something else. If we're only for public funds, and I submit that this is not a reality, particularly in today's competition of infrastructure-- So if

we're going to move ahead with the development of the park, it's a necessity, in my view, to go with the public/private system.

This issue only reflects one aspect of the crisis. Despite the State's growth, no park has been created in New Jersey in the past 10 years. Existing parks are suffering from overuse and lack of operational development funds. We had eight million visitors to our State parks last year. Five years ago it was five million. As I mentioned before, those Green Acres were totally exhausted, and only \$6 million will be available next year -- and that's for all 588 municipal and county governments for their open space and recreational needs that they use for planning.

This a quiet crisis which should not be so quiet. I mentioned before that the focus in the Department and the focus in the State of New Jersey has been on hazardous waste, chemicals, waste water treatment, and the quiet crisis sort passed us by. It's almost like an airline. When an airline takes off with an empty seat, they've lost that revenue forever. We're losing 20,000 acres a year of farmland, and we're losing almost an equal amount of forestry area for development. If we don't make an aggressive change in our attitude today, we're not going to have a future for our children and our grandchildren.

So, I ask you to help us in shaping New Jersey's future now. If we are not supportive of the State's natural resources program, we will not have the ability to enjoy the recreational needs of the State as greater demands are placed on the State in the years to come.

I'll be happy to answer any questions you might have.

SENATOR O'CONNOR: Thank you. Commissioner, the park is obviously something that we are very proud of and I'm especially proud because it's located in the legislative district that I represent. I'm aware of various projects that

have gone on in the park: for example, the restoration of the railroad train station, this very building, and of course, the development at the south end of the park with the walkway and the boat slips, and so on. And you mentioned -- I think you mentioned in your presentation -- the Science and Technology Foundation which of course the planning for which is well on its way.

I know that there is an amphitheater that's being considered. I've heard talk of an aquarium at some point. What projects have been undertaken that I have mentioned, with respect to this park?

COMMISSIONER DEWLING: Those are probably the ones that you've identified. We have had to--

SENATOR O'CONNOR: The sea wall also.

COMMISSIONER DEWLING: That's right. The sea wall is under construction right now, and let me just mention that in order to do the sea wall, I've had to postpone -- when you say "I," you use that word editorially -- we've had to postpone a number of projects that we had scheduled this year. We were going to design and restore the ferry slips and the ferry concourse, the terminal complex, the rehabilitation of the ferry concourse, and the outdoor amphitheater. We've had to postpone that so that we could fund the development of the sea wall.

SENATOR O'CONNOR: With respect to the overall development of the park, I would assume that that is your conclusion that that has been consistent with the Master Plan.

COMMISSIONER DEWLING: Yes. the Master Plan that was developed-- When we go back to '77 when it was originally developed and it went through the process and, in fact, an environmental impact statement was done at that time-- And then back in 1983-84, we had a feasibility study come in and look at implementation of some of those activities. Everything that was talked about initially is still being -- you know --

developed under that original Master Plan. The Development Corporation is still following that Master Plan. We have not deviated, to my knowledge, from that Master Plan.

SENATOR O'CONNOR: Okay. With respect to the projects that we've mentioned, has the Liberty State Commission been consulted with respect to these various projects?

COMMISSIONER DEWLING: I believe they have. You have to understand that their role in contrast to the Development Corporation, is an advisory role, to myself. They make recommendations to the Department. We've had public hearings, we've had meetings on these issues, and in fact, the person who is the head of the Advisory Commission is also a member of the Development Corporation. So there is that forced fertilization between what issues are going back and forth.

SENATOR O'CONNOR: All the projects have been approved at one point or another by the Department of Environmental Protection?

COMMISSIONER DEWLING: That's right. There are no projects that are being undertaken here that do not have the approval of the Department of Environmental Protection.

SENATOR O'CONNOR: My questions now will focus more on the proposed marina for the north end of the park and whether or not it's consistent with the Master Action Plan.

SENATOR GAGLIANO: Mr. Chairman.

SENATOR O'CONNOR: Senator Gagliano.

SENATOR GAGLIANO: For those of us who do not represent the district and who only come here occasionally, do you think that someone from the Department or maybe the Commissioner -- I presume that's the Master Plan -- could give us sort of an idea of what we're looking at on that so that-- I apologize. I was late getting here. I missed the first signs, so I went all the way to the ferry terminal. I enjoyed the ride, but I had to come back.

SENATOR O'CONNOR: Let me, before you do that, take this opportunity to introduce Senator Tom Gagliano the 12th District in Monmouth County, and to his left is Senator Tom Cowan, who needs no introduction to most of the folks that are here, who represents the 32nd District in Hudson County. Col. McCabe, it's been suggested that for those who are not that familiar with the Department, maybe you can make an overall description of where things are and the like.

COMMISSIONER DEWLING: Col. McCabe, for some of you who don't know, has been with the Department and has lived with this program since its birth. He probably has had more vision than most people. We call him Colonel because he's a World War II ace and was shot down twice, both by his own people over Texas and once over Alabama. (laughter) But he is a true World War II hero ace and I think we're going to make him an ace again if we ever get this work going. So, Colonel why don't you do the details?

C O L O N E L J E R O M E J. M c C A B E: Now they are calling me Oliver North McCabe. (laughter) Senator, would you like me to just sort of start it in the beginning or pick it up in the middle or--

SENATOR O'CONNOR: Wherever you are most comfortable, but the purpose is to give an orientation for those who are not familiar with it.

COLONEL McCABE: Liberty Park started and was created back in 1964 when Jersey City donated 144 acres of abandoned property to the State to be developed as the State's first urban park. From there, the Department, under the Green Acres Program, acquired the balance of the land as it was vacated both by the Lehigh Valley and the Septa Railroad. So that today, we own approximately 700 acres of land known as Liberty State Park. This should be 90 degrees, Mr. Senator. Up around north of what's called the Morris Canal and the tidewater basin, on the bank is the extension of New Jersey Turnpike, on

the south on the Black Tom Channel and on the east by, of course, the upper bay -- New York Harbor.

Starting in 1972, we started talking about development plans, Master Plans, whatever you want to call them, and we hired a consultant to begin working with a Master Plan that was finally adopted by the Department in 1977. Showing Liberty Park as being developed at the restoration of the Central Railroad Terminal which is on the National Register of Historic Places, we have an obligation to restore that. But development of the green park, the construction of the sea wall -- on top of which would be developed a Liberty Walk, a mile and a half coming off the north embankment to the south -- the green park in the middle, a south embankment, an overlook-- These conceptual plans, which is what they were then, show marinas on the north and south embankment.

What we had to do principally to develop Liberty State Park was a question of cleanup. Most of the money that's gone into the park today--

SENATOR O'CONNOR: Colonel, excuse the interruption. I'm told that the tape recorder is not picking up your comments. Could you raise your voice a little bit?

SENATOR GAGLIANO: Or you could pick up the mike.

COLONEL McCABE: What we have done with Liberty Park since 1964 besides acquiring land was to clean up the mess that was left there by the railroads. If you could see this chart, what you're looking at here is what we inherited in 1964. This photograph was taken back in 1974. The object then was to develop a park, but to develop anything, we had to clean it up first. Most of the money that has gone into the park today has been for demolition and cleanup. Half of that money that was spent was Federal money under the New York Harbor Collection and Removal Grant where we removed all that debris.

In 1976, with some Federal money from the American Revolutionary Bicentennial Commission, which some people will

call Title X, we had a direct grant of \$2.4 million. To impress the people with benefits and the value of what Liberty Park would be in the future, we developed with that money a section on the south end, an overlook, a roadway, flags, and an administration building. A piece of that money went into the construction of the restoration or the stabilization of the train terminal of the north end.

Today we've come a long way. We have about \$84 million in the Liberty State Park, broken down this way: \$22 million for acquisition; \$42 million for planning, design, and some construction that was State Green Acres money; the balance of the \$84 million was \$20 million from the Federal government through the Economic Development Administration and the Title X, and the matching money with the Land and Water Conservation.

I'll stop at this point unless there are any questions Senator.

SENATOR O'CONNOR: Senator Gagliano.

SENATOR GAGLIANO: For orientation purposes, Colonel, where is this Sci. Tech. Center site on the big map?

COLONEL McCABE: Here is a proposed area for the Science Technology Center.

SENATOR O'CONNOR: Point out if you will the marina.

COLONEL McCABE: At this point.

SENATOR O'CONNOR: That's where we are at the moment?

COLONEL McCABE: Yes.

SENATOR O'CONNOR: All right. Would you point out, Colonel, the site of the proposed marina.

COLONEL McCABE: The proposed marina is to be along the north embankment extending from the existing boat dock here, and back to the west end of the park at this point.

SENATOR BASSANO: How big would that be pierwise -- slips?

COMMISSIONER DEWLING: Five hundred and ninety-nine slips. I think that the important thing here is that the

Master Plan talked about a marina at the north and south end. What we are doing now is that the Development Corporation, along with ourselves -- to tie in the terminal-- To tie in the fact that for the July Fourth weekend we dredged that whole canal right there. So that's where all the pier material has gone, and Senator Gagliano, that's the material we burnt off the coast. So there's a dual-edged sword that we have here. To enhance the development here, we have to get rid of that and we burn that material offshore.

So, the point here is that the Master Plan identified two marinas. We still are identifying two marinas in the area. The one that we are developing first is the one on the north side primarily because of the accessibility, the increase of the number of slips that could be made available to the public, and the fact that that side of the park is developing rather rapidly particularly with the availability of the station and the types of tourists that we get in the area.

Now the question always comes up while you're showing two of them -- and in the north, or any of them, you don't show boathouses or something like that. This is a conceptual drawing. You know, when you show the golf course, that doesn't mean that's going to be the exact layout of the golf course. As a concept, the marina was suppose to be on the north side and the south side. The fact that we have a deepwater port there provides that access.

SENATOR O'CONNOR: Commissioner, the Master Action Plan, I believe, listed the number of boat slips for the northern marina at something of around 200. Am I correct?

COMMISSIONER DEWLING: I think that was the southern marina that was the 200. Am I correct?

SENATOR GAGLIANO: Commissioner, would it be about 800 or 900 slips altogether if it was done? Mr. Chairman, through you, would these be rental slips or would they be condominiums?

COMMISSIONER DEWLING: No, rental.

SENATOR GAGLIANO: As you know, there has been more and more interest in selling slips. It could mean a tremendous amount of revenue by selling the slips and then creating a condominium association and letting them run it themselves and actually, the State would be out of the business. The condominium association would do it.

COMMISSIONER DEWLING: Well, there are private developments in the area that are putting in condominium types of marinas, you know, in terms of Port Liberte and up in the northern part of the State. I mean, this is an urban park. What we're trying to do is to have the availability. I mean, we have slips and we also have aboveground storage for smaller boats that would be less than the slips. So, this is for the public. And what we would do is the State would get a percentage of the gross receipts.

SENATOR GAGLIANO: By a private operator.

COMMISSIONER DEWLING: By a private operator; and we'd have a contract with them for 25 year, renewable every five. So you would set this whole process up with escalating costs where the State would get more money.

SENATOR GAGLIANO: So, you have someone ready to do this.

COMMISSIONER DEWLING: Well, the Development Corporation is the entity that was set up to develop the park under our guidance along with the Advisory Commission to have those types of input in development of the park. So we went through the stages of having, basically, an environmental impact statement done and a general plan of a Master Plan, and then a study that was done several years later that talked about a feasibility study. And then last year, we went out to bid for the development of the marina itself.

SENATOR GAGLIANO: Are you already out to bid on that?

COMMISSIONER DEWLING: Well, we haven't awarded the bid yet. They went out to bid late last June.

SENATOR GAGLIANO: Thank you.

SENATOR O'CONNOR: Senator Bassano had a question.

SENATOR BASSANO: Obviously this marina would be operated differently than the Leonardo which the State has some jurisdiction over.

COMMISSIONER DEWLING: It's the same criteria.

SENATOR BASSANO: It is the same criteria? I didn't know that it was leased at that location.

A S S T. C O M M I S S I O N E R H E L E N F E N S K E:
It isn't leased. The same criteria applies though, in a first come - first served basis.

COMMISSIONER DEWLING: Well we are going to lease out the Atlantic City Marina. I mean, we have gone out for competitive bid for that now and we'll probably be awarding it in the next couple of weeks to the responsible party. And the Atlantic City Marina will be operated by the private sector under our guidance, as is the Waterloo Village, as is the Allaire Village. Palisades Park also has those types of activities.

ASST. COMMISSIONER FENSKE: The same procedures that applies to the other State marinas will apply to this one in terms of how the slips are rented.

COMMISSIONER DEWLING: And access and the cost.

SENATOR O'CONNOR: Just so the record is clear -- I don't know whether you have been identified. You're Helen Fenske, Assistant Commissioner, I know, because the tape, at some point, will have to identify who's the speaker, and so on.

SENATOR JACKMAN: These slips are going to be rented? Let me get clear in my mind. Are they going to be lived aboard?

COMMISSIONER DEWLING: No. This is not permanent. These are not houseboats.

SENATOR JACKMAN: Okay.

COMMISSIONER DEWLING: The State of New Jersey has rules and regulations prohibiting that the--

SENATOR JACKMAN: Okay, in other words, they come in and go out. In other words, no one is to stay there on a monthly basis?

COMMISSIONER DEWLING: Yeah, but this is not a houseboat community. This is a marina. People will come down on the weekend, but they, you know--

SENATOR JACKMAN: And live there?

COMMISSIONER DEWLING: They could on the weekend, if they have a big enough boat. But, I mean, most of the slips are not that size to accommodate that. Half of the slips will be stored aboveground. It's mostly a small boat area. It's not built primarily for the larger boats.

SENATOR JACKMAN: Okay, good.

SENATOR O'CONNOR: Commissioner, Section 2J of the Certificate of Incorporation of the Development Corporation states, "from time to time it shall receive advice from and consult with the Advisory Commission for Liberty State Park appointed by the Governor with respect to the development of Liberty State Park and the operation of the facilities." Has the Public Advisory Commission had access to the financial and economic impact study or information necessary to review and evaluate the proposed marina project?

COMMISSIONER DEWLING: When you say the access to it, the documents have been supplied to them by the Development Corporation, all right? The decision on the financial actions of what the State gets, you can't discuss that at this time until you make the award, because now the other competitors-- You know, if you start discussing all of the prices and formulation, now you've lost the competitiveness of it. The question here is, is the State getting a reasonable return for its money? The answer is yes.

SENATOR O'CONNOR: Can you project what the revenues for the proposed marina would be at this point?

COMMISSIONER DEWLING: I can't until the contract is awarded. It's a percent of the gross receipts.

SENATOR O'CONNOR: Let me ask you this. How does the lease price compare with similar leases elsewhere?

COMMISSIONER DEWLING: What we will establish is the price for the lease for an individual slip, you mean? Or for the total?

SENATOR O'CONNOR: I beg your pardon?

COMMISSIONER DEWLING: You mean the price that we would charge for individuals slips?

SENATOR O'CONNOR: No. The price that you are charging the developer. How does that compare with market rates elsewhere?

COMMISSIONER DEWLING: What we're trying to do is compare this with our own marinas that we operate in Leonardo with the same marina we just went out for contract within Atlantic City as well as the one that was developed down in Philadelphia and the Pennsylvania area. I'm saying it's all within the same reasonable profit that any corporation is going to make in the private sector. It's not an extraordinary type of income that they are getting from this type of operation. But they are in the business to draw a profit, and you are allowing a reasonable profit.

SENATOR O'CONNOR: As I understand, the Liberty State Park Development Corporation was something that was set up in order to bring about this private/public participation. It is suppose to be, at some point, a self-sustaining corporation. I think the funds from some of the projects at the park are funded. It had, as I understand a \$250,000 start-up.

COMMISSIONER DEWLING: It was initially -- going back -- it was \$100,000 that was given originally, and then 200 and then 250.

SENATOR O'CONNOR: Is it ever really expected that the Corporation will be self-sufficient given those kinds of figures?

COMMISSIONER DEWLING: Yes. What they're suppose to do is to identify where some of the income for the operations within the park would offset those activities. So it would not be a separately funded activity by the State. So there would be a percentage of the money that would come back in from the activities on rentals or otherwise that would provide the implementation for them to go into bigger projects and more projects. It would be self-sustained.

SENATOR O'CONNOR: Are there questions by the members of the Committee?

SENATOR GAGLIANO: I was just wondering if they had done any fund raising on their own -- charitable type fund raising?

COMMISSIONER DEWLING: Not to my knowledge. They've asked. I've been to several meetings where they've talked about having bond issues on this area. The question here is you've got respected individuals from all segments of the community, from the business community in the private sector as well, that donate their time to develop what they feel in assisting us with the park. They are business oriented individuals, both in the banking community, the private sector, the public sector, as well as citizen involvement in that.

So their goal is to develop the park using private sector money and trying to use the private sector to entice them into here to provide the type of recreational facilities that we honestly cannot provide. If we want to wait 20 years, maybe we can provide it, but I would not want to hang that long. I think that it's in the best interest of the State to move ahead in that mode of this public/private support group.

SENATOR GAGLIANO: I just wanted to point out to the Commissioner that within the past week the Governor has signed the bill that I introduced and we all supported to establish a railroad and transportation museum for New Jersey -- a study

commission. One of the sites that I had in mind was right here in one of the old train sheds for the possible location although I've received letters from all over the State saying that they have the perfect spot. I'm sure the Commission will look at all of the sites. I think there would be a great deal of interest in establishing the museum here, so I think maybe we ought to throw that into the mix if we can.

COMMISSIONER DEWLING: We had tried to convince DOT and some of the other folks -- New Jersey Transit -- to find us some money to initiate that. In fact, a discussion I've had with Hazel Gluck-- Because I think the area is there and that would be an ideal setting that would be a cooperative setting, because most of the immigrants that came into this country came into New Jersey and then went out from that railroad throughout the country.

ASST. COMMISSIONER FENSKE: It would require considerable infrastructure or capital construction to put those sheds in condition.

SENATOR GAGLIANO: But the nice thing about them is if you have actually trains, engines, and cars to put on display, it's a perfect spot for it. Anyhow, I thought we ought to get that on the record because that is something else that I would like to see looked at. I think there's a lot of merit in the concept because of the number of visitors who come here and the great interest that we have with railroads and transportation, especially in this part of the country.

SENATOR O'CONNOR: Thank you Senator. Senator Cowan.

SENATOR COWAN: Thank you Mr. Chairman. I'm here along with Senator Gagliano. We both serve on the Senate Transportation Committee and we work rather diligently to assure the fact that legislation regarding the museum reached its peak by the Governor signing the piece of legislation. I hope that I can be a little persuasive, as the Senator was with me, in assuring the fact that we get that museum down here.

Despite the infrastructure cost, I think it will be far less than starting something on a new or initiating something brand-new.

I think, Commissioner, you are well aware of the situation here in Liberty State Park and how we have grown in our numbers that are attending the park, and of course you've mentioned in your presentation, the Fourth of July celebration, etc. But there seems to be an undercurrent matter that I think should be brought out right under the front end of the meeting rather than to be playing around with words. We have had a few experiences here in the past regarding a doll museum and other things -- an amphitheater -- which certain weren't conducive to the park as a whole and the general public.

I think to the undercurrent in this aspect initiating this hearing and this Study Commission is the matter of public accessibility. Do you feel that what you have proposed here with the Development Corporation, that full public accessibility will still be maintained? In other words, you're not taking something away that exists today that is there for further development for the public's appreciation of this beautiful park that we have today.

COMMISSIONER DEWLING: This is being done to enhance the public's access to the park and that's why I said in the beginning that it's a "public/private." The public is emphasized. The public is the one that will benefit from this private involvement of activity. All of the costs associated with it, everything is under the same State charter that we offer any type of contract to guarantee the review process that we have within DEP and all the contracts, you know, processing that can be reviewed will determine whether or not all of the money was spent in accordance with normal State regulations and procedures. The key here is that the pathways have to be opened. You have to provide additional green areas. You have to provide total access to the public. And most importantly,

this is not the marina in the typical sense of the word for, you know, permanent vessel docking for overnight, long-term staying. This is a marina for the little guy. Somebody like myself who enjoys going out in a small boat or a rowboat or if the case might be, with an outboard motor, because you've got the off-slip parking in a sense. More than half of them are aboveground which means they are cheaper than the normal ones that are in the water all the time. The access to this park and the availability of this park must be maintained and will be maintained to the public.

SENATOR COWAN: That's your thorough feeling as far as this particular development of this marina is concerned right now?

COMMISSIONER DEWLING: I say that with the highest degree of confidence, Senator.

SENATOR GAGLIANO: Is there a walkway, pathway, or bridge from the downtown part of Jersey City over towards the ferry terminal, and if not, would that be a part of the Master Plan eventually so that people could walk--

COMMISSIONER DEWLING: There is a walkway.

ASST. COMMISSIONER FENSKE: The Hudson Walkway.

SENATOR GAGLIANO: But is it at the end? In other words--

ASST. COMMISSIONER FENSKE: Incorporated in the plan for the marina will be the construction of the Hudson Walkway which will tie in with the rest of the walkway going up north along the Hudson front. Right now there is a study for the bridge across the canal.

SENATOR GAGLIANO: That's what I'm saying. Is there a proposed bridge across the canal down towards the terminal?

COMMISSIONER DEWLING: Yes.

ASST. COMMISSIONER FENSKE: There's no money for it, but there is a study.

COMMISSIONER DEWLING: All of the development along the Hudson River area-- You must have public access in all of the development that we have, and there is a walkway that you will be able to, in effect, go to the Statue of Liberty all the way up the island to the George Washington Bridge. I mean, as every development comes in, they must provide a walkway area. If you're asking whether there's a walkway to get into the park, there is access through the entrance road. We put a walkway in that area when we had the July Fourth weekend. Prior to that it was a dirt path.

SENATOR JACKMAN: That doesn't exist today. There's no walkway from here up to West New York.

COMMISSIONER DEWLING: No. I'm just saying that once we put the bridge in over there and the development is finished, that access is there.

ASS . COMMISSIONER FENSKE: And the sea wall will be a part of that.

SENATOR JACKMAN: What Senator Gagliano was referring to is right of the tip of the marina. That's all.

COMMISSIONER DEWLING: That will be a bridge there to connect with the walkway that is being mandated by the development program for all of the development along here.

SENATOR GAGLIANO: Okay. In that way, my constituents can come up by train and walk over. That's what I'm saying.

SENATOR O'CONNOR: Are there any other questions from the Committee?

SENATOR JACKMAN: I just want to get an evaluation from the Commissioner -- your observation and the observation from your Department is that this marina will enhance this park, itself?

COMMISSIONER DEWLING: No question about it.

SENATOR JACKMAN: No questions about it in your mind? The marina would enhance the park itself?

COMMISSIONER DEWLING: For the public's utilization. I've heard people say that people in the inner city don't use marinas or golf courses. I grew up in the inner city. I use to go out at 3:00 in the morning to sign up to play golf so I could tee off at 7:00 in the morning. People in the inner city golf. I use to go down to Sheepshead Bay in Brooklyn which was for renting a rowboat or a small outboard motor to go out to the Jersey coast to fish. I mean, people in Jersey City fish. I see them out on the pier all the time. This is not a marina for the affluent. It's a marina for the normal folk.

SENATOR JACKMAN: That's what I wanted you to say. I just didn't want to see, at no disrespect, a lot of yachts out there polluting the water in the area so that the fishing that we are talking about. We wouldn't be able to do the fishing anymore.

COMMISSIONER DEWLING: The question here is, is this supposed to be an active park or a passive park? To me it should be an active park. It should be active and also have the ability to have passive attitudes and passive experiences, and the passive experiences are there for individuals if they like it.

SENATOR JACKMAN: That golf course-- How many acres would that take in?

COMMISSIONER DEWLING: About 188 acres.

SENATOR JACKMAN: About 188 acres. I want you to know from the outset that as far as the golf course is concerned, I think it's important. I've been getting more inquiries from senior citizens today that have no place to go and they can't go into other counties to play golf because the other counties just don't make it available like we try to make it available. So, it might have a tremendous asset in a sense. I would like to see the senior citizens to get the first crack at the golf course.

COMMISSIONER DEWLING: Down in Allaire State Park where we have our only golf course, the greens fees are extremely reasonably. That's for the person who doesn't want to go out and spend \$25 or \$35 dollars for greens fees. But I mean that's the same concept you have here. It would be for the urban resident.

SENATOR O'CONNOR: Senator Bassano.

SENATOR BASSANO: Commissioner, I think the bottom line as to why we are here today is our concern as to whether or not this is a giveaway of public lands. That's our main concern. I think I would like you to address that. That's what we're trying to find out. We want to make sure that the State is going to have certain jurisdiction over the development that's going to take place there and that it's not a giveaway of public land. I think that's the bottom line for the purpose of this Commission.

COMMISSIONER DEWLING: The DEP is in charge of this park -- unequivocally.

SENATOR BASSANO: Including the marina?

COMMISSIONER DEWLING: We have the responsibility for approving any development that goes into the park. Any development in the park is done with our approval and our contract is so written, that we could change any program if there were exorbitant charges or anything like that. It's all in our contract where we have the review process.

SENATOR BASSANO: That's the insurance that we have to provide to the public and that's what you have to provide to us. That's the purpose of this Commission meeting this morning.

COMMISSIONER DEWLING: That's correct. I mean, you know, you are not having the private sector come in and take over the park. What you are dealing with here is you're having the private sector-- I mean the Development Corporation themselves do not get any personal gain from this activity here. What they get is the vision that all of us seek here and

they are giving great time and effort to develop this. The Development Corporation's intent here is to try to speed up the normal governmental process that would take years to develop this park without jeopardizing the use of the park, or without jeopardizing any intent of the long-range goal of the Master Plan, and without the State giving up its rights to the development of the park and its overall responsibility.

SENATOR BASSANO: That's the one assurance that we want so that we can address that to our constituents when this is brought to our attention.

COMMISSIONER DEWLING: This park is still under the direction and the direct control of the State of New Jersey. We're not giving property away. The area that's being built up there for the buildings that would house some of the facilities including the marina encompasses about two acres of property. So, if you're saying that are we giving up something, there are two acres of green areas -- if you want to call certain areas green over there -- that a building is going on. But part of the requirements is for them to put in two additional large green areas as part of the development of the marina.

SENATOR JACKMAN: But those lands are still going to remain State owned?

COMMISSIONER DEWLING: They're still State owned. Oh sure. And they will maintain them--

SENATOR JACKMAN: Everything is State owned only on a lease price basis.

COMMISSIONER DEWLING: --and we don't even don't have to maintain them.

SENATOR JACKMAN: Okay.

ASST. COMMISSIONER FENSKE: Senator Bassano, this is not unlike what we're doing throughout the State park system. We have many, many leases -- Waterloo, Allaire -- and we lease land when the activity is in the public interest and enhances a public activity that is appropriate for a park. This is not at all dissimilar from many other leases that we have.

SENATOR O'CONNOR: Okay.

SENATOR JACKMAN: Can I just make one observation--

SENATOR O'CONNOR: Okay, and this will be the last because we really--

SENATOR JACKMAN: --because I'm not going to be here. I've got to go to Rutgers to address a drug program. I just want to make an off-the-cuff statement for the edification of the Commissioner and the Deputy Commissioner. Sitting with us, of course you know, are two people who have a tremendous amount of respect in this area. For the edification of my colleagues who don't live in Hudson County, both Audrey Zapp and Morris Pesin are, in my book, Mr. and Mrs. Liberty State Park, and they in turn watch this thing like it's their own private property, and they do it with the intent of trying to make sure that everything we do as legislators-- They notify us on things that they feel are very, very important for the well-being of the people that we represent.

I say to you very honestly, based upon their observations and on some of the input that they give us, that's why we become very inquisitive where other people are concerned and I want you to know that. That's just a statement I wanted to make. I'll be leaving in maybe about an hour, but I wanted to get that on the record, okay, with your permission.

SENATOR O'CONNOR: Thank you Commissioner Dewling and Assistant Commissioner Fenske. Thank you very much for your input this morning. We invite you to stay. If time permits, if you want at some point to reply to any comments, time permitting, we will afford you that opportunity.

COMMISSIONER DEWLING: Let me just echo at what Senator Jackman said about both Morris and Audrey. If it wasn't for their interest years ago in (indiscernable) we probably would not have what we have today. It's that type of citizen involvement that's very necessary. Whether it be an overview or pushing government in the right direction, I totally support it.

The question here is, would we prefer to do it with public funds or do we have to do it another way? I think we have to face reality. The infrastructure system is breaking at its seams and we're all in there competing for the same dollars. If we want to move ahead in a timely fashion so we can all see the vision come true, I think the only way to do it is by public/private investment, and we are not giving up anything by going that route.

SENATOR O'CONNOR: Thank you very much. The next witness that we have on our list is Commissioner Audrey Zapp of the Liberty State Park Advisory Commission.

M O R R I S P E S I N: Morris Pesin, 237 Van Nostrand Avenue, Jersey City and member of the Public Advisory Commission. I didn't know the length of time that was going to be accorded. I sat up last night to read my statement. I was going to beg that for 29 years of involvement with this park, I was going to beg the indulgence to permit me to speak for at least 20 minutes. Well, I don't have to ask it now, it's been said. Thank you very much. Now you're going to hear a lot of the facts on what this park and this discussion is all about.

The Commissioner read from his letter. I was keeping that letter secret because I've sent out replies to a few of those who had received letters from the Commissioner. But now that he has made it public, I shall mail 50 copies to the Commission for distribution and to the Senate, possibly. I sent one out to Senators Cowan and O'Connor. I will mail one to Chris -- he's local. I'd like to give you a reply to the Commissioner's letter.

Now my 20 minutes begins.

SENATOR O'CONNOR: Well, actually your 20 minutes began at 10:58 Morris, but I'm going to try to do the best I can here.

MR. PESIN: Since 1977, there were four attempts to commercialize Liberty State Park. Ms. Zapp and I successfully spearheaded the opposition and exposed these attempts. The proposed marina is now the fifth attempt. Governor Kean, to his credit, in 1981 personally intervened by rejecting five proposals submitted to the DEP for housing and theme park developments. He also canceled a DEP lease of the historic Central Railroad Terminal for a glorified dollhouse, after we had secured an interim restraint -- thanks to Governor Kean.

Ms. Zapp and I are thankful to Senators O'Connor and Cowan for bringing about this Committee to review the marina lease and the development practices and issues at Liberty State Park. This great park is a tribute to the New Jersey Legislature for its authorization of Green Acres Bond Issues and for its generous appropriations of \$65 million for one of New Jersey's great resources.

It is, therefore, incumbent upon your Committee not to permit its dismemberment, and to ascertain and make known to the public the facts of this marina proposal. We all have a sacred trust to protect to preserve this very special park.

Governor Kean, in a letter to the Advisory Commission on December 8, 1982, said, "Foremost in mind is the fact that this is public parkland with very special historic open space and waterfront amenities which benefit the entire State. Liberty State Park is the frontrunner to revitalization of the entire New Jersey Waterfront on the Hudson River. It will be the park of the 20th century that will attract millions of visitors each year."

In the same letter he said -- and this is very important -- "For this reason I ask you to work with me in developing an effective public/private partnership approach whereby, revenues generated from limited private commercial development can be used to develop," that's the important word, "operate, and maintain other elements of the park."

This lead to the creation of the Liberty State Park Development Corporation in 1984. I shall discuss two issues. First, the Development Corporation and the secondly, the marina itself. Ms. Zapp and I had reservations about the creation of this entity which preempted the DEP from developing the park.

The DEP, to its everlasting credit, created one of America's leading parks -- out of a garbage dump. A miracle indeed. And they did it with men like Colonel McCabe, all DEP Commissioners, and others without any outside help. It is unfortunate that our illustrious DEP which is accountable to the State Government has abdicated its function in developing the park.

Ms. Zapp and I as members of the Advisory Commission willingly accepted the Governor's concept of public/private partnership and the Action Program of 1983 which actually was a reaffirmation of the 1977 Master Plan with a few additions. We patiently waited for over two years for the Corporation to fulfill its mandate. If the marina proposal -- the first project of the Corporation -- is an example of the Governor's hopes to generate funds, then we maintain that it has miserably failed and the partnership concept in this case can only result in privatizing our parklands.

I submit the following matters for your consideration:

1. The Development Corporation has deliberated in private, without accountability to the Legislature or the public -- not subject to the Sunshine Law, and vested with tremendous powers. This entity was created by the DEP and its attorneys without oversight by the Legislature. I urge a thorough study by your Committee to determine whether this entity conforms to proper legal procedures and constitutionality.

2. The minutes of the Advisory Committee since 1984 will reveal one liners reporting progress and so forth by its chairman who sits on the Corporation's Board so that the

Advisory Committee, representing the public, has no knowledge of the operations of the Corporation.

3. Questions of its operating budget, accountability for its expenditures, or fiscal controls by the State Treasurer or the legislative Appropriations Committee is non-existent.

4. Questions of the propriety of park revenues belonging to Liberty State Park or the State Treasury which have been paid to the Development Corporation must be answered. The Statue of Liberty/Ellis Island Foundation -- and I'm a member of the National Commission, over the Foundation -- paid the sum of \$117,000 for use of the park for restoring Ellis Island to the Corporation. It's unfortunate. We should have done it for nothing. Your Committee must look into the propriety of this matter which is not under review by the State Treasurer. And I'll give you more information later on.

5. The marina contract provides that all revenues are to be paid to the Corporation. We assume that this is done to insure the financial viability of the Corporation's operations. They want to get a hold of it first. Any leftovers will go to the park. Is this a proper, sound, or legal procedure conforming to State laws?

6. An example of lack of control or oversight of the actions of the Corporation is a recent \$24,000 expenditure to a public relations firm. If the marina needs selling, then should not the Philadelphia developer hire its own P.R. company? To say the least, this item is outrageous and inappropriate. Your Committee should seek its immediate cancellation. It has to be a Secaucus company.

7. The Corporation has to this date, not only failed to carry out the Governor's mandate to generate funds to develop and operate the park, but has added a new financial burden on the park with a new layer of bureaucracy, to the extent of over \$200,000 annually. Is this not a matter for the Appropriations Committee of the Legislature which originally funded the Corporation? Those are the questions.

Now as to the marina: The Advisory Commission was kept in the dark as to the entire project. On July 2nd, we were advised at a special meeting by Mr. Mattson that proposals for a marina were advertised on June 15th. On Oct. 15th, four months later, to the shock of Mrs. Zapp and I, we received invitations for a marina ground breaking ceremony which were sent to the press and other officials. It was suddenly canceled, so there was a contract ready to be signed which prompted Mrs. Zapp to visit Mr. Mattson to make inquiries, and she was shown certain portions of the proposed lease.

We quickly sought the formation of an Ad Hoc Marina Committee pursuant to Executive Order No. 65 to review the proposal. The Corporation violated its own certificate of incorporation, "to receive advice from and to consult with the Advisory Commission for Liberty State Park with respect to the development of Liberty State Park, and the operation of its facilities." This was not done. Not only this, but the Corporation and the DEP to this date have not provided the Ad Hoc Marina Committee with a copy of this lease, its financial terms, and a financial and economic impact statement. Mailgrams are attached. We are sure this vital information will not be denied your Committee. Gentlemen get a hold of that lease. It is ready, it is complete, and fortunately, unsigned. And you may see we may not give them the financial terms, and that is very important.

Merely to say, you have to wait, and be competitive, and all that kind of stuff, is a lot of nonsense. Mr. Mattson says that if the first contractor doesn't accept it, we'll go to the second. I spoke to the contractor and they are all out of it. There is one contract in existence and if you read that contract, you're going to see a lot of things which I'm going to go into right now.

Now what do we find in the 60 year lease? This is a transfer of State property by form of a lease. Now remember that. There are concessions in this State which can be recaptured. We have a hot dog stand down there. All fine. These are great parts of this park. But look into this situation.

Now we find that a 60-- Well a 25-- A lot of renewals -- about 60 years lease that completely severs this land from this park. Now what do we find?

SENATOR JACKMAN: We won't be here for that one.
(laughter)

MR. PESIN: Well I'm afraid not. Chris, you just hit 70, I just hit 75, our life expectancy is short, but we want to see this park go ahead. They are leasing this to a Philadelphia developer -- 57 acres of the park, one mile long along the Morris Canal for the construction of a 950 boat marina. Not content with a pure marina of boat slips -- we're for a marina, by the way, and we'll go into that later -- 950 boat slips as set forth in the Master Plan of 1977 and 1983, the DEP and the Corporation are ready to permit a tack-on. This is the big thing, in the form of an industrial and commercial complex in order to generate funds to secure bank financing by the developer, besides paying a rental fee based on gross receipts of the park.

Now we have a hideous 6 story tall, 300 foot long boat warehouse with equipment, paint, repair shops, and a fuel depot, a private yacht club type of a building with 3 floors of lounge, play, dressing, and bedrooms, also sun deck, 450 parking spaces, security gates, fencing, and exclusionary landscaping. The lease gives the developer the right to set forth rules -- now here's where we come in with a national group, too who is deeply involved in this -- to set forth rules as to access, and that the two great lawns, that they are

speaking of, of 10 acres shall be subject to developmental use. I sorry those maps are not up here. That 10 acres-- People are going to go down Audrey Zapp Drive, look at it -- fine. But they have a right under this lease to develop it. And they may put more storage rooms-- I don't know what they might put, but that is exactly what is being given away in this whole deal. In other words, a total accommodation for 950 boat owners to the exclusion of 7 million New Jerseyans. Is this not tantamount to an exclusive yacht club?

The ferry dock -- mind you -- the ferry dock which serves 340,000 visitors to the Statue of Liberty from July 4th to December 15th, the new comfort station, and millions of dollars worth of improvements have been thrown into the package deal. All this is in violation of the Green Acres funding law, the Land and Water Conservation Fund of the Federal government, and the Master Plans of 1977 and its update, the 1983 Action Program.

The DEP, now pleading poverty, will have to expend \$1.5 million to replace the ferry dock to the Central Railroad Terminal with a serious impact on the cultural and festival activities at the terminal, and to undertake-- And also, from what I understand, there is going to be necessary repairs at the marina site that will be very, very expensive. So, let's not say-- Let us not plead poverty. A million and a half dollars, from what I understand, at my request of Mr. McCabe-- He doesn't give me this information. I asked him what more has to be done in this area and what is it going to cost to put a new dock right by the Central Railroad? A million and half dollars. If it's a little more, I stand to be corrected.

Parking fees for a new site-- Parking for the ferries at the new site will deprive patrons of the railroad terminal events including revenue producing exhibits, from adequate parking. Boat owners and their guests will need an additional 1000 to 1500 spaces opposite the marina since only 450 spaces are allowed to the 950 boat owners on the site itself.

What does the park receive in return in order for this deal not to be called a giveaway of parklands? According to my--

SENATOR O'CONNOR: Morris, excuse the interruption, but you have now gone for 18 minutes. I hate to bear the bad news, but--

MR. PESIN: Oh my. I'll read this very fast.

SENATOR O'CONNOR: Okay. See if you can begin to sum up.

SENATOR BASSANO: What do you recommend, Morris?

MR. PESIN: I recommend, and you have in your kits, the boat marinas that were recommended by the DEP in 1984. (leaves the mike to provide the panel with some information) By the way, I want to show you one thing. In the most beautiful park of the country, they're going to have a boat warehouse which is going to produce the revenues. I saw some of these in Florida. They looked worse than the Jersey City car pound over here. See this? This is the boat warehouse for 350 boats. That's going to be the most beautiful park. This is what's planned.

SENATOR BASSANO: Morris, can I ask a question?

MR. PESIN: Yes, sure.

SENATOR BASSANO: If the State were to develop this instead of the private corporation, is this the same plan that they would follow?

MR. PESIN: Oh, beautiful. It's in your file. By the way, copies of this are in your file -- the breakdown of this whole plan. This is the beautiful thing. It's compatible to the park. There are 250 on the south lawn -- 400 eventually. Read this, and this is a--

SENATOR JACKMAN: What he meant was, if the DEP decided to take over instead the development, would they build the same type of building?

SENATOR O'CONNOR: Would they build the same building? Is the Master Plan the same?

MR. PESIN: No, no, no. This is a pure marina. This is the actual plan and Mrs. Zapp will discuss that later. This is the water for these slips. That's what we envision, that's what we're for, and this shows a \$471,000 profit that would pay for bonding cost and so forth, are reduced -- I don't know if you have the entire plan, but the Langan marina plan-- And I have seven or eight pages that strictly refer to the amount of income-- Yes, there will be boat owners of New Jersey that's will be able to use it -- that fine and great -- without sacrificing one foot of parkland.

SENATOR O'CONNOR: Morris, isn't the key consideration that the plan recommended by Langan was all based on the availability of public funds? And we've heard the Commissioner say this morning that right now there is a total of \$2 million available for everything.

MR. PESIN: All right, good. This is the thing. Attached to the thing are five statements here and I want to show the one answer to the question of a lack of funding.

SENATOR O'CONNOR: I'm aware of what you say in the letters about the Capital Planning Commission.

MR. PESIN: Yes. There are a lot of funds. Maybe not this year, but I may say this, that I go to all these statements back to 1981 where the marina was provided for and approved by the Capital Budget and Financing -- as far back as 1981, 1982. Suddenly, no more requests were made because it decided to experiment with the Governor's private/public ownership idea, and that was it. I say to Commissioner Dewling, "Wait. What's your hurry? These boats are not homeless. They are now in other marinas. So you wait another year and include that in the new budget, because the new budget by Helen Fenske speaks of \$85 million for '87 to '91." Please read the rest of what I have to say. I'm only sorry that I'm

given that little time. You are going to see that there are State funds available. Put them up for the next year. There are State funds, but don't give away a park and sacrifice a park in order to develop it. This is the important thing. There are funds.

I say this, that on the south end-- Later on, if we need more, we'll go to the north end. The people are being excluded. This is a private club. There'll be a golf course. They're having trouble with that golf course. Fine, we're for it, but stick to your Master Plan that Mrs. Zapp is going to stick to and you'll out-- I'm sorry that there are many other things-- And if you want to earn money, and I speak of within here, I'll tell that there is less than \$100,000 that will be earned when all of these boat slips are finally rented out.

Now you want to earn \$100,000, members of the Corporation (sic)? And I've recommended this before. There were 100,000 cars down there in six months. New York charges \$14 for a parking space. If you are worried about getting maintenance funds, then you charge a dollar for cars that come from all over the country, and you've got yourself more money than you'll ever generate out of this without spending one nickel.

The important thing is that Commissioner Murphy -- and this I have to say, he made a statement here in The Jersey Journal, in this very excellent article, and he admitted-- I must get his one statement. It's hard to go through with this. I thought I would be able to count this--

SENATOR JACKMAN: Take it easy, Morris, take it easy.

MR. PESIN: All right. I'm sorry that I can't finish this. We've put in an awful lot of work in this. Commissioner Murphy admitted-- Oh, here it is right here. The following quote of The Jersey Journal of February 17:

"It's finally an admission that the Governor's well-intentioned private/public partnership concept and the

reason for the Corporation's existence to carry out the Governor's mandate to generate funds to develop the park, has not worked as far as a marina is concerned.' Mr. Vincent Murphy, the Chairman, said, 'But today, nothing is built and nothing is expected until next year. In addition, unforeseen cost has greatly changed the economics of the projects. Revenues are now being seen as way to cover maintenance cost -- not through funds of the developments.'"

Now this is the statement by the chairman of the Development Corporation that it is not working. Because if we go back to 1977, the original planning commission, and this is in the statement, said, "that there are not such projects that would produce revenues to offset capital costs and sufficient quantities to justify the sacrifice of parklands. This is the next--"

SENATOR O'CONNOR: Morris, would you make that statement available to the Committee please. We'll have it reproduced.

MR. PESIN: It's all in here. You have in your file 10 copies in envelopes. You have this marina here. You have--

SENATOR O'CONNOR: Okay. We have what you are referring to today. Are there questions by the members of the Commission? All right. No questions. Morris, I'm sorry, but we're going to have to--

MR. PESIN: Well, you have copies. You'll see bedrooms here, lounge rooms-- If you think that's going to serve all the people-- It is an exclusive private country club. Now, we don't want-- We're for the golf course too, but we don't want the same thing to have an elite park. This is a peoples' park. We want to keep it that way. We're arguing too much that this particular site is going to interfere with the most exciting part of the park with all of the events-- There'll be no more marathons, because that very length is finished and wiped out.

The important thing is to say that they have what is simply a marina that has developed into a big commercial enterprise with a building and all, in order to generate funds. And please look at that lease; don't take Mr. Mattson's word that it's secret. Nothing should be secret to this Committee. We know, and I'll guarantee to you, that they will make more money at a dollar parking rather than they would make out of this whole deal.

SENATOR O'CONNOR: Morris, I must ask you at this time that--

SENATOR BASSANO: Thank you, Morris.

MR. PESIN: All right, very well. Please read my answer to Commissioner Dewling.

SENATOR O'CONNOR: Okay, we will. I promise you. I have read everything you have submitted up to this point.

MR. PESIN: Thank you very much gentlemen. We're getting some more information.

SENATOR O'CONNOR: Thank you, Morris. I'm going to deviate somewhat from the agenda because we have a request. I understand that Ms. Zapp is willing to permit Mr. Joseph Sweeney, representing Mayor Cucci to speak before she does. So, the next speaker will be Mr. Joseph Sweeney, representing Mayor Cucci.

J O S E P H S W E E N E Y: Good morning. I want to welcome you ~~Sen~~ators and secretary to Jersey City and Liberty State Park. My name is Joe Sweeney, lifelong resident of this city. I live 74 Bartholdi Avenue here in Jersey City.

These remarks are from the Mayor who he has been kept abreast not only by the newspapers, but certainly by Morris and Audrey and myself after each meeting as the Advisory Commission met ~~sin~~ce last October. That was the beginning when the Mayor assigned me to take on this task. These are his statements:

"Liberty State Park happened because of Jersey City and its residents who gave birth to its concept and nurtured it for many years. The City presented the State with a gift of the first 150 acres of land in 1965 on condition that it be used as a State Park. This permitted the State to acquire an additional 650 acres of some of the most valuable land in America, thereby, relinquishing tremendous tax rateables.

"It has been a good and proud neighbor in offering the services of our fire department, police, public works, and medical whenever necessary and whenever we were called on by the park. It is therefore incumbent upon the State that the development of the park does not adversely impact upon Jersey City. The City is not" (sic) "deeply concerned and strongly opposes the proposed marina for reasons set forth in the attached Resolution" -- which I have given to the secretary, Marvin -- "The Resolution passed unanimously by the municipal council on December 11, 1986. Two major reasons advanced by the City are:

"A new residential development on the north side of the tidewater basin is now taking place know as Liberty Harbor North. Plus in the additional Green Street area, there is another condo going up on the far end of the north bank in the tidewater basin area. Over 10,000 people within the next 10 years will occupy this area. It is contemplated that 1600 residential units will be within 10 feet of that basin, private walk, and so on; but right within the proximity of the proposed marina. The residents must be protected from the visual, air, and noise pollution that will emanate from the proposed 650 boat marina and its extension to the East Bay area into the Hudson River as set forth by the developer's map.

"The land values must, of necessity, be adversely affected, with the impact on tax rateables as a result of the marina. The city, by its resolution, has already assigned its attorneys to take legal action if and when necessary to protect

its rights. We also have a case of visual pollution in our beautiful park. For the marina to include an industrial appendage of a boat warehouse, paint and repair shop, it can only offend the taxpayers who paid for this park.

"The second and one of the most important" -- which has been brought to the Department of Environmental Protection at the meetings as they have been going on -- "the city engineer has sent a letter to the DEP and put them on notice on September 15, 1986 advising that development of the tidewater basin would require that the Mill Creek sewer outfall which discharges into a 1000 ft. open ditch connected to the basin is clogged and flooding, and unsanitary conditions exist. The report concludes development of the tidewater basin would require that the above mentioned condition of open ditch discharge and stagnant water must be corrected prior to Jersey City Engineering approving the proposed marina." We have Mr. Barnes, the director of our engineering, who will go into the details of what is occurring from Mill Creek into this basin where the marina is proposed for development.

"The estimated cost is \$4,000,000 to correct this situation and the city engineer advises that the cost could run as high as \$6,000,000. The City is in no position to undertake this correction which means that the State would have to undergo this enormous cost which is twice the estimated cost to build this marina as recommended by Langan Associates in the south end.

"The State under these circumstances would be involved in embarrassing and costly litigation which would delay the construction of its own marina as recommended in the Master Plan and the original recommendation of the Liberty State Park Study and Planning Commission in 1977. Just as important as the economic and environmental impact of the proposed marina in Jersey City, is the fact that Jersey City and Hudson County have the most densely populated area in the country with the least amount of acres devoted to open space in the State.

"Liberty State Park has been heralded far and wide as the State's first urban park. As Commissioner Dewling said, there were 11 State Parks of which 10, with the exception of Atlantic City's development, now this is the only urban park. We are different and should be treated differently, particularly the number of people in the northern urban area. To deprive them of the complete use of the area involved with its adverse impact on the entire north bank of the park including the Central Railroad Terminal to serve a few people -- 650, 700 boat owners -- is unacceptable to us at this time.

"We urge that the Committee recommend the rejection of this type of commercialization of this great park." Thank you gentlemen and ladies for your attention.

SENATOR O'CONNOR: Thank you, Joe. Are there any questions? Senator Bassano.

SENATOR BASSANO: Your last statement regarding the old train terminal-- You are of the opinion that if this development took place, the people would be deprived of using that old train terminal?

MR. SWEENEY: I should have said access to-- As Morris had stated, the parking that would be required for the marina -- not only the ferry which will be put on the far end, people will have to come up near that terminal to park and to get on the ferry while the additional area going back west just opposite the marina-- That parking will be taken up, no doubt, by these 700 boat owners that would park there. The ferry, Circle Line, is intended to be moved up to the plaza area or within the terminal, if I'm correct Morris, so that that parking will be taken up by people that will be served using the ferry. So therefore, that area would be taken away, as far as the local people coming down to try to park their cars and maybe go into the terminal for, hopefully, a railroad display that, hopefully, will be a reality someday.

SENATOR BASSANO: Will not the State develop that area exactly the same as the Philadelphia corporation is now proposing, regardless of who does it?

MR. SWEENEY: Well, if I knew how the Philadelphia corporation was proposing what it was down there, I could answer that.

SENATOR BASSANO: Well, apparently, the State is committed to putting up -- what is it? 600 boat slips?

MR. SWEENEY: Six hundred and fifty.

SENATOR BASSANO: Regardless of whether it does 650 slips built by the State or built by this corporation, the development is going to be the same. In all probability, the State would still come along and put up a boat storage house and would still have a facility there for preparing boats. I'm a little confused now. That's why I ask this question: Would not the development and the Master Plan be exactly the same regardless of who develops it?

MR. SWEENEY: No, it would not, because the south is where that 280 marina, which is on the left side of this, was acceptable or discussed in 1977, '78. A much smaller marina was proposed at that time.

SENATOR BASSANO: What you're saying to me is that if the State develops it, then there will be fewer slips, and if the private corporations develop it, then their plan is more grandiose, if you will?

MR. SWEENEY: Right, by all means.

SENATOR BASSANO: So, there are two different plans then, in essence, that we are dealing with?

MR. SWEENEY: Right. And conditions on the south end -- you have a jetty there and so on of some sort. There is no pollution that's going into that area as far as we can determine, there's no creek that we--

SENATOR BASSANO: The next questions I did have to ask is, if that is the case and private corporations are going to

come in and develop differently than the State, why is the DEP not saying to that private corporation that this is not what we want and that we have different plans and different ideas? Again, I am confused. I ask that question, perhaps you can answer it.

MR. SWEENEY: Well, I think the DEP, the technical side of it-- The original plan in the Master Plan was -- correct me Morris if I'm wrong -- that on the south end there would be a 280 slip marina. Now they have come up with the 700 slip marina complex. This is proposed. That meaning that the Development Corporation-- First and foremost, I think when any development takes place, whether it's a marina, or a development on the land, and so on, some of the impacts were known from our engineering department of what existed in this particular basin.

Now they had gone out somewhere from what Morris has said, in July or June of last year, to get this proposal from some private sector; and yet, if the private sector knew particularly this one adverse condition that has been dumping in there for 50 to 100 years, this overflow of Mill Creek, certainly that developer would say, "Oh, wait a minute. There will be some pollution of some sort that must come from these boats." Okay? Because you are back about a mile up to where the river is -- and I think Col. McCabe would probably back me up on it. There is very little circulation back in there. And you are going to have boats lined up in that Morris Basin over the weekend and so on. Are they going out to the river to catch up into the circulation?

We have and we know of the very violent storms that we have in this area. Our main Montgomery Street -- the plates of the sewer are raised these heavy rainfalls. This is why the overflow is taken in to this Mill Creek and has been for up to 100 years, probably. But at the same time, the people in the area are using their sanitation facilities, and there is this

back-up, not only at the sewer plants -- some of our Senators have driven down there in these violent rains -- and this overflow goes into Mill Creek and ends up in this Morris Basin. There is very little circulation of the water. The tides do not carry this out. That is one of the big reasons why this north basin that we're talking about -- and our engineering department can explain it in much more detail -- that the development and the circulation on the south end is much better than this confined narrow Morris Basin. I hope that has, in some way, helped you.

SENATOR O'CONNOR: Any other questions? (no response) Thanks, Joe.

MR. SWEENEY: Thank you.

SENATOR O'CONNOR: Okay. Now we will go back to our agenda and Commissioner Audrey Zapp of the Public Advisory Commission is the next speaker.

A U D R E Y Z A P P: Yes, I'll just sort of deviate-- I understand that Senator Bassano is having a little problem in what would be different if the State were to plan this and how this plan deviates from the Master Plan. I want to bring to your attention, specifically, this Action Master Plan.

It complements the 1977 Master Plan. I was part of the original Liberty State Park Study and Planning Commission in 1977. We held nine public hearings. We had our own consultants. That is how the Master Plan started and I brought a copy of this for your Commission, because I wanted to show how it really does not deviate, since the Master Plan, at that time, included exactly the same type of things along the water as of this plan (shows plans to members of the Commission), but this particular area was not developed at the time and was not acquired by the State so it remained in limbo at our time. Later on as the State acquired this land, the golf course developed. That's the Action Plan. This is the adopted Action Plan; we are embracing it because we feel it is the mandate of those people who came out and spoke at public hearings to keep the park green.

The difference between the development plans-- If the State built this particular plan, they would be bound by duty to follow the Action Master Plan for the park. And the pier that is servicing the Circle Line is already placed. It was paid for with Green Acres money. It was paid for with Land and Water Conservation funds. The State is bound by these agreements when they received the Federal funds.

The Federal funds built this particular Circle Line pier, so it would remain. If the developer comes in, he wants it for a restaurant. That means that you have to relocate an existing facility, improved with public money, and you have to take it and bring it somewhere else. So what happens when you bring it somewhere else? It triggers a whole new set of environmental problems, because you have your terminal for the steam engine festival. I gave you some material on--

SENATOR O'CONNOR: Audrey, may I just interrupt? It is my understanding, correct me if I'm wrong, that the restaurant proposal is no longer a part of the marina.

MS. ZAPP: It has only been put in limbo. It will be put to bid in a separate request for proposals. But it's there.

SENATOR O'CONNOR: So, now we're dealing with only the marina, correct?

MS. ZAPP: It's something that is there that the developer wants in order to increase his revenue, and you know that it's going to be there. It's just a controversial item, but we have to deal with it now, because even if it's a month from now after these contracts are signed, the restaurant is there.

So, therefore, it triggers a new set of environmental problems. You have concerts. I gave you a set of-- Yeah, it's under here -- about the terminal being used on a regular basis -- the New Jersey Symphony, there are social events, and all of these particular events are here, and when the railroad museum is there, that shows that people will be using it. So, it's a conflict of uses to bring and change a ferry boat

terminal -- which is already in place -- to bring it here. And then of course, the second thing that will be different for the State if the State were to build a particular area, is this.

Now you would not have the State of New Jersey coming in here and building a building with bedrooms. This is what flies in the face of the public -- to put this on public park land -- an exclusive yacht club. This is what the developer has in minds -- right in the middle of two great lawns -- to put this monstrosity where people are sitting on the grass, having a picnic, to see these wealthy elitist people coming in, having bedrooms, game rooms, fireplaces, conferences rooms-- Now why did the developer and why did the Liberty State Park Development Corporation allow this type of monstrosity? It flies in the face, and that's the controversy. If these things were normal and modest-- But even after the controversy developed -- December of 1986 -- this plan was even expanded.

So, it shows, "damn the torpedoes, full speed ahead." No matter what we said, it was only accentuated. The controversy kept getting bigger and bigger. This is the kind of thing that the private developer is bringing in, but the State of New Jersey, because of its various regulations and environmental rules, would not be able to bring in. So I wanted to kind of get this in.

SENATOR BASSANO: Are you opposed to the 600 boat slips that are--

MS. ZAPP: No. Whatever is in the Master Plan. We sat down with Mr. Wallace. We were part of his workshop. Morris Pesin and myself. We had just finished the dollhouse controversy. Governor Kean came on board. I'm sorry I'm taking up time. But I understand--

SENATOR BASSANO: Please continue.

SENATOR O'CONNOR: When you answer a question, I don't count that as your 20 minutes.

MS. ZAPP: Okay. When this Action Plan came into place, we had just finished a terrible controversy. Warner LeRoy wanted the whole pie. I'm getting a little-- Does anyone have a little water?

Warner LeRoy wanted the whole park. Governor Byrne just left office. That was one of the things that we were very, very disturbed about--

SENATOR GAGLIANO: Oh, is this going to be a theme park?

MS. ZAPP: Yes. And we're going to have a monorail from the park to the Statute of Liberty torch. I know that was a figment of one's imagination, but it was very real to us at the time.

SENATOR BASSANO: I don't know. Senator Gagliano and I run a Monorail Study Commission, so maybe it's not.

SENATOR GAGLIANO: We never dealt with Liberty State Park. I want that on the record.

SENATOR COWAN: The Hudson River Waterfront, but not Liberty State Park.

SENATOR GAGLIANO: Not Liberty State Park.

SENATOR BASSANO: That's part of it.

MS. ZAPP: But, he use to come in with his sequin suits and say that this park belongs to him, and of course that was a long, long fight. So, when Governor Kean came into power and said, "Don't worry, Morris and Audrey, we're going to keep the park green--" Now, the greatest thing was when Wallace came and had a workshop. He had these beautiful drawings of this Action Plan up on the board. We didn't know what we were going to come into, because we hadn't had any dealings with Governor Kean as a Governor. We had dealings with him when he was in the Legislature. We knew his thoughts were good, but you don't know until you start seeing things.

So, when Mr. Wallace had his workshop and we saw that this northern embankment was just a beautiful green area where

the people could picnic, play baseball and football-- College students, school students -- they use this particular area because it has a continuity. There are no buildings in between which will divided it and stop that type of recreation.

Now we saw that the pier for the Circle Line was there -- the terminal was. We were ecstatic, we were delighted, and we said, "Wow. This is the best thing -- the golf course, look at this beautiful golf course." I'm an environmentalist, and I know that this is going to encourage my little fine feathered friends, because I see them on golf courses. And the lakes-- It is just magnificent and we embraced it. So, that is why we were so, so upset.

SENATOR O'CONNOR: Okay. At this point, I forgot what the question was that Senator Bassano had asked. (laughter) Let's get you back to your presentation.

MS. ZAPP: Yes. But that's how-- Did I show you how the plan of the State plan differs from this plan?

SENATOR GAGLIANO: Yes. I think I understand. Senator Bassano might not understand, but I understand.

SENATOR BASSANO: Just one other question. Would the State plan differ from the plan that's being proposed by eliminating the boat warehouse and the repair shop? Is that out of the State plan?

MS. ZAPP: The boat warehouse was not in the Action Plan, but I think it would just take a-- That's why the environmental studies are so important. They are non-existent now. But it might take an environmental impact study to see how this particular warehouse, or whatever you call it, would impact upon the park. Could you buffer it with landscaping? It is so big; it doesn't seem that you could.

Then lets look at other parks. Do they have these types of facilities there? That would be one of the questions. But you see, we would have direct input with the DEP. And as my testimony is going to explain, it's a lot

different dealing with the DEP than it is with the Liberty State Park Development Corporation.

SENATOR O'CONNOR: Okay.

MS. ZAPP: So, I'm glad I showed you that bedroom, because that to me is the most outrageous and the most unconscionable building that ever existed.

SENATOR GAGLIANO: Excuse me. By bedrooms, do you mean a hotel type thing, or are they just a couple of guest rooms?

MS. ZAPP: Well, I thought I'd like to show it to you. And a game room, and this is the second floor. And this is all off-limits to the public. It's so unusual to put in an urban park a fireplace, maybe this would be fine if Newport City was putting us on private property, but this is in the middle of an urban park where the people are of modest means and--

SENATOR O'CONNOR: Audrey, with respect to that, so that the Committee understands, there is a game room, there are some bedrooms, and they are all on one floor of that yacht club, correct?

MS. ZAPP: That's the second floor.

SENATOR O'CONNOR: Everything else in the yacht club, as I understand it, is open to the public which includes sun decks, a convenience shop, and rest rooms?

MS. ZAPP: The first floor, we would have to really analyze. We've had limited access to all of the plans that may have been changed. But, we would have to have some type of input from the public when we have public hearings to determine exactly what facilities are open to the general public.

SENATOR O'CONNOR: Let's get you back now.

SENATOR GAGLIANO: This shows two bedrooms. I thought you were talking about a motel.

SENATOR BASSANO: The second floor, the bedrooms-- Who would utilize that facility? Who would that be made available to?

MS. ZAPP: That would be the owners and probably some guests who they would like to entertain and have them stay overnight. It would be the entrepreneur himself.

SENATOR BASSANO: Okay.

MS. ZAPP: And certainly the person that is having their picnic in the park, I'm sure they are not going to be invited to put their wienies before the open fireplace in the game room. You know, it's a little ridiculous, but there it is.

SENATOR O'CONNOR: Okay. Let's get back to your statement. I've asked the Committee to hold off on the questions to the end, because it's becoming impossible to--

MS. ZAPP: I mentioned that I was a member of the Liberty State-- I think that's all that has to be eliminated. We held public hearings and completed a very comprehensive report. I'm asking that your Commission be given a copy of this particular report, because it's the study and planning report; and as I mentioned, it's a very comprehensive report. It was completed in December 1977, and it's called, "The Guidelines to the Development and Financing of Liberty State Park." It's a very comprehensive document. We hired our own consultants which I'll talk a little bit about.

I want to thank the Senate Study Commission for holding these public hearings in order to gather information and inform the public concerning the plans of the development of Liberty State Park, also to determine if these are in the public interest and will benefit the general public and not just a special interest group of individuals.

People often ask what is the relationship between public awareness and citizen participation? Public awareness and public participation are at the opposite ends of the same stick. They are the beginning and the end of the an evolving process. You cannot have meaningful citizen participation without the public being informed and involved in the decision making process. This is what is missing here.

Mr. Pesin and I, appointed by the Governor to be liaisons for the public with the full authority to receive information on the economics, environmental and social impacts of the marina project development of the park, have been unable to receive this information from the Liberty State Park Development Corporation or from the DEP. As we are deprived, the public is deprived.

We must never forget, Liberty State Park is managed by the DEP, but it is paid for with public monies and is being held in trust for the true owners of the park -- the people. Government must be sensitive, responsive, and accountable to protecting the public interest and involving the public in the decision making process of developing the public's park by providing adequate information. It is only then the public will be empowered to fully participate.

It saddens me to testify that Liberty State Park is being planned and development plans are being implemented behind closed doors, away from the eyes, the ears, and the minds of the very people who own the park -- the public. My only hope is that this decision making policy can be immediately corrected to allow full public disclosure.

The Liberty State Park Development Corporation was created by the State of New Jersey to prepare plans for the development and promotion of Liberty State Park and to review the economic feasibility of financing the park through innovative techniques. In addition to being created by State government in a signed agreement, and this is the agreement that you should really have a copy of -- I suggest that your staff obtain this. It was a signed document between Commissioner Dewling of the DEP and Vincent Murphy of the Corporation. It was signed June 9, 1976. The Liberty State Park Development Corporation agreed to conduct any activity involving the park and to implement the purposes of this agreement in compliance with the policies of the Department and

the laws, rules, and regulations pursuant to which the Department functions.

SENATOR O'CONNOR: Audrey, we have that.

MS. ZAPP: Oh. You have a copy of that. Very good. It is clear from the intent of this document that the Liberty State Development Corporation has agreed to conduct its affairs in compliance with the New Jersey DEP protection laws and regulations which mandates full public disclosure of information. The Corporation is in violation of the agreement by holding its meeting behind closed doors and barring the public from its monthly meeting for the past three years. It also violates the legal agreement by refusing to open its minutes and files to the public, thus building a high stone wall between the Corporation and the people who own and use the park.

In addition to being created by State government and signing agreements with the DEP, who by law is accountable to the public, the Liberty State Park Development Corporation has been appropriated almost a half a million dollars in public monies to sustain its operation. If public monies were cut off today, the Development Corporation would be out of business. My research into the public monies appropriated for the Corporation reveals the following information:

In 1984-85, \$100,000 appropriated from the New Jersey DEP taken from the park's Capital Improvement Fund was given to the Liberty State Development Corporation. In 1984-85, a \$250,000 appropriation was made by the New Jersey Legislature to the Development Corporation, and I've attached to it the bill that allowed this. In 1986-87, \$117,333 in Federal funds were appropriated by the Ellis Island/Statue of Liberty Fund in payment for the leasing of Liberty parkland property. These funds would have ordinarily been assigned to the DEP or the New Jersey Treasury.

In addition, there is a request for an additional \$200,000 to be appropriated by the DEP in 1987 to continue the

operation of the Corporation. These monies will again come from the DEP Liberty Park Capital Improvement monies. I would recommend that these monies be withheld until the Corporation operation is open to the public and to public scrutiny.

My documentation shows that approximately \$500,000 of public monies were given to the Corporation. If these monies were utilized to build the park, perhaps the golf course design or the amphitheater plan would already be underway. My recommendation is that the Senate Committee be provided with all budgets and financial statements from the Corporation since its inception.

In addition to using public monies for its operation, the Liberty State Park Development Corporation uses public office space on public property within the park. It uses space, electricity, water, and other public facilities free of charge, paid for by the taxpayers of the State of New Jersey. The future plans of the Corporation is to leave the cabana club office -- that is at the southern end of the park, and build new offices and conference rooms on the second floor of the Central Railroad Terminal -- again using public monies to improve the facility and build the offices. I would recommend to the Senate Committee that these improvements, for the use of the Development Corporation, be put on hold until the Corporation provides full public disclosure of their entire operation. Governor Kean, of course, appointed the members.

As you can see from my documented testimony, public monies and property are being used to sustain the Liberty State Park Development Corporation. Yet the same public who foots the bills of this entity has no voice in its decision making process. All meetings of the Corporation, for the past three years have been held behind closed doors. The Corporation does not conduct its meeting in compliance with the Open Public Meetings Act or the Sunshine Law. The public is not only forbidden from attending meetings, but it also is prevented

from examining financial, operation budgets, and costs of the Corporation, and is denied the examination of the minutes of the Corporation. I refer to the Open Public Meetings Act where the New Jersey Legislature declared that secrecy in public affairs undermines the faith of the public governing and the public's effectiveness in fulfilling its role in a democratic society.

The Liberty State Park Public Advisory Commission conducts all of its business in conformance with the Sunshine Law. We would expect the Development Corporation to act in the spirit of the Open Public Meetings Act which was enacted to protect the public interest. In addition, the failure of the Corporation to involve the public in the decision making process in the current marina proposal for development of the park is completely improper and thus -- I would imagine, of course, a lawyer would have to determine this because the public is not involved -- the entire process may be invalid.

It is ironic that the Corporation which was formed to help develop and improve Liberty State Park which signifies liberty, freedom, the best that New Jersey has to offer as a backdrop to the Statue of Liberty and Ellis Island, is denying the people of New Jersey the liberty to look over their shoulder and have a voice in the planning of the people's park -- shutting them out from the process. Is this what liberty is all about? I have an article from one of the members of the Liberty State Park Development Corporation in The Jersey Journal. Mr. Stanton, a member of the board of the Liberty State Park Development Corporation that was formed earlier this year, believes that in some ways the new board has too much autonomy. And he said the other members of the board agree with him. He said that there should be some kind of limit on the length of services as well as some form of accountability to the Governor. So, even this member of the Corporation believes that they have too much autonomy.

So actually, my recommendation to the Senate Liberty State Park Study Commission is to carefully examine all aspects of this question and let's open up this particular entity to public scrutiny. I also agree, of course, with Mr. Pesin about the use of the \$25,000 public monies to hire a P.R. firm. The Waterfront Development Corporation, who's building the marina, has the responsibility of hiring their own P.R. firm for a marina. They should not be forced to spend public monies to push this marina down the throats of the public. We have, certainly, more and better things to do with the public money. So I certainly agree with that.

The open space in Hudson County-- I'll be very brief. It has the least amount of acres devoted to open space, while Burlington has 128,000, Hudson has a mere 2394. Eighty percent of all the acreage in the State of New Jersey of open space is found in the southern part of the State, away from the urban area. We have 999 people to every acre of parkland of 3000 plus deficit.

One of the things that the DEP has found is that Hudson County has the distinction of having 75% to 80% of its population recreationally disadvantaged. Recreationally disadvantaged persons are those with age, income levels, cultural patterns, educational backgrounds, or physical conditions which affect their ability to participate in recreational activities. So therefore, you've got to understand what we have.

DEP was trying to find some land in Jersey City to build a park. The only thing they were able to get-- They had to put an entire park out on piers because land was not available for open space within the State of New Jersey. That's why Liberty State Park is a breathing space. I'm using--

SENATOR O'CONNOR: Excuse me. (speaking to photographer) Sir, would you wrap up the picture taking? I don't know about the others, but I'm finding it a terrible distraction. Can you finish taking the pictures? (affirmative responsive) Okay, thanks.

MS. ZAPP: When you're dealing with Lollobrigida, you have to expect that. (laughter) Okay, I went over the particular Master Plan. Were there questions that you wanted to ask me about that?

SENATOR O'CONNOR: Are you finished with your presentation, because you have about two minutes left?

SENATOR GAGLIANO: Please finish, then we'll ask you some questions.

MS. ZAPP: Okay. The conclusions of the Master Plan -- and I gave you a copy of the Action and the developer's plan-- You have two pages in your packet that show the difference. I think I've explained it. I was so happy when Mr. Wallace reported in the Action Plan that the major features of the Master Plan were unanimously reaffirmed, and one of the major findings of the Action Plan -- and this was a goal and it's right in the plan itself -- is "keep it a park -- it is already a lovely place. Efforts to develop it in total by private entrepreneurs should be rejected. The park should be kept open with the view maintained and minimum structures." I am quoting from the Action Plan. So, I'm saying, of course--

SENATOR GAGLIANO: I think we understand what you're saying. Okay?

MS. ZAPP: Yes. It is non-compliance. It's a deviation from the Master Plan. What good is a Master Plan if a developer can come in and snap his fingers and change something that's taken 20 years to develop and has had public hearings? This change in the plan has had no public hearings and no public scrutiny. It's been devised behind closed doors even though the Corporation used public monies.

The last thing, I thought, in order to insure the DEP's agency to monitor Liberty State Park-- This is something that I think is important for the Commission to review. You have to have professional attorneys, accountants, and environmental consultants. In August 1983, more than \$4

million of rental payments were diverted from the New Jersey Treasury by the lessee of State owned property in Vernon Valley. The DEP staff and officials failed to monitor its default. The New Jersey State Commission investigated this and they found that there weren't enough auditors. There are not enough people on board in the DEP to monitor these leases. They blindly accept the words and the material from the developers and they don't have the competent staff. I would think that's important.

SENATOR GAGLIANO: I can't agree with that entirely. I think they do work hard on these leases. No, seriously.

MS. ZAPP: Well, how did they lose the \$4 million?

SENATOR GAGLIANO: We want to hear you, but, you know, when you say things like that--

MS. ZAPP: But maybe there's room for improvement.

SENATOR GAGLIANO: They do put a lot of time into these leases, because I know that they do lots of review and they work hard on them, and they make mistakes like everybody else. But you can't say that they don't do it. I think they try.

MS. ZAPP: Well, I would hope that the Senate Committee would see how many auditors are on board for the DEP. If there are enough, and if they are professionally adequate to monitor these leases, then I say, "Cheers for them." But we do find that there are inadequacies in this particular professionalism (sic), then we would have to say, "Well, let's give them more money to hire a few more people." But, you can't let these things get away from you, and there have been no economic overviews on the part of the DEP that we know about for this particular marina. And the last thing that I want to refer to was the Land and Water Conservation funds.

SENATOR O'CONNOR: Excuse me, Audrey. We have gone beyond your 15 minutes. I'll ask if there are any questions at this point.

MS. ZAPP: Okay.

SENATOR GAGLIANO: I'm not clear on this, Audrey. I guess I'm in the same category now as Senator Bassano was, with respect to a marina on the north side. It's my understanding that you indicated that you had no objection to a marina on the north side provided it's scaled down and operated by the State. I don't think I received that same testimony from the representative of Jersey City who said that there were problems there with respect to the stagnate -- or whatever -- non-flowing waters or the outfalls coming out of Mill Creek, and that a marina there would have an adverse impact on the residences that are being constructed and planned on the north side of the old Morris-- I guess that's the old Morris Canal, isn't it?

MS. ZAPP: Yes. The Morris Canal.

SENATOR GAGLIANO: So, where are we on that? Just in a word, how do you feel about the marina?

MS. ZAPP: Here's where we are. If the DEP was undertaking this marina, they would have to do environmental impact studies. That is when the city would have the opportunity to bring these problems forth. It would take a little mediation -- you would sit down together, you would say, "Well, this is my problem." The DEP would say, "Well, let us do this and thus and so." This is not taking place now. It's full steam ahead. There is no environmental impact study. There is no deliberation. The city has been ignored completely. That is exactly--

SENATOR GAGLIANO: But if there was more mediation and negotiation, study, and input, as they say, the modern word. Is there a basic agreement that a marina for small boat owners would be appropriate there?

MS. ZAPP: Yes, because, you see, as I say, we are embracing the Master Plan. Whether it is the southern marina or the northern marina, this would have to be studied.

SENATOR GAGLIANO: Because, you know that same deprivation of open space that you talked about with respect to

people who live in an urban area, is multiplied many times over with respect to those people who live in urban areas who would like to have a small boat, because they have to travel 50, 60, 100 miles to get to a place where they can have a small boat in the water, and here they are right in their neighborhood. So, I would like to know whether or not there is an agreement that a small boat type of a marina would go there.

MS. ZAPP: Actually, surely, you'd be really very foolish. Anyone who didn't advocate having a marina at the park would be counterproductive, because that is something that the public needs. Again, getting back to these funds, Morris and I testified before the Governor's -- I'm not sure of the correct title of it, but it's the Governor's Open Space Commission that is looking at a Master Plan for the entire State of New Jersey and on how we can bring in money.

I understand that every single park and every single constituent in the State of New Jersey is very concerned about the lack of Green Acres money which is available. The Green Trust was not able to really devise the kind of money that we had expected. I was on the Green Acres bond issue for Governor Cahill and I believe Governor Byrne. I know that people are very excited about putting their money into open space. In fact, I think the Eagleton Poll, which was published in The Newark Star-Ledger, said they want to protect their open space and I know that this particular Governor's Commission -- I've spoken to a few of their members they are looking at another Green Acres bond issue. I think this would be accepted by the public.

SENATOR GAGLIANO: I think that is all true. I just think we're talking about this spot. My next question, with your permission, Mr. Chairman-- My next question is, how many acres would the proposed marina use of the approximately 708 acres plus of land all together? How many acres would actually be taken up by the proposed development as outlined, whenever we get the outline by the Liberty State Park Development Corporation? How many acres?

MS. ZAPP: Well, give or take 15 or something like that and I'll tell you why.

SENATOR O'CONNOR: May I suggest, Senator, that we are going to hear from Liberty State Park Development Corporation. They are scheduled. Perhaps they will answer the question.

MS. ZAPP: You see, the carrot at the end of the stick is these great lawns. This is what the developer is saying that the public will be getting, because they are going to maintain it and seed it and landscape it.

But in the contract, unless you read the contract-- I was really impressed when I first saw this particular project until I read the contract, and I saw that these great lawns in the clause said that they may be developed and there's a question mark. No one has told us what does that mean? They will be taken away again from the public. So even the carrot at the end stick is eaten and devoured by the Waterfront development.

SENATOR O'CONNOR: Audrey, if by developing the great lawns means that they will bring in top soil, they will bring in sod, bushes, trees, and so on--

MS. ZAPP: No. No. This--

SENATOR O'CONNOR: But listen to the question.

MS. ZAPP: Oh, I'm sorry.

SENATOR O'CONNOR: If what they mean to do is that, is that something that you would approve of? I would assume it is. Yes?

MS. ZAPP: That is a different subject. In the contract, it talks about renting this particular great lawn for a developmental purpose which could mean a structure for anything. And it's unknown at this time, so it would be very difficult to comment on it. But actually, the way I would like to see that contract read is that those great lawns which are the only thing and the walkway which is already in place-- If they're talking about building this walkway, this particular

walkway at Liberty State Park is already in place. It's been paid for with Green Acres and Federal monies. There's the walkways built. The lighting is in. The water fountains are in. This is all with the public monies. So, why is this developer going to build a walkway? It's already there.

So, what I'm saying is that-- I think I lost my train of thought. But, it's the idea that-- Oh, here's what I would like to see. In the contract, I would like to see these great lawns guaranteed in perpetuity for the people. I don't want to hear any ifs, ands, or buts that there's an open door here. Let them put in the contract that this is going to remain in the public domain in perpetuity. That's as simple as that. If I was a development corporation, I would encourage this.

SENATOR O'CONNOR: Any other questions? Audrey, thank you very much. We're going to hear from one more witness then we're going to take a break for lunch -- that's Commissioner Alfred Sitarski of Liberty State Park Advisory Commission. (Commission members hold brief discussion among themselves) All right. We are going to continue right on through with the hearing. There will not be any lunch break. So, Mr. Sitarski will be followed by Mr. Vincent Murphy.

A L F R E D W. S I T A R S K I: Good Morning, Mr. Chairman. My name is Alfred W. Sitarski. I am a resident of Warren County, and I have served as a public member of Liberty State Park Advisory Commission since appointed by the Governor on April 8, 1984. Unless reappointed, my three-year term will end this year.

I welcome this opportunity to appear before this Senate Liberty State Park Study Commission to address the issues that I believe that you have a special interest in studying. These issues are: The proposed north marina project, the role of the New Jersey Department of Environmental Protection in this project, and third, conformance with the park Master Action Plan.

I appreciate the State Senate's interest in the future of this beautiful urban State Park. Let's hope this study will generate some tangible help for this park so we can get on with development of the Master Plan. At the risk of being repetitious, a brief background summary of how matters are supposed to be handled on this project might be helpful to this study.

1. Back in June of 1983, a group of workshop participants, with the help of Wallace, Roberts, and Todd, formulated an action program for this park. Participating in this effort were the Jersey City Mayor's office, three members of the Liberty State Park Advisory Commission including the two from Jersey City, a representative of New Jersey Department of Environmental Protection, plus several others. This Action Plan or Master Plan, if you will, has been the foundation for virtually all of the development steps.

2. Back in 1979 -- and this has been mentioned earlier -- Governor Byrne issued Executive Order No. 74 creating a Liberty State Park Public Advisory Commission. In March of 1984, Governor Tom Kean amended this order and reissued it as Executive Order No. 65, appointing 11 members to the Advisory Commission -- six members outside of Hudson County, two members from Hudson County, and two citizens from Jersey City and the Mayor himself. This group's basic responsibility is to provide for public participation and to make recommendations to the Commissioner of New Jersey DEP concerning implementation of the Master Plan or subsequent plans.

3. In the formulation of the Master Plan, one of the key recommendations was the establishment of a nonprofit Liberty State Park Development Corporation reporting to the Commissioner for the purpose: "To centralize responsibility for making negotiations and managing the development process." Also, "To create an appropriate development entity for public/private partnerships." Again, this is somewhat similar

to what was done for Baltimore's Inner Harbor Project. On July 20, 1984, the Liberty State Park Development Corporation was formed. I've taken the liberty of attaching to back of my statement sort of a management chart from the Wallace, Roberts, and Todd Action Plan, and it sort of shows how this organization is structured.

The relationship of this nonprofit Corporation to the Public Advisory Commission is spelled out in article 2J of the papers of incorporation which states, "From time to time, to receive from and to consult with the Liberty State Park Advisory Commission with respect to the development of Liberty State Park and the operation of its facilities." The Corporation is managed by a 12-member Board of Trustees including the Director of the Division of Parks and Forestry and the Chairman of the Liberty State Park Advisory Commission.

All actions of the Corporation must be approved by the New Jersey Department of Environmental Protection -- and again, this was mentioned earlier. On June 10, 1986 a contract agreement was executed between the New Jersey DEP and the Corporation outlining the essential requirements of each party. Now with that background, let me just add, to my knowledge these agreements do not require the Corporation to have a public hearing process on any of their actions nor do they specifically require the Corporation to adhere to the Master Plan published in 1983. The Liberty State Park Advisory Commission is the only mechanism for public input on any park projects or plans.

One final point, the Chairman of the Liberty State Park Advisory Commission, who serves on the Corporation board, is, with one exception, the only communication link between the two groups. The other communication link would obviously be the director of the Division of Parks and Forestry. The key points that I'm trying to make here are:

1. The Liberty State Park Advisory Commission has a responsibility to assure that park development follows the Master Plan.

2. The Advisory Commission provides the only public forum.

3. The Corporation was established to encourage private sector development of the park, presumably in a manner consistent with the Master Plan.

4. Both groups report to the Commissioner.

5. As I mentioned, the Chairman of the Advisory Commission is the only direct link between the two groups.

I point out this organizational set-up to you because it does offer a workable arrangement with public input, a system of checks and balances with the New Jersey DEP having ultimate approval power over all projects. The Advisory Commission, over the years, has quietly and diplomatically rejected many unacceptable projects that would have adversely affected the character of this park. That's a point that I would like to make a special note of because a lot of the things that the Advisory Commission has done have gone by unnoticed. Many of the decisions and actions that have been taken have been very helpful in terms of developing this beautiful park.

The real problem before us is the new concept of privatization of certain key elements of the Master Plan. How do we do this without too much commercial influence and still preserve the public resource for everyone's enjoyment? Several of our Commission members are fairly adamant about keeping all future development entirely in State hands with State funds. With limited capital and expense dollars in the Parks and Forestry budget, future development will be unacceptably delayed, denying thousands of citizens full use of this valuable resource. It seems to me we have no recourse but to

move forward with both State funds, when available, and intelligent, carefully controlled privatization. This is a somewhat new concept for us, but in the absence of a more reliable stable source of dedicated funding for natural resources, it seems to me that we have no other choice. All of which leads us to our current problem with the first major privately funded project for Liberty State Park, the north side marina -- the controversy which led to this hearing.

Now let me point out the Wallace, Roberts, and Todd Master Plan calls for both a north and a south marina within the park. I, and others of the Advisory Commission, do support a marina for Liberty State Park as a very desirable addition. However, the piecemeal manner in which this project was presented to our Advisory Commission by representatives of the Corporation left much to be desired. Now, a part of this may be the fact that it's really the first project that they've gotten into.

When we finally wrote to Commissioner Dewling, some answers were forthcoming. Several of our objections did result in changes to the project by the Corporation staff. Personally, I would have preferred a somewhat scaled down marina with less land, a more aesthetically acceptable maintenance building, and our full retention of the tour boat pier and facilities.

Of course, a very touchy subject in all of this is what dollar return will accrue to the park from this first ~~come~~ commercial venture. In a letter to me dated December 22, 1986, ~~Comm~~ Commissioner Dewling stated -- and this was in response to a question from the Commission on the revenues that will be generated -- the Commissioner said, "The marina project is most certainly, in the Department's purview, in the public ~~inter~~ interest. The Commission, by previously approving the action ~~program~~, determined that the marina is a suitable and important recreational activity at the park. It is further my

understanding, as attested to by the Corporation, that the business aspects of the project are also appropriate financially and will serve to further the entire park program and operation." The letter was actually signed by Mike Catania for Dick Dewling. If we can't get a quantitative answer, then that qualitative answer will have to do.

I think the remaining bugs in the north marina project can be resolved between the Department of Environmental Protection, the Corporation, and the Commission. And the project should move forward with the firm assurance that financial benefits will accrue that will help with other badly needed park projects.

One final point before I close. The Public Advisory Commission has, through a subcommittee, been studying this marina project since last fall. The full Commission reviewed it back in November. There have been at least three subcommittee meetings and a full Commission review in December. The point that I'm making, is the Public Advisory Commission, as a body, has not yet completed its review of the north marina project. It is still under study. I might add, that in fairness to the Corporation, they have made some substantive changes in their initial proposal. They have given us some assurances on the use of the tour boat facilities. They have knocked out the package store; they have knocked out the restaurant. In terms of the great lawns, sure, we'd like to see it held in perpetuity, and there's been some yielding there.

So, I think in fairness, it has been a tug and pull between the two groups. There has been some good changes that have been made, and I point out that the Commission has not yet completed its study of this north marina project. So, I think any ultimate decisions here are going to be subject to a full review at the right time.

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

SENATOR COWAN: Mr. Sitarski, one of my questions you've already answered as so far as the approval of the Advisory Commission. When do you anticipate, or has any indication been given to you as to when you can anticipate that the final approval will be given to this north marina project?

MR. SITARSKI: I guess I'll have to say that the Advisory Commission has a problem because, at the moment we're in a state of transition. The Governor has just recently announced-- I guess he has amended the Executive Order; I have not seen that. He has extended the Commission for a three year period. It is my understanding -- nothing official -- that some new appointments are being made. The Commission had a meeting scheduled last week, but it was decided to postpone it until the final appointments are made. So, we had this delay. I would assume that once the appointments are made, the Commission and the DEP staff will meet immediately and pick up again on this problem.

SENATOR O'CONNOR: Senator Bassano.

SENATOR BASSANO: In your opinion, has the Corporation kept the Commission pretty well abreast as to what their plans are, or do you feel that you're in the dark?

MR. SITARSKI: I think there's an area for improvement here.

SENATOR BASSANO: Communications wise?

MR. SITARSKI: Yes, communications wise. We have a problem because our Chairman resigned last November. In the absence of a Chairman we sort of lost one communications link. Director Marshall has been, in effect, filling that link. But I think that communications between the two groups can be improved. Maybe Mr. Murphy can address that issue.

SENATOR COWAN: Are you referring to the Chairman of the Advisory Commission? He resigned?

MR. SITARSKI: He resigned last November.

SENATOR COWAN: And there's actually been a void then, so far as the relationships between--

MR. SITARSKI: There's been a void. I've been the lucky one. I've been the Acting Chairman since then.

SENATOR COWAN: So, we do have an Acting Chairman, Mr. Sitarski, and could we depend on -- as the Study Commission here and now -- that if there are any further Commission activities, would you contact the Study Commission as to anything that does progress on this matter?

MR. SITARSKI: If you'd like me to, I'd be happy to.

SENATOR COWAN: I'd appreciate it, Al.

SENATOR O'CONNOR: Thanks, Al. We'll now hear from Mr. Vincent B. Murphy, Jr., Chairman of the Board of the Liberty State Park Development Corporation. He'll be followed by Dr. David Wallace of Wallace, Roberts, and Todd.

V I N C E N T B . M U R P H Y , J R . : Good afternoon. I'm Vincent Murphy, for many years a resident of Union County, and the last five or six years, a resident of Somerset County. Eight or nine years ago, I was asked by Governor Byrne to be the Chairman of Liberty State Park Advisory Commission. So, I was involved in much of the preparatory give and take that resulted in the Action Plan.

When Governor Kean took office, I was asked again to remain as the Chairman of the Advisory Commission, which I did. And then, in accordance with the so-called Master Plan or Action Plan which recommended a development corporation, I then assisted in the formation of that corporation and was nominated as the Chairman of the Liberty State Park Development Corporation.

The make-up of the trustees of that Corporation are really successful individuals who have a wide variety of success in their chosen professions, but who share one common basis, and that is a very, very enthusiastic and determined desire to put in place that Action Plan and to give the people of the State of New Jersey the finest urban park.

I'd like to just quickly go over the names of those individuals who are trustees, because I believe that you are either aware of them, or are personal friends, or certainly you know of the reputation of one or more of these individuals. I, myself, as I mentioned my residence, for many years I was a Senior Partner of Salomon Brothers, an investment banking firm, which has had very considerable financial involvement with the State of New Jersey. I'm currently working with the Chairman of Merrill Lynch which again, is very involved with the finances of the State. My office is in the marvelous Merrill Lynch facility down in the Princeton environs.

On the Board, sitting with me, is Vince Apruzzese, who is the former Chairman of the Advisory Commission. He's the one that Al Sitarski referred to as resigning in the latter part of 1986. We have another eminent lawyer, Alan Lowenstein. We have Margaret Hayes, an educator; Bco Hillier, a very noted architect and has his own architectural firm in New Jersey; Helen Manogue, who's a business executive; Greg Marshall of the Department of Environment Protection, who is the Director of Parks and Forestry; Dave Sherwood, former President of Prudential Insurance; Tom Stanton, Chairman of the First Jersey National Bank; and we have an opening which we hope to be filled very, very soon, and that will be the new Chairman of the Advisory Commission. Just recently, there was another member of the trustees, Dan Nugent who is the Senior Executive of IT&T, and he has subsequently resigned.

I'm here to listen to your concerns and to respond to the best of my ability. We will most assuredly, furnish you very promptly to your offices with background information, because I heard Senator O'Connor at the outset say that you are seeking an understanding of what is this great opportunity that we have. We will be very pleased to furnish you with documents that are in English that you can absolutely understand and see what it is that we are attempting to accomplish. The

Corporation has one desire, and that is to get in place this Action Plan that all parties have been in agreement with.

During the last several hours, I heard various speakers refer to this great park. There is an artist's rendering that is a marvelous picturesque representation of the park. We do not have a great park. Those that have walked here and looked at it and so forth, and the Fourth of July with banners and so forth, you could sense the tremendous potential. But until you have the pieces in place, you really have nothing. Our determined effort is to get something there. I don't envy your position, because if I were in your shoes at this minute, having been exposed over these several hours, number one, I'd have a headache, and secondly, I'd be terribly confused about what is all this controversy?

SENATOR O'CONNOR: Number three, you'd be getting a little hungry.

MR. MURPHY: All right, excellent. I wish to hear your concerns and wish to respond to them.

SENATOR O'CONNOR: Okay, thank you, Mr. Murphy. Are there questions from the Committee?

SENATOR GAGLIANO: Yes. Mr. Murphy, the allegation has been made on more than one occasion that there has not been a certain sense of openness between the Corporation and the Commission. How do you feel about that, and if there is a problem, what could we see that might remedy the problem so that we can go forward and actually have people all going in the same direction instead of what I see here, as people being at different odds from each other?

MR. MURPHY: First of all, Senator, we have on the Board of Trustees, the Chairman of the Advisory Commission. So, that was purposely built into the structure so that all of the discussions that were prevalent in the Corporation and all of that thinking process which is so important when it comes to the background information for making a decision could, in

fact, be then passed on to the Advisory Commission. There's a backup there, because we have, as I mentioned, Greg Marshall of the DEP, who in turn meets with the Commission.

The Corporation met with the Commission. We extended an open invitation to them to act as a window to the public and to then, in a constructive manner, assist us in our deliberations. Quite frankly, that never worked. It never worked because it was never that constructive. We shared thoughts with the Commission and there were some members of that Commission that immediately rushed into print, and they are against this and they are against that, and it has been an endless, endless period because of that.

So, each and every project as we attempt to put it into being and into place, should in fact be greeted by the people of New Jersey commencing with Jersey City. It's something that is exciting, it's marvelous, and they should be looking forward to it with great anticipation, and the only complaint should really be, "Cannot we get it in place earlier?"

But instead of that, when those individuals run ahead and these adverse terms and these insidious references to that, "it's not a marina but it's a yacht club; it's not a golf course, it's a country club--" It so tarnishes it; it so spoils it, and it makes so much controversy that the story can never get across. You've heard that we've retained a public relations firm. We've retained that only recently because we felt that by our not going back and countering it in the press by our continuing to hold our meetings and our deliberations-- I wish you could be present during those, because foremost in all of our mind, is the public, and who's going to use these facilities and what are the cost going to be?

We share with you the identical concerns that you have; and when you have makeup of these individuals -- the Lowensteins, and Hilliers, and so forth -- who all want to develop this and deliver it. And most conscious to the fact,

that we are in the spotlight, and under a magnifying glass, so everything we do is going to be scrutinized. We now -- very late in the game -- realize that in holding our monthly meetings, and meeting with the potential developers and so forth, and ignoring the constant comments about yacht clubs and country clubs for the wealthy and so forth, we have now retained this public relations firm. But, we do still believe that a park can be put in place. It's going to require the understanding of the Legislature, and hopefully it's going to commence with yourselves -- that going through this exercise that you can commence having a grasp of the park and what it's about, and the problems and the concerns which have been now reemphasized or expanded, I should say, by the fact that there are not these public monies.

This famous marina which has become such a problem child, for example-- The plan calls, really, for the developer to put up-front some \$8 million. And over the next 20 some years, that developer should put in an additional \$22 million. When you start looking at figures like that, you then have to realistically look at how does he draw those monies back and how does he earn an income in return on that kind of investment?

Therefore, yes, there are going to be monies thrown off. I did say in the newspapers which is a proper quote, that these monies are going to be generated, really for the maintenance of those parts of the park, and there's not going to be those great monies that were anticipated back in '77, when at that time, the development cost-- The preparation of the marina, the shoreline, or the golf course were is going to be done by public funds.

Now, you can't work both sides of the street at the same time. That golf course is number two on the agenda. We then learned that it needs four to five feet of topsoil throughout the entire 60 acres, because the existing land happens to be cinders which was filled by the railroad which

does not retain moisture. Therefore, grass does not grow, and a golf course isn't much without grass. So the cost of just obtaining clean soil and just dumping it before you move it around in contour, you're talking about \$5 million.

Now originally, when we first approached the golf course developers, they said, "How do you want to do it? Does the Development Corporation want to raise the monies to put this material here or do you want us to do it?" And our Development Corporation does not have a track history so that we cannot go out and float a bond issue under our own name; we can do it only with the endorsement of the State. That may be the feasible way to do it, but that's down the line.

So, that now suddenly, you've got a \$5 million nut that has to be cracked before that developer commences to move that earth to bring in this golf course. Now if he's going to do that, that obviously accelerates what he has to then obtain back over the 25, 30, 50 years which gets into the terms of these leases. He has to then get back his investment because we are asking him -- he, meaning that developer whether it is the marina or the golf course; whatever -- he has to get back his investment that he has put up-front to give that facility to the State of New Jersey for the enjoyment of its people.

This is something that has escaped some of those who are on the Advisory Commission that are all concerned about the fact that if you had only followed the plan of 1977, you would not have to have these great funds and you would have had money in return. I suggest to you that you know the makeup of our Board of Trustees. They are people that live with P&Ls all the time -- income statements and so forth. We do have a knowledge of financing. We are not giving away anything. But what we are doing is that we are approaching it in the most pragmatic fashion. And we can do the job, but we've got to have the understanding and we've got to have the public support. Hopefully, it commences here.

SENATOR O'CONNOR: Any other questions? Okay, thank you, Mr. Murphy.

SENATOR COWAN: Just one thing, Mr. Murphy. You indicated -- and that's the first time I can recollect hearing figures -- you're talking \$8 million to \$22 million over the cost of the term, and that would be just to maintain the existing facilities as they exist. You hope to maintain it with that kind of money that it will contribute to, but it probably wouldn't be the total cost. Is that correct?

MR. MURPHY: The \$8 million encompasses the original investment and the preparation of the facilities and putting it in -- I think it's something a little under 300 slips. But that is to get it started, and that was what we had hoped to have in the water by this May. We've now lost that opportunity do that by these continuing delays.

I might add that there's another facet to that, in that the developer now and developers down the line, are going to be more cool to coming in and bidding on work here, having seen the tremendous controversy that has been caused. However then, as that seed money and the initial leasing of those slips and so forth commences, then addition monies are put in and that's the \$22 million for not only the maintenance, but more importantly, the continuing enhancement and enlargement to get up to the 600 slips and the whole building maintenance and so on.

SENATOR COWAN: Just in that one section of the park?

MR. MURPHY: That's correct.

SENATOR COWAN: In no other area of the park at all. It just stays right in that area?

MR. MURPHY: Just the marina. That is correct.

SENATOR COWAN: Of course we heard Mr. Sitarski, who's still standing in the back. He raised one question which I can understand so far as this whole process is concerned. So far as the bidding process that you are dealing with, because I

don't understand it completely -- it's not my profession -- the amount of public interest that has to be given. The one thing that Mr. Sitarski raised in his presentation was what would be coming back, you know, which you're supposed to be producing a profit for further enhancement of the park, not just for that section of the park.

MR. MURPHY: That's correct, Senator Cowan. If you used public monies to build a marina and public monies to build a golf course and the other pieces of the building block, then you're going to get a return from that very quickly, because the developer doesn't lay out those monies and hence, he does not share in any of those -- we can cut a much better deal, period. Then those monies can be used to enhance other pieces of the park.

But when you are looking for private funds only, that is not going to occur. You are going to have to say to the developer, "You use your monies." And yes, he is entitled to draw those monies back first. And we get an override. But our override is far more modest than anticipated back in the original Action Plan or Master Plan of 1977. So that now, we're not going to get great monies back. We're going to get over the 15 to 20 years, monies that are hopefully going to help maintain the park; not to be able to have sufficient capital to put in new projects of any consequences. But that's all right because that is what is being done in today's environment across the country.

SENATOR COWAN: But you do hope to get something out of it for further maintenance of the whole park.

MR. MURPHY: That's correct.

SENATOR COWAN: Just the continued maintenance of it, not so far as the development part, because in this process, too, with the amount of the, shall we say, in the bidding structure itself in the bidding process. I understand that there's a certain amount there that has to be kept in private confidence in order to maintain the integrity of what you are doing.

MR. MURPHY: That is correct.

SENATOR COWAN: Not only that, but for the benefit of further enhancement of money that can generate possibly for the park. That's seems to be -- I don't know -- if that's the point of what has happened here as far as the relationships between the Advisory Commission Committee and the Development Corporation, it seems that they feel that they are not getting the information that they are entitled to as the public sector -- or representing the public sector. That seems to be the void here.

MR. MURPHY: Part of that breakdown as I mentioned in the beginning is because in our preliminary negotiations -- and all of these to date have been preliminary because we've yet to sign the contract with the marina developer -- So, you start out and then in the commencement of negotiations various things are altered as you are all aware of. But if you once say to the Advisory Commission, "Here is our initial contract," and they immediately run to the press and make a huge problem of this -- which you have all experienced and read about -- then you do a couple of things. You discourage the developer from coming forth, you raise all sorts of public animosities versus vis-a-vis the project itself of the Corporation, etc.

Then you weaken our positions in negotiations. If, in fact, that first developer walks away, by definition, we have to take the second best. And that means second best in concept or second best in financial return to the park or three or four other second bests. That is not what the people of New Jersey are entitled to. They're entitled to number one.

At the outset, we believe then-- And I had a very, very lengthy telephone conversation with Audrey Zapp, who I consider still a very good friend, and Morris Pesin, prior to this contract. I think the telephone conversation was over an hour. Is that so?

MS. ZAPP: Yes.

MR. MURPHY: And I explained our concerns and our problems. I explained some of the many things that are not known to the public. Hundreds of thousands of dollars of pro bono work that we received from Lowenstein; or Tom Stanton having his bank do the credit checks and so forth for us; or a public relations firm, not the one that we retained, but another one which is helping us in the design of much of our material, and so forth; or the Bob Hillier's firm looking over it and saying, "Look, if you turn that building around, you can drop the height of it by 20 feet," and so forth and so on.

In the end of that conversation, if my memory serves me correctly, it was a very amicable conversation -- very detailed, very lengthy. And the comment was, "Fine, Vince. Let us drop and forget all of the controversy and let us work together." And I said, if we did so, it could be such a constructive input to our Development Corporation. Of course a couple of days ago, the article that you read about the watchdogs have stopped the marina and so forth. In other words, they caught the Development Corporation in the cookie jar, which I don't think was quite the circumstances, but that does not lead to good communications.

SENATOR COWAN: Well, none of us can stop editorializing, right?

MR. MURPHY: Exactly.

SENATOR O'CONNOR: There's a question by Senator Bassano, and then we're going to move to the next witness.

SENATOR BASSANO: Very briefly, Mr. Murphy. It seems that what this whole thing comes down to is the concerns of some individuals regarding the aesthetics and commercialization of part of the State property. Is there any room for any compromises? Is there any room for satisfying some of their concerns to get both parties together so that their concerns are addressed to develop a better dialogue between both groups,

instead of putting legislatives here? There are other important things also to deal with.

MR. MURPHY: Certainly. The answer is, most emphatically, yes. Al Sitarski hit upon it, for example, the length was cut to 50 years. And yes, the liquor store was given up and various other, maybe five or six, points were absolutely readily accomplished. Now, when you go through the aesthetics of it and what it looks like, thereto -- because these are still preliminary plans.

One of the concerns which is obviously a concern of the Advisory Commission, but even prior to that or concurrent with that, was the concern of the Corporation for the storage of these boats. And Bob Hillier, I think in the first 30 seconds of looking at the scheme, said that if you turn that building around 90 degrees, you will be able to drop some 20 feet. And as the architectural plan is developed, Hillier and Company -- pro bono -- are constantly reviewing and constantly giving input and recommendations to the Corporation, and simultaneously to the developer. So that everything that we're doing, is certainly in line with what the Advisory Commission wants to accomplish.

So, there's no question that through a constructive and communicative effort, we can arrive at what is then the very best in design to generate the monies that are necessary to attract the top notch developer to come in and deliver a marina as agreed upon in the Action Plan -- and a fabulous marina, contrary to what comments have been made here. The day that those condominiums and so forth, north of that marina -- the day that someone else doesn't want to build them for the city of New Jersey (sic), just publicize it, and in one hour you will know how many people believe that viewing a marina is absolutely worth the premium. So, yes, there's plenty of room for compromise. We welcome it. We want the best of ideas. But at the same time, we have to move forth. It can not be,

"Wait a year, wait another year," before they start thinking about the marina. That's not acceptable because we too, are not going to stay in place that long.

SENATOR O'CONNOR: Mr. Murphy, just stay on that one subject for a second. There's been some concern voiced here this morning by Audrey Zapp and Morris Pesin and others that what you are creating here is another layer of bureaucracy in setting up the Liberty State Park Development Corporation. I've heard you say now that you've gotten hours of pro bono work from the Lowenstein law firm, the public relations firm, -- the Hillier Group who reviews these matters architecturally. And yet, we've heard already that there's been \$250,000 in start-up monies for the Corporation followed by a \$200,000 appropriation with another \$200,000 still proposed for it. Where are we going there?

MR. MURPHY: Well, we have a whole raft of studies that are being made. We've initiated traffic studies on where you're going to park these cars, how you're going to have ingress and egress. We've just commenced another study now regarding the quality of the soil and the waters which raises great, great questions that have to be resolved. Because when we lease a piece of property to Sci-Tech, for example, which was really the first undertaking, we are in a difficult position to warrant what it is that they are going to encounter as they commence to build, which I'm sure that you can appreciate.

So, there's all various studies that have been initiated. We have retained the firm of Wallace, for example, which you will be hearing from the founder of that firm and which is on a-- We have an attractive rate with them. But nonetheless, we have to utilize and we want to utilize firms of that nature. So, that we have salaries for this great bureaucracy that we have that consist of four people in the Corporation. Chester Mattson, who is sitting next to me, is the President. He has two assistants who are here today. And

between the three of them, they have one secretary. But when we look down the road at these monies, we know the continuing studies, the engineering studies, and so forth, designs, etc., that have to be accomplished, are going to be costly.

SENATOR O'CONNOR: Any other questions?

SENATOR GAGLIANO: No. I think the presentation has been excellent. I sure hope that these folks can get together and develop a park.

SENATOR O'CONNOR: Okay. Thank you, Mr. Murphy.

MR. MURPHY: Thank you.

SENATOR O'CONNOR: We'll now here from Dr. David Wallace.

D A V I D A. W A L L A C E: Thank you, sir. My name is David A. Wallace, 7316 Elbow Lane, Philadelphia, Pennsylvania. I want to thank you for shifting me forward in the program. I have to get back home to meet with Senator Gormley at five o'clock.

SENATOR O'CONNOR: Had I known that, I would have kept you where you were.

DR. WALLACE: Well, that's what I was afraid of. Thank you. You may have wondered why I wore a hat in here. I'm, as you can see, bald and I got bronchitis down in a place called the Ocean Reef Club, where I was for a couple weeks vacation. There is a marvelous opportunity for you gentlemen to go down and see a marina with repair and a boat rack storage facility that is very close to a resort residential that looks right over this facility, and it is a terrific operation. Actually, I sent pictures of it up to Mrs. Fenske, and other members of the Department to illustrate what a tremendous opportunity this is.

I don't have a prepared statement, but I would like to very quickly give you my credentials as an expert and then report to you very quickly the experience that I've had working for you, for the State, and for the Corporation.

SENATOR O'CONNOR: Excuse me. (speaking to audience)
We have one meeting going on here or at least we're trying to have one meeting. If there are any other conversations, please take them outside. Thank you.

DR. WALLACE: I'm trained as an architect with degrees for the University of Pennsylvania and as a planner with a MCP and a Ph.D. from Harvard. I'm a registered architect in the State of New Jersey and a licensed professional planner in the State of New Jersey. I architect in some six of seven other states as well as am nationally registered. I'm a fellow of the American Institute of Architects and of the American Institute of Certified Planners.

My firm's most notable project which is directly relevant to Liberty State Park is, we did the Master Plan for Baltimore's Inner Harbor. Since that time, 1964, we have been under continuous contract to the City of Baltimore working for its agent which is called the Charles Center Inner Harbor Management, Inc. -- a corporation set up directly analogous to the Liberty State Park Development Corporation. And I might say that one of the reasons that I recommended to the State in the action program that a corporation of this kind be set-up was the tremendous success which Baltimore has had with the corporate firm acting as an agent for the public good.

The other work that our firm is involved with which has relevance to Liberty State Park: We are the authors to Camden's Waterfront Master Plan, helped set-up what's called the Cooper's Ferry Development Association which is a corporation again -- a public/private partnership acting as an agent for both the city and Camden County in the development of the waterfront there. The aquarium is one of our latest developments which as you know has been funded. We're the architects for the Atlantic City Convention Center and Rail Terminal. We are the authors of the plan for the Hudson River Walkway. We're working for Hartz Mountain Industries on

Lincoln Harbor and are implementing portions of the Walkway plan as developers are carrying it out. We are the planners for John and Stewart Kean for Liberty Hall in Union Township, and are now the architects for the first corporate building in that project.

We are the regional planners working for the State preparing the new State Development and Redevelopment Plan. I want to identify my associate here, Steven Thomas, who is a senior associate who has been working with me most recently with the Liberty State Park Development Corporation.

SENATOR O'CONNOR: If we were in court, I would ask at this point if there are any cross examination with respect to your credentials. But, I don't think there's any, so why don't we get on with talking about the particular plan.

DR. WALLACE: The occasion of our being retained was an interesting one. Russ Myers, then Director of Parks and Forestry, had, after Governor Kean came in, been approached by the American City Corporation. He asked them to do a plan and they said that they would charge \$150,000, and he didn't have it. His representative went down to Baltimore and they said, "Why don't you get Dave Wallace and WRT? Maybe they could do it cheaper." When he approached me, we said, "Yes, we'll do it for \$12,000." That plan cost \$12,000.

Since the price was right, they went right ahead and we did it. A lot of interviews, a lot of workshops-- Our process really was to say that the people who had been involved -- people of the State, people of the Advisory Commission -- were the people who really should put the plan together. We should be implementors and facilitators of that plan, and that's how that plan evolved.

I would like to particularly turn to the plan itself and emphasize one of the objectives which became and has become a crucial objective. This is on an unnumbered page, but it's objective number five: "Generating Self-Financing Uses" --

develops uses consistent with the above policies that are as nearly self-financing as possible. It was a mandate of the Governor, then Commissioner Hughey, then Director Russ Myers, and now Greg Marshall that the park become as nearly self-financing as possible.

And I might mention, goal number seven, which is "Creating an Appropriate Development Entity," recognizing that the public/private partnership concept is not easily implemented with the State bureaucratic mechanism; working through the Department of Public Works and the Department of the Treasury in terms of retaining and carrying actions of this kind. The action program was presented in June of 1983. We attended various meetings following this.

When the Corporation was formed by the Governor, there was a kick-off meeting in Governor Kean's mansion in Princeton, and shortly thereafter I met with the Liberty State Park Development Corporation members. We were retained by them to prepare what was the business plan. The business plan was never officially adopted by the Liberty State Park Development Corporation. It is not an adopted plan. What it was, was a guideline as to how the park could become nearly or perhaps self-sustaining as a long-term venture.

And as part of that, we prepared, for example, a financial program for them. We recommended various kinds of committees that would be operative and would deal with the plan, and so on. Most importantly, we then began negotiation with the Science and Technology people. We prepared a concept plan for that little piece up next to Phillips Drive, and Johnson and Audrey Zapp Blvd. A concept plan which could be used in negotiations with the New Jersey Science/Technology owners and their architects.

We did a golf course feasibility study that identified this \$5 million, what we call, soil improvement gap. And every other site that's going to be developed has that same kind of

soil improvement problem. You can't grow trees, you can't grow grass, etc. We helped them negotiate with the National Park Service. We prepared a parking and access plan. Some comments have been made about how do you park the number people that are going to be attracted to the whole park? The answer was to have a limited number of parking spaces down next to the major uses and have peripheral parking up next to the Turnpike where it would be out of sight and yet accessible and to have jitneys and other things carrying you down to the uses themselves.

With regard to the marina concept, initially, we recommended that the south marina be developed. This was because the south shore had been already partially developed. The engineering firm had already done a study of it, but that study had identified that there was a substantial problem of tides and weather, because if you stand at the corner of the center down there, and look towards the Verrazano Bridge, you realize that there's a long fetch. What you get is winds and waves and so on. So, there needs to be a breakwater there. Plus the fact that it needs to be dredged and this breakwater and dredging were substantial barriers to immediate development of the south marina.

Several events then occurred which meant that it made more sense from a commercial point of view as well as from a park usage and public usage point of view to develop the north marina. Most notably, money was available for the intra-park drive which hadn't been before, and suddenly there was a connection between these two potentially dynamic pieces of the park -- that is the north and the south. Secondly, and that is now of course in place, the City of Jersey City had plans and now has plans for the improvement of the -- in fact, the replacement of the sewage treatment facility and it will become a pumping station, and instead of pumping now out to the upper New York Bay, it will pump back to elsewhere in the region. As part of that improvement, the problem of the storm drainage and

the combined sewer system, which is combined sewer and storm, can be largely reduced, but not completely eliminated when a storm overload comes and the storm water flows into the pumping plant and fills the capacity of the pumping plant. Then sewage and storm water has to come out into the tidewater basin.

However, we examined that and found that that would be such a tremendous reduction in what is now the pollution of that area that it would not constitute a barrier. A third major item that I think--

SENATOR O'CONNOR: So, you are aware of that problem that has been raised?

DR. WALLACE: Oh, absolutely. Yes, indeed, sir. The third major problem that we felt was perhaps the tipping point, in terms of making the north shore the right place to go for the initial development, was the serendipity, if you will, of the tall ships coming there for the July Fourth events. Suddenly with that impetus, money coming in available for Col. McCabe and the Department to dredge that area and to make it suitable, all of sudden, for this--

Now, with those events in place, it did make sense then to respond because, very clearly, from a marketing point of view, the north shore is much closer to Lower Manhattan, it's closer to Jersey City, it's closer to Liberty Harbor North, which is the development area that Mr. Sweeney referred to, and which is clearly going to be one of the markets for the slips. So, all of that combined to do it.

Then, Mr. Mattson, the President and Chief Executive Officer of the Corporation, prepared a RFP. He asked our opinion in reviewing it. We've had a lot of experience with marinas. We did the marina in the Inner Harbor. We were the architects for the marina in Norfolk's waterfront next to the Waterside which is a festival market for which we were also architect. I've got to get these commercials in somehow.

SENATOR O'CONNOR: You're doing a good job.

DR. WALLACE: Thank you. Therefore, we've had a lot of experience and on that score, I have been advisor to both the Inner Harbor and the Cooper's Ferry in advising them on how to go ahead about putting these proposals together.

I then helped them review the submissions that were made. I have not been party to the lease negotiations or the details of that, so I can't speak to that. But I would like to say in a kind of final summary, that my experience has all been in working and helping to make this private/public partnership work. I'm constantly afraid that in the zeal to protect the public interest, which is an absolutely appropriate zeal, that the opportunities for the private contributions and the private incentives will have been reduced to the point where it's not attractive privately.

I'm very much afraid that if you try to squeeze too much blood out of that stone, that there isn't going to be anything left, and the State will be left with the only recourse being, ultimately, public money which I think is both unnecessary and undesirable, because I believe that it will work better with this public/private partnership.

I refer you back again to my original comment. The reason I had the hat on is because I got bronchitis watching this perdu dean operation work in the Ocean Reef Club in Florida. My associate tells me, "So, tough duty." So, I keep my hat on to protect myself. There's another marvelous example of this kind of development. Down in Coconut Grove in Florida, where the old city hall is and where the Pan Am headquarters are. It's in a park. It's got a marina and it's got Merrill Stevens as a major boat rack storage and marina facility there in combination. I'm open to questions.

SENATOR O'CONNOR: Okay. The question I'm asking -- you helped or rather, you devised a plan that would help the Development Corporation become self-sustaining or self-sufficient, I think you said. And that's--

DR. WALLACE: I assisted in that. The Department or the Division really did the substantial work, and once the members of the Corporation were identified and appointed by the Governor -- really they did the whole thing. -- So, I do not take authorship, although I'm prepared to take responsibility for offering the idea to them.

SENATOR O'CONNOR: Is that plan something that was committed to writing, the plan to help them become self-sufficient? Is that memorialized someplace?

DR. WALLACE: It's goal number five in the action program, sir.

SENATOR O'CONNOR: Okay, but I mean, is there a nuts and bolts plan someplace in place showing them how that's going to be accomplished?

DR. WALLACE: There is a business plan which we prepared for the Corporation, which as I said has not been adopted, which is a much more nuts and bolts plan -- if you call it a plan, although, it's really an advisory document at this point which the Corporation has, yes.

SENATOR O'CONNOR: And that's something that was paid for with public funds?

DR. WALLACE: Yes, sir.

SENATOR O'CONNOR: I would ask the Corporation to make that available to the Commission here. I think that's something we'd have an interest in seeing.

DR. WALLACE: Well, if I might offer a comment, sir. The business plan was presented to the Advisory Commission. Let me get the right date here.

SENATOR O'CONNOR: The business plan we have.

DR. WALLACE: You have the business plan? Yes, it was presented by me to the Advisory Commission in a meeting in this room. I have the dates here somewhere.

SENATOR O'CONNOR: That's this document right here?

DR. WALLACE: Yes. I can't immediately find in my notes the dates in which I presented that, but I think Mr. Pesin and Mrs. Zapp will remember that event.

SENATOR O'CONNOR: Okay, are there any questions?

SENATOR BASSANO: Yes, I have a question.

SENATOR O'CONNOR: Senator Bassano.

SENATOR BASSANO: You had mentioned earlier regarding the Morris Canal pollution problem: the mixture of the storm water with the sanitary shore problem there, that the city was aware of that problem, and that they were taking measures to counteract that problem. Do you have any idea when that will actually take place? Are we talking a year from now, five years, ten years down the road? Have you been given any assurance as to when the city will act to correct the pollution problem?

DR. WALLACE: I'd like to, if I may, defer that question because there are city representative here. Mr. Sweeney probably has those dates and he's more up-to-date on that than I am.

MR. SWEENEY: (no microphone; speaks from the audience) Mr. Barnes is one of the speakers, our Director of Engineering.

SENATOR O'CONNOR: Right. We're getting to Mr. Barnes almost momentarily.

DR. WALLACE: On the score of the pollution-- when we first did the Master Plan for Baltimore's Inner Harbor, the challenge was that it was polluted and what were you going to do about the pollution? That pollution has now been largely corrected. There is still the storm water combined sewer overload problem there that occurs from time to time. They take appropriate mitigating action at the time. Here the tide is a much greater tide than in Baltimore. Baltimore is about a foot or a foot and a half. Here, it's six or seven feet. So, what you get is a much greater cleansing action by the tide as

it sloshes in and sloshes back out. It's not a complete water replacement, but there's a quite substantial water replacement.

SENATOR O'CONNOR: Okay, thank you, Doctor. We appreciate your comments.

DR. WALLACE: Thank you very much.

SENATOR O'CONNOR: Now we'll hear from Mr. Michael Barnes, the Municipal Engineer.

SENATOR BASSANO: Mr. Barnes, I can't stay, so the question that I asked of the previous speaker, perhaps you may be available to address before you get into your testimony.

M I C H A E L J. B A R N E S: Okay. We, as the city, see this solution as a \$10 million outfall extension of which the city has about \$1.5 million at this point. So, we have this substantial shortfall to construct this pipe line.

SENATOR BASSANO: When will the State anticipate any action on this?

MR. BARNES: I would say that it would be 10 years from now before the city would have enough funds itself, excluding land cost or extensive deepwater discharge requirements by DEP. I don't see it being constructed by the city.

SENATOR BASSANO: Mr. Chairman, if this obviously is the case, this is a question that is extremely important. It's going to have to be addressed before we're going to start developing and putting boats in there and allowing them to sit in pollution that can be environmentally harmful to the people utilizing the park. It's something that we're going to have to look at very, very carefully.

MR. BARNES: Again, on that same point: One, we have not seen any studies done by the Park Commission, you know, stating they see improvements. Yes, we are installing pump stations. We have a limited capacity at the Passaic Valley plant for this sewage. This interseptic does back up, and

there are numerous discharges of sewage and storm water at Mill Creek. If you've seen it yourself, I will take pictures. I didn't have time to present them. It's an open ditch. It's an open sewer at the western point. It's probably close to being a cesspool at this point. The city would, or is trying every effort that we can to at least enclose this portion of the Mill Creek outfall. But again, then it would discharge into the basin at its western point.

SENATOR BASSANO: Thank you.

SENATOR O'CONNOR: Thank you, Senator Bassano. Doctor, in response to that question--

DR. WALLACE: (no mike, speaking near a chart) Could I outline my understanding of the situation and then, perhaps suggest that Mr. Barnes could comment on it, because the massive sums that he is talking about is clearly in contradiction in what I believe to be the problem.

SENATOR O'CONNOR: All right, that might be a proper way to get the issue out.

DR. WALLACE: To my understanding, this is a sewage treatment plan here between the Turnpike and Phillips Drive. Am I correct? Fine. This sewage treatment plant now has the second (inaudible) buildings. This sewage treatment plant is to be converted to a pumping station only. Is that correct?

MR. BARNES: Yes.

DR. WALLACE: And sewage pumped up to Passaic where a new sewage treatment plant is now been funded?

MR. BARNES: Well, it's going to be a portion of somebody else's plant.

DR. WALLACE: And when will it be constructed?

MR. BARNES: The plant is already there.

DR. WALLACE: The plant is there?

MR. BARNES: The pipe line is being constructed probably at this point right now.

DR. WALLACE: So, this pipe line is being constructed?

MR. BARNES: Yes.

DR. WALLACE: All right. This plant will continue to have the storm water outfall that comes out down to the upper New York. Is that corrected?

MR. BARNES: I'm not sure of that. I think there are plans to abandon that pipe line completely. It is replaced with the pumping pipe line over the Passaic Valley.

DR. WALLACE: There is a major interseptic sewer that come from way up here in Jersey City.

MR. BARNES: Well, it comes along the northern portion of the basin.

DR. WALLACE: And along the Turnpike (inaudible) and it comes down here.

MR. BARNES: Yes.

DR. WALLACE: Through what is called Liberty Harbor North.

MR. BARNES: Yes.

DR. WALLACE: And it comes down to a point approximately here, where there's a regulator.

MR. BARNES: There's a regulator chamber.

DR. WALLACE: A regulator chamber plugged there. Then it continues on down to the pumping station. When heavy storms occur, that system is overloaded and therefore, the floodgate opens and dumps a combination of storm water and raw sewage into this. As time goes on, this pumping station is at its capacity and will not alleviate that. All of that will be corrected. Now the \$10 million, if I'm correct, that you are referring to, is to modify that to the point where there is not sewage or storm water coming out of it at all. Instead, the interseptic continues on, either here or underwater or something like that, on out to this point here. Is that correct?

MR. BARNES: Well, the \$10 million is to bring it underground through vacant parkland -- its shortest point to the river.

DR. WALLACE: Wherever that is, let's assume it's this. Now, if it gets to the point of issue of whether that is needed in order to develop this marina, we don't believe it is. Mr. Barnes?

MR. BARNES: We feel it is.

DR. WALLACE: What about the value of Liberty Harbor North here, because that is contingent to some degree, on this marina being successful? This is their front door. Their front door has--

MR. BARNES: All right. I will explain what we have done in our site plan and review with them to help eliminate and cleanse the basin.

DR. WALLACE: I might suggest-- That was all I had in mind. I might suggest Col. McCabe who-- No, you didn't want-- All right--

SENIATOR O'CONNOR: Okay, let's have Mr. Barnes make his presentation.

MR. BARNES: Okay, basically what we have done as a city engineering division, and again, it makes no matter to us whether it's a State funded or a privately funded marina, there are going to be impacts of water quality on any development in this basin. The golf course, the Science Center, they're all going to impact on our city infrastructure, our water, and our sewer lines. To date, nobody has come to us about any upgrading work for our existing facilities, roadways, or anything else. Usually, we require city developers to present all these plans up-front before we see a site plan.

Now again, we do not or we will not, see a site plan for the marina. Again, they'll be constructing this thing using existing city infrastructure. I'll try to give you some general information on what we do on a typical site plan and what we're trying to do to improve our own infrastructure. Again, we're not looking for 100% funding from outside sources. We do have a responsibility. We'll make every effort

to upgrade things that do impact the city share of the development. Then I'll give you some information on Mill Creek by itself.

All right, basically, the Division of Engineering is responsible for Jersey City's typically 100-year old infrastructure. There are 300 miles of water mains, and approximately 200 miles of combined sewers and roadways. Typically, these are all undersized, they are deteriorated, and the capacity is just not there to handle the existing developments that are going on. City bond money alone could never rebuild these facilities, so therefore, we go to developers for contributions along with their site plans. We've also considered connection charges.

Major developers and sites clear of other utilities -- basically open land -- are basically looked at and required to utilize for our new or improved infrastructure -- sewer lines in particular. This is typical of a lot of developments -- Newport and Harmon's Cove. We have also, at this point, upgraded our storm system from a two-year storm to a ten-year storm, thereby, minimizing the impact of flooding on city streets and discharges of sewage on city streets during slight and moderate rainfall periods.

Basically, when we require this upgrading to a ten-year storm, there is no city share. When it runs through a developer's site, the city does not share in any of this impact or this infrastructure upgrading cost. When we go to a developer and he wants to connect additional drainage areas, we then come up with our share of the cost for these upgraded type drainage areas. We've done this at Harmon's Cove where we're trying to combine three outfalls into one structure. The developer was going to upgrade a 48 inch pipe into a 84 inch pipe at no city share. We then required an elimination of two other outfalls and the pipe line is now an eight by ten foot box cover. The city is sharing \$2.3 million of an estimated \$6

to \$7 million project. This is going to take us several years of bond money to do. We just can't go out and get \$2.3 million for one project at one time.

Our function is not to hinder or stop development, but to make sure that the improvements to the infrastructure can support the development. I think this is what we're trying to do in this case. We've requested DEP sewer grant money -- \$16 million to be exact, in 1987. Again, there's a copy attached to the information I gave you. We requested \$4.3 million dollars from the Mill Creek sewer as part of this \$16 million request. We were placed 55th on the priority list. There will be no DEP funds.

We also went to DOT for municipal aid money for some roadway work on Garfield Avenue which is off of Exit 14B on the Turnpike. We got a letter about a month ago. We will get no DOT funds for this or any other projects for municipal aid this year. So, basically, what we did is we've taken the \$6 million that we have available for city bonds, and we've initiated some of these projects on our own, as in Mill Creek, where we've placed \$1 million of city bond money in 1987 into this project.

We've made it a policy to remove as much sanitary flow from the old combined system that we can. All waterfront developers are required to make the right connections into the sewage authority's interceptor. This will help improve the vicinity of the discharge such as Mill Creek.

Liberty Harbor North project is such a development. It's a waterfront development project. We have required this developer to install a 90 inch storm water only pipe that will drain on site and some of the city site, again, eliminating the sanitary into the interceptor as part of this project. This will be performed by the developer at no cost to Jersey City. It's just part of our site plan review period. The developers are also installing a 30 inch high pressure line

which we've required all developers to contribute towards. Basically, this pipe line has been designated from about the Hoboken border all the way through this Liberty Harbor development, and it ends at the State park. We're trying to loop this to the west side of the city, and then back into the Turnpike line that we're going to be upgrading. So, this is our plan for the water lines.

When this Liberty Harbor North comes in with the marina, we're reserving the right to require a contribution from this developer to the Mill Creek sewer project. We see the Mill Creek as being possibly two types of projects, either a smaller project, where the pipe line will be extended eliminating the thousand foot of open ditch, to Jersey Avenue which, on the map, is the western point of this basin. Again, there will still be sanitary discharges into the basin with this project. This project is \$3 million alone, and the city already knows that there is \$1.3 million worth of city work that has to be done on the pipe lines already in place. So we're looking at about a \$4.3 million city project which we asked DEP to fund.

Water quality tests were done as part of a project from our sewage authority in this area. They found fecal coil forms do exists in the basin. The installation of a pump station by the sewage authority will not eliminate these discharges into the basin. If DEP feels that this connection through to the western point of the basin is satisfactory, then we would like DEP to continue this policy to the rest of the outfalls in Jersey City. They require deepwater discharges, even of city projects that we've presented for them.

Jersey City has 34 such outfalls. So, we cannot just close off this regulator and assume that all flows from this area will go to the sewage plant. It just will not happen. Again, we're trying to prevent street flooding. The system right now is a combination of twin 84 inch pipes and they

discharge into one 19 foot, 2 inch Armco arch type of structure, and then it discharges 1000 foot through an open ditch into this basin.

I guess, basically in summary, we feel that the Mill Creek outfall must be extended to deepwater to eliminate some of the water quality problems in the basin. Typical of other development sites in the city, the vacant land of Liberty State Park must be utilized to economically install a Mill Creek outfall extension. This extension has a estimated cost of \$10 million. Jersey City has requested State and Federal funds for several sewer, outfall, and roadway projects. No funds will be available to Jersey City in 1987.

Jersey City doesn't have the financial resources to accomplish this project in the near future, if possibly at all. Elimination of the Mill Creek outfall discharge will ensure development of the tidewater basin -- in particularly -- the marina by the Liberty State Park Development Corporation. The marina developer should construct the entire Mill Creek outfall extension with Jersey City contributing approximately \$3 million to the project and being responsible to upgrade its existing pipe lines. And Jersey City's share would be a combination of sewage authority funds, city bonds, and other developer contributions. That's all I have.

SENATOR O'CONNOR: Questions? Okay, Mr. Barnes thank you very much. We appreciate it. I think the last witness that we have on our list is Mr. Malcolm Lazin, from the Waterfront Development Corporation. Is Mr. Lazin here? All right then, Mr. Mattson, if you want to address the Commission individually, I believe we've gone through our list. I thank you all for your attendance here today. At this point, I will-- Is there anybody from the general public that is not of the sign-up list that wishes to address the Commission? Yes, sir. Do you have a prepared statement? I also would, for the record, state that we have received a written statement from

Congressman Frank Guarini which was hand delivered to the Commission. We'll make copies available to all the members.

C A R L B L U M E N T H A L: My name is Carl Blumenthal. I'm the Environmental Project Manager of--the Department of Housing and Economic Development in the City of Jersey City. I have a statement by Rick Cohen, the Director of that Department:

"We're proud that Liberty State Park is located in Jersey City and has provided the citizens of Jersey City access to badly needed open space on the waterfront and in the shadow of Lady Liberty with a magnificent view of New York. We believe that our resident represents the majority of park-goers and that the park is an especially valuable resource to its Bergen/Lafayette neighbors. The State has done what the city could not afford to do. The State has spent tens of millions of dollars to acquire and develop derelict railroad yards along the Hudson River.

"Jersey City also has a lot invested in Liberty State Park. Our citizens were instrumental in its creation and prevented several misguided efforts to commercialize the park. The city donated 15% of the park's land and gave up property tax claims on 800 acres. The taxes on this largely unimproved land would now amount to millions of dollars a year.

"The city has made millions of dollars in road, sewer, and water improvement which benefit the park, not to mention other routine services such as police and fire protection. In addition, redevelopment has positively changed some surrounding land values. The city is planning millions of dollars more in improvements," and you've heard some of them described by Mike Barnes, "which will greatly aid development of the park. By zoning, redevelopment, and control of town property in the area, the city will have further positive effects on surrounding land uses.

"However, as the State has set its sights more and more on cultivating a national and international reputation for Liberty State Park, from the Liberty Centennial Celebration to the Olympic marathon trials, its plans have taken less and less account of Jersey City's residents generally and the Bergen-Layfayette area in particular. The original Master Plan for the park included considerable opportunities for city residents, including community gardens, community recreational facilities, and education programs. At that time, the plan was more sensitive and responsive to the uniquely urban location of Liberty State Park. The current Action Plan makes fewer recreational opportunities available to the general public, particularly to those who now use the park most.

"For example, the 150-200 acres of open space previously planned for community oriented activities have been replaced by a golf course which will serve far fewer people. A 600 slip private marina is currently being planned, which will limit access to the waterfront by park users. On the other hand, the Science and Technology Center will provide an important educational resource for children and adults of Jersey City.

"Because the park is so large and development is booming all around, DEP seems compelled to fill badly needed recreational space with profit-making ventures. At the same time, the Liberty State Park Development Corporation is contemplating the acquisition of the 120 acre Liberty Industrial Park and the eventual phasing out the light industrial uses there. The industrial park currently provides \$1.5 million a year in property taxes and 1000 jobs, half of which are held by Jersey City residents. These tax revenues and jobs would be lost if Liberty Industrial Park ceases to exist. These industrial blue collar jobs are the type which are most desperately needed within Jersey City.

"In closing, Jersey City remains enthusiastic about the successes of Liberty State Park and we look forward to our involvement and participation in future park development. We, too, recognize the potential national and international reputation which Liberty State Park could attain. It is our hope that this reputation will be based on the development of this park as a uniquely urban space geared not only towards national and international visitors, but towards the needs and aspirations of the citizens of Jersey City, our neighbors in Hudson County, and other visitors from throughout the State."

SENATOR O'CONNOR: Thank you very much. Can you make that statement available to us?

MR. BLUMENTHAL: Yes.

SENATOR O'CONNOR: Is there anyone else here who wishes to address the Commission? (no response) If there is no one else, then we will stand adjourned. Thank you all for your attendance today.

(HEARING CONCLUDED)

APPENDIX

STATEMENT BY CONGRESSMAN FRANK J. GUARINI (D 14th NEW JERSEY) TO NEW JERSEY
SENATE COMMITTEE HEARING DISCUSSING THE DEVELOPMENT OF NEW JERSEY LIBERTY
STATE PARK IN JERSEY CITY, NEW JERSEY, ON TUESDAY, MARCH 3, 1987

At the outset I would like to thank the members of this committee, especially those representing Hudson County, namely, Senator Christopher Jackman, Senator Thomas F. Cowan and Senator Edward T. O'Connor who are taking part on this most important hearing on the future of the jewel of the Hudson River, namely Liberty State Park here in Jersey City.

I recall with pleasure my earliest days in the Congress, during my first term, of the visit to Liberty State Park with Congressman John F. Seiberling, of Ohio, chairman of the House of Representatives Subcommittee on Public Lands and National Parks, and Congressman James J. Florio, to determine federal support.

I have carefully watched the delightful progress in Liberty Park and have witnessed the transfer of 750 acres of Jersey City's waterfront property provided to make this facility. There is no question in any one's minds that we are here today at this hearing because the park is now undergoing growing pains and it is necessary to obtain the opinions of all concerned, federal, state and local officials and the involvement of the important private sector which is led on the local level by the energetic and watchful Morris Pesin and Mrs. Audrey Zapp, with the involvement of thousands of people.

From the information provided the Federal Land and Water Conservation Fund has contributed \$118 million in the past 15 years to develop New Jersey's parks, which has been matched by New Jersey Green Acres funding.

Just a few days ago I was pleased to take part in the ceremony for the contract signing marking almost \$17 million contract by the United States Army Corps of Engineers for the construction of a protective levy at Liberty Park within the shadow of where this meeting is being held today.

My office has been provided much information from local groups and the New Jersey Department of Environmental Protection and allied groups regarding the development of new facilities for a marina or an industrial complex, warehouse, clubhouse, repair shops, etc.

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We have witnessed developments of a non-profit science-tech center which appears to have had full acceptance with ground breaking scheduled for as soon as full funding can be put in place.

Literally there has been proposals suggesting the need for private and public partnership here at the part to assure full use and financial feasibility for the public to enjoy. Herein the controversy seems to have ignited.

I am certain all of us feel that especially in the Hudson County area there must be as much park land and Green Acres as conditions permit.

We also agree that there may be need for acceptable programs which will provide some economic input assuring the continuance of this beautiful park which will allow for public recreation and cultural objectives to be provided for and expanded.

I urge all those concerned in the decision making process to work very closely with the Liberty State Park Advisory Committee, members of the Liberty State Park Development Corporation, New Jersey State Department of Environmental Protection, the appropriate federal offices, and the local business community to work together to assure that all those who wish to make use of the park are served.

I will carefully monitor the situation because of the tremendous public reaction to this controversy. I am asking that this panel provide me with pertinent information and details of today's hearing and any subsequent ones.

I am asking Morris Pesin and Mrs. Audrey Zapp to do likewise.

I am certain that all of us are working to conserve our natural resources, beautiful scenery and historic objects providing enjoyment for this generation and the generations to come. We must make sure, however, that their values are not impaired because of a lack of planning or financial wherewithal.

All of us concerned as a people in retaining our abilities to work for and achieve honorable futures for the generations yet unborn must not be indifferent to our parks, landmarks and monuments of present beauty -- the past and the future.



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
RICHARD T. DEWLING, Ph.D., P.E.
COMMISSIONER
CN 402
TRENTON, N.J. 08625
609-292-2885

January 16, 1987

Honorable Joseph V. Doria, Jr.
Assemblyman, District 31
235 Broadway
Bayonne, New Jersey 07002

Dear Assemblyman Doria:

Your interest in the development of Liberty State Park is very much appreciated. I welcome the opportunity to respond to the inquiries from your constituents, and to provide you with background information which may assist in putting their concerns into a more complete context than has heretofore been reflected.

I believe the underlying issue here is not the marina per se, but the desire to have all development within the Park undertaken with public funds. As ideal as this might be, with less than \$2 million in capital development and major maintenance funds allocated next year for the entire state park system (35 parks, 24 historic sites), this is not a realistic objective.

Funding Picture

The federal Land and Water Conservation Fund appropriations, which over the past 15 years have contributed a total of \$118 million to development of New Jersey parks, have gone to zero. Green Acres state funds are completely exhausted, and only \$4 million in Green Acres local funds will be available to 588 municipal and county units of government after next year's appropriation.

This bleak financial picture for park development, as recreational pressures grow within the State, is depressing, and applicable to not only our state but to many other states and the entire national park system. You will be interested to know a private/public approach was found to be necessary by the National Park Service for the restoration of Ellis Island, 1500 feet from Liberty State Park. Today, it is only the states having stable and adequate annual sources of funding for park, recreational planning and development which are not having to explore creative approaches to funding their development needs. Florida, Maryland and Missouri are examples.

This month the forthcoming President's Commission on Americans Outdoors' report will also speak forcefully to this need. That report, the result of some 30 extensive public hearings across the country this past year, promotes the premise that quality public recreation and economic growth go together, and both are based on a quality outdoors. The report will verify that creative private/public partnerships are going to be necessary in states not adequately funding their natural resources needs.

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Because many state governments are not making up the fiscal slack to meet public recreational needs, park organizations are increasingly turning to this arrangement as the only other option available. The challenge is to balance park and public recreation objectives with private investment incentives. This is not an easy task, and certainly one which has generated grave misgivings by those totally committed to the traditional park concept of full fiscal support from public monies.

The seriousness of New Jersey's natural resources crisis is becoming increasingly recognized throughout the state by those concerned with shaping quality community life for the future. The lack of a stable and adequate source of funding for those natural resource programs so important to the quality of life for New Jersey citizens is dramatically illustrated in the Liberty State Park situation. Let me explain further.

Despite the goal of having Liberty State Park developed as New Jersey's only urban park within easy reach of 20 million people, it remains essentially an undeveloped park after 10 years of state effort and limited public funds. Nevertheless, despite the Park's present minimal recreational facilities, and the great hurdles still to be overcome in its development, the Park attracts more visitation than any other state facility because of its spectacular urban setting and its accessibility to a population lacking in recreational opportunities.

The Park also inspires considerable public criticism because of its limited staffing, lack of quality recreational opportunities and traditional park ambience. These criticisms have been met with our constant optimism that someday the Park will indeed reach its potential of becoming the State's premier urban park showcase for District 31, the metropolitan region and a symbol of pride for all citizens of New Jersey. One only has to reflect on last July 4th's celebration to recognize the future importance of Liberty State Park to the State and the need to view its recreational development in a broad visionary way.

A Development Plan for Liberty State Park.

Over many years, attempts to develop the Park to respond to the growing public demand for recreational opportunities have been discouraging. For that reason, it was felt that park development would move forward only if a well designed master plan could serve as conceptual guidance for park development.

That plan, developed for the State in 1983 by the respected consulting firm of Wallace Roberts & Todd, at the cost of \$20,000, was carefully undertaken through extensive contact and open meetings with all interested parties, including Jersey City and the Liberty State Park Public Advisory Commission. It was later approved by this Department, the Governor and the Liberty State Park Public Advisory Commission. The plan carefully identifies the Land and Water Conservation Fund properties, Green Acres acquisitions and other legal factors which were necessary to consider in the master plan design. The locations of marinas, golf course, intrapark road, the Science and Technology Center, historic features, Nature Center, potential Circle Line departure sites and uses of the terminal and train sheds, were incorporated as acceptable development elements in the plan.

Wallace Roberts & Todd, the consultants, brought with them planning, economic, organizational and physical development information and experience from their extensive work nationwide on successful waterfront restoration projects, such as Oakland, Baltimore and Boston harbors. It was their opinion that the Hudson River Liberty State Park site is the most outstanding park location on the eastern seaboard.

Need for Private/Public Partnerships

At the same time it was also recognized that there would not be adequate public funds for the Park's development, so the Department and the Governor encouraged the formation of the non-profit Liberty State Park Development Corporation, similar to the Ellis Island Foundation, to work with us. As you may know, a private/public approach is being used widely by national, state and local park organizations to assist in meeting the growing management and recreational development crisis in park operations. The Liberty State Park Development Corporation is now the second non-profit group working on behalf of Liberty State Park's development; the New Jersey Natural Resources Education Foundation is assisting the State in financing quality interpretive exhibits and programming at the Park. The major difference now is that park fiscal needs have so increased as support funds disappear, that reliance on this approach becomes greater.

To illustrate the point, I would like to turn to the Seawall for Liberty State Park. It is key to the stabilization of the Park's shoreline and to waterfront access for the non-boating public. For the past 10 years the seawall construction has been waiting for Corps of Engineers support and congressional approval. That hurdle was finally surmounted this past year, with the provision that the 75/25 federal/state match be changed to a 50/50 match for the \$38 million project.

Since the Seawall is an essential infrastructure requirement of the Park, the State, after all the time and public investment involved, could not afford to reject the project because of the changed funding ratio. Thus, all ongoing and scheduled capital development projects for the Park, such as completion of the Terminal and the stabilization of the train sheds, were stopped, and those funds applied to the Seawall project.

As I indicated earlier, we believe the private sector can assist the State in building a number of needed public facilities to support the public recreational objectives of the Park. It is for this reason the Governor and the Department have supported the formation of the Liberty State Park Development Corporation. Tax exemption approval for the Corporation and organizational matters have taken considerable time, so the Corporation has only recently hired staff and begun work on initiatives in support of implementation of the approved Master Plan. They are presently working on operational agreements with the Department of Environmental Protection similar to those for our other non-profit Park organizations (i.e. Allaire, Waterloo, Batsto, etc.) relative to management roles of each organization. This includes the pragmatic legal details of leases, subleases, terms, and the processes for fiscal and management accountability, and required reviews.

The R.F.P. for a public/private partnership for marina development has been worked out and the Development Corporation has explored its options in this area concurrently with review by the Department of Environmental Protection of the legal aspects mentioned.

Public Benefits of Marinas at Liberty State Park

Turning to the public benefits of a marina facility in the tidal basin, I'd like to point again to the Fourth of July celebration.

Over 150 tall ships and boats were based during the week in the tidal basin, the site of the proposed marina, generating tremendous public pride and pleasure for a great many of your constituents and the State at large. This was accomplished only through the most incredible (and costly) make-shift arrangements and the commandeering of over 200 volunteers to supplement non-existent state park resources. To support this recreational boating constituency, the proposed marina facilities would be constructed with private monies for public use, and incorporate boating, public boat launching facilities and the essential infrastructure elements necessary to allow a concessionaire to operate and maintain the facility. This corresponds in approach to other areas of service, such as restaurants and boating facilities, which are leased, maintained and operated by non-profit organizations and/or business entities throughout our park system.

Green Space and its Public Use

The constituent allegation that the marina will "take away green space from public use" is based on faulty understanding of the unique problems regarding the greening of the Park for public use. The Park is largely composed of a cinder-filled base covering former saltwater marshes. It will not support grass and trees naturally. "Green space" at the Park is created and maintained for public use with considerable expense and effort and, as a result, is very limited. The "green" is there through sod placement, and maintained through constant liming, fertilization and watering. After every sizeable public event, like the July 4th celebration or the Liberation Monument dedication, sod must be replaced since it does not have a natural recovery capacity.

To achieve green space of any size at Liberty State Park will be expensive because of the need to construct a soil base capable of supporting grass and trees. For example, the cost of a soil base for 180 acres in the center part of the park has been estimated at \$5 million. For this reason the Master Plan envisions a private/public partnership arrangement for construction of a public golf course which Hudson County does not now have.

The marina proposal incorporates two "Great Lawns" of approximately 10 acres. These would be built and maintained at no cost to the State for public use by the marina developer under subcontract to the non-profit Liberty State Park Development Corporation. Further, the marina developer would also construct and maintain, at no State expense, the portion of the Hudson River Walkway which will serve the public in that portion of the Hudson Waterfront and Tidal Basin.

Criteria for a Private/Public Partnership

The proposals for marina developments have been reviewed by the State and the Development Corporation in terms of their major contribution to additional recreational opportunities, new building facilities, esthetics and fiscal return which could benefit further development within the Park. The proposals cannot be weighed strictly in terms of annual economic return or public objectives would be lost. Of equal importance in the selection of a developer are design features, such as the Hudson Walkway, the Great Lawns, the public boat ramps, the sizing and compatibility of the landscape and building architectural design, and the quality of management. In other words, in contrast to a traditional business enterprise with profit the basic criteria, a private/public partnership is a studied balance of meeting public needs which are achieved through providing sufficient incentives for private investment in developing public facilities appropriate to a park.

The Department of Environmental Protection's vision for Liberty State Park as the premier urban park on the eastern seaboard remains constant--a park which will not only provide immense enjoyment and benefits to your constituents in District 31 but also serve as the catalyst for economic development in the region. Because of the Park's existence, that catalytic action is already very evident in the tremendous private reinvestment taking place in the area, such as the Port Liberte development.

The talented, public spirited people on the boards of the two non-profit organizations, who are diligently contributing their time, services and resources to achieve public good on behalf of Liberty State Park, also deserve your recognition. I attach their names, should you wish to consult with them regarding their volunteer efforts on the State's behalf. It is not their desire to challenge privately or publicly the sincere views of those members of the Liberty State Park Public Advisory Commission who believe only public funds should be utilized for Liberty State Park development. Their public service commitments to the Park, however, are based on as strong and genuinely sincere motives, but their focus is to provide alternative solutions to the funding crisis.

If the judgment prevails that only public funds should be used to develop this potentially remarkable park, I am sure the Liberty State Park Development Corporation would welcome your views as to how that very ideal objective can be achieved.

You may recall that the Liberty State Park Development Corporation invited all state legislators last spring to tour the Park and harbor and be briefed on all aspects of the development plans for the Park. Only two legislators were able to attend, but we would be glad to arrange a similar opportunity again if you desire.

REMARKS OF MORRIS PESIN
SENATE STUDY COMMITTEE
LIBERTY STATE PARK - MARCH 3, 1987

Since 1977 there were four attempts to commercialize Liberty State Park. Mrs. Zapp and I successfully spearheaded the opposition and exposed these attempts. The proposed Marina is now the fifth attempt. Governor Kean to his credit in 1981 personally intervened by rejecting five proposals submitted to the DEP for housing and theme park developments. He also cancelled a DEP lease of the historic C.R.R. Terminal for a glorified doll house, after an interim restraint was granted by the Superior Court.

Mrs. Zapp and I are thankful to Senators O'Connor and Cowan for bringing about this committee to review the Marina lease, and the development practices and issues at Liberty State Park.

This great park is a tribute to the N. J. Legislature for its authorization of Green Acres Bond Issues and for its generous appropriations of \$5,000,000 for one of New Jersey's great resources.

It is therefore incumbent on your committee not to permit its dismemberment, and to ascertain and make known to the public, the facts of this Marina proposal. We all have a sacred trust to protect and preserve this very special Park.

Governor Kean in a letter to the Advisory Commission on December 8, 1982 said "foremost in my mind is the fact that this is public parkland with very special historic open space and waterfront amenities which benefit the entire State. LSP is the frontrunner to revitalization of the entire N. J. Waterfront on the Hudson River. It will be the Park of the twentieth century that will attract millions of visitors each year from all over the world".

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In the same letter he said "for this reason I ask you to work with me in developing an effective public/private partnership approach whereby revenues generated from limited private commercial development can be used to develop, operate and maintain other elements of the Park, etc.".

This led to the creation of the Liberty State Park Development Corporation in 1984. I shall discuss two issues. First, the Development Corporation, and the Marina itself. Mrs. Zapp and I had reservations on the creation of this entity which pre-empted the DEP from developing the Park. The DEP to its everlasting credit created one of America's leading parks - out of a garbage dump. A miracle indeed. And they did it with men like Colonel McCabe, all DEP Commissioners and others, without any outside help. It is unfortunate that our illustrious DEP which is accountable to the State Government has abdicated its function in developing the Park.

Mrs. Zapp and I as members of the Advisory Commission willingly accepted the Governor's concept of a public/private partnership and the Action Program of 1983 which actually was a reaffirmation of the 1977 Master Plan with a few additions. We patiently waited for over two years for the Corporation to fulfill its mandate. If the Marina proposal, the first project of the Corporation is an example of the Governor's hopes to generate funds, then we maintain it has failed and the partnership concept in this case can only result in privatizing our Parklands.

I submit the following matters for your consideration:

1. The Development Corporation has deliberated in private, without accountability to the legislature or the public, not subject to the Sunshine Law, and invested with tremendous powers. This entity was created by the DEP and its attorneys without oversight by the Legislature. I urge a thorough study by your committee to determine whether this entity conforms to proper legal procedures and

CONSTITUTIONALITY,

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2. The minutes of the Advisory Committee since 1964 will reveal one liners reporting progress, etc., by its chairman who sits on the Corporation's Board so that the Advisory Committee, representing the public has no knowledge of the operations of the Corporation.
3. Questions of its operating budget, accountability for its expenditures, or fiscal controls by the State Treasurer or the Legislative Appropriations Committee is non-existent.
4. Questions of the propriety of Park revenues belonging to Liberty State Park or to the State Treasury which has been paid to the Development Corporation must be answered. The Statue of Liberty-Ellis Island Foundation paid the sum of \$117,000 for use of the Park for restoring Ellis Island to the Corporation. Your Committee must look into the propriety of this matter which is now under review by the State Treasurer.
5. The Marina Contract provides that all revenues are to be paid to the Corporation. We assume that this is done to insure the financial viability of the Corporation's operations. Any left-overs will go to the Park. Is this a proper, sound or legal procedure conforming to State Laws?
6. An example of lack of control or oversight over the actions of the Corporation, is a recent \$24,000 expenditure to a Public Relations Firm. If the Marina needs "selling" then should not the Philadelphia Developer hire its own P.R. company? To say the least this item is outrageous and inappropriate. Your Committee should seek its immediate cancellation.

7. The Corporation has to this date not only failed to carry out the Governor's Mandate to generate funds to develop and operate the Park to this day but has added a new financial burden on the Park with a new layer of bureaucracy, to the extent of over \$200,000 annually. Is this not a matter for the Appropriations Committee of the Legislature which originally funded the Corporation?

Now as to the Marina:

The Advisory Commission was kept in the dark as to the entire project. On July 2nd we were advised at a special meeting by Mr. Mattson that proposals for a Marina was advertised on June 15th. On Oct. 15th to the shock of Mrs. Zapp and I, we received invitations for a Marina ground-breaking ceremony which were sent to the press and officials. It was suddenly without reason cancelled, and prompted Mrs. Zapp to visit Mr. Mattson to make inquiries, and was shown certain portions of the proposed lease. We quickly sought the formation of an Ad Hoc Marina Committee pursuant to Executive Order #65 to review the proposal. The Corporation violated its own Certificate of Incorporation, "to receive advice from and to consult with the Advisory Commission for Liberty State Park ~~xxx~~ with respect to the development of Liberty State Park, and the operation of its facilities". This was not done. Not alone this but the Corporation and the DEP to this date have not provided the Ad Hoc Marina Committee with a copy of this lease; its financial terms and a financial and economic impact statement. Mailograms attached. We are sure this vital information will not be denied your Committee.

Now what do we find in the 60 year lease to a Philadelphia Developer of 57 acres of the Park, one mile along the Morris Canal for the construction of a 950 boat marina. Not content with a pure marina of boat slips as set

forth in the Master Plan of 1977 and 1983, the DEP and the Corporation are ready to permit a tack-on in the form of an industrial and commercial complex in order to generate sufficient profits to secure bank financing, besides paying a rental fee based on gross earnings to the Park.

We now have a hideous 6 storey tall, 300 ft. long boat warehouse with equipment, paint, repair shops and a fuel depot, a private yacht club type of building with 3 floors of lounge, play, dressing and bedrooms; also sun decks, 450 parking spaces, security gates, fencing and exclusionary landscaping etc. Lease gives developer the right to set forth rules and regulations as to access, and that the two great lawns of 10 acres shall be subject to developmental use in the future. In other words a total accommodation for 950 boat owners to the exclusion of 7,000,000 New Jerseyans. Is this not tantamount to an exclusive yacht club?

The ferry dock which served 340,000 visitors to the Statue of Liberty from July 4 to December 15, the new comfort station and millions of dollars worth of improvements have been thrown into the package deal. All this is in violation of the Green Acres Funding Act, the Land and Water conservation Fund and the Master Plans of 1977 and its update, the 1983 Action Program.

The DEP now pleading poverty will have to expend \$1,500,000 to replace the ferry dock to the C.R.R. Terminal Area with a serious impact on the cultural, and festival activities at the Terminal, and to undertake major necessary repairs to the bulkheading at the Marina site.

Parking for the ferries at a new site will deprive patrons of all of the R.R. Terminal events including revenue producing exhibits from adequate parking. Boat owners and their guests will need an additional 1,000 to 1,500 spaces opposite the Marina site since only 450 spaces are allowed the 950 boat owners on the site itself.

What does the Park receive in return, in order for this deal not to be called a giveaway of parklands. According to my estimate based upon regional boat rentals for 600 boat slips. The Park will receive approximately between \$75,000 to \$125,000 in several years, when and if this Marina is fully rented. You can rent a large store at a shopping mall for almost this amount. Are we talking about a public/private partnership? Not at all. This is a corporate takeover. We are selling out birthright for a mess of pottage. We are dismembering the Park in order to develop it!

The following quote from the Jersey Journal of Feb. 17th is finally an admission that the Governor's well-intentioned private/public partnership concept and the reason for the Corporation existence to carry out the Governor's Mandate to generate funds to develop the Park, has not worked as far as the Marina is concerned. Mr. Vincent Murphy, Corporation Chairman said, "but today nothing is built and nothing is expected until next year. In addition, unforeseen costs have greatly changed the economics of the projects. Revenues are now being seen as a way to cover maintenance costs, not to fund other developments".

This glaring statement is an admission of the wisdom of the original 1977 LSP Study and Planning Commission in its guidelines for the Development and Financing of LSP which said after 1 year of 10 public hearings and expert testimony of leading engineering and architectural groups.

"It was the conclusion of the Commission which was supported by two consulting teams that ~~xxx~~ a market-potential in which a development would result in a satisfactory return to a capital investor and provide local employment opportunities and tax revenue, no such projects would produce revenues to offset the capital costs in sufficient quantities to justify the sacrifice of parkland." See attachment "E".

I wish to advise this Committee that modest Marinas were envisioned by the original 1977 Study Commission as a compatible project for the Park and is set forth in the Master Plan and reaffirmed in the 1983 Action Program. (Mrs. Zapp will discuss the Master Plan.)

The DEP made requests for a number of years for the inclusion for funding for a state built marina. In 1981 the State Capital Budgeting and Planning Commission recommended a bond issue and approved and directed \$36.6 million to Liberty State Park. Included was \$3,970,000 for a 250 slip marina at the South Embankment for Fiscal 1984. See attachment "A".

The DEP commissioned Langan Associates in 1984 at a cost of \$50,000 for a Marina Feasibility Study. This is required reading. I am attaching its essential portions. On P. 23 "A marina development (South Embankment) would require a capital outlay of \$3,200,000 (not including 1.6 million for a new bulkhead at Pier 4.) Col. McCabe in answer to my inquiry said that the Bulkhead expenditure was not essential to the Marina.

"The amount of money left for profit and fixed charges or debt service yearly for a 202 slip Marina is \$470,255 (P. 23) Langan Study. The important thing is that a state built marina is self supporting.

Why not follow the Master Plan for modest marinas on both embankments for affordable rentals to boat owners? Must we sacrifice Parkland worth \$15,000,000 in order to place a Philadelphia Developer into a commercial venture which exempts it from local taxation. WHAT A DEAL! If trading off \$300,000 an acre parkland for maintenance revenues is the goal of the Development Corporation then the Senate Committee should evaluate its functions and purposes. These maintenance revenues that Mr. Murphy speaks of won't even meet the Corporations budget. Further why should this Park be treated any differently than 50 other State Parks whose maintenance comes out of State appropriations?

14x

I may suggest other alternatives to the Corporation if they are so concerned by the Park's operational costs. A simple \$1.00 charge for car parking for ferries to the Statue of Liberty would produce revenues of over \$100,000 annually or more than the Marina will produce. From July 4th to Dec. 15th, 340,000 visitors boarded the ferries at the Park from all over the country. I estimate at least 100,000 cars were involved. In N. Y. parking fees are \$14.00 for visitors parking to the Statue of Liberty at Battery Park. Has the Corporation considered this possibility which involves no sacrifice of Parkland and where parking facilities now exist.

The DEP is now pleading poverty in order to justify this monumental dismemberment of our Park. Commissioner Dewling in a recent letter to some of our Legislators said that with less than \$2,000,000 in capital development and major maintenance funds allocated next year for the entire State Park System, all development within the Park system undertaken with public funds is not a realistic objective. I question this statement.

I refer you to Attachments A to E, wherein the DEP included the Master Plan Marinas at the South and North Embankments. In all capital funding requests it is apparent that since 1984 there was an understanding between the DEP and the Corporation to drop previous approved requests for a Marina when substantial funds were available. All this to test a public/private partnership concept. Senators, this is not a partnership but the dismemberment of a Park tantamount to a land giveaway.

Attachment C - 1986 News Bulletin - Assembly approved \$73,460,000 Green Acres appropriation sending the bill to Governor Kean for signature. See Attachment "D", H. J. Open Space and Outdoor Recreation - capital funding needs by Helen Fenske, Asst DEP Commissioner DEP - for years 1987 to 1991 \$85,979,100. Notice note "Excluding Liberty State Park".

The question to ask by your Committee is why is Liberty State Park being shortchanged by the DEP and the Corporation for state funds?

Commissioner Dewling - we have waited for 11 years since a modest Marina was recommended in the Master Plan of 1977. Why not wait another year or two to include the previously approved requests for Green Acres Funding. What's the Hurry. The boats to be warehoused and housed are not homeless. They are floating in other marinas in the region.

When the facts are revealed by the Committee concerning this Marina there will be a sense of public outrage, mistrust and cynicism. On behalf of all 7,000,000 New Jerseyans who are proud of and love this gem on the Hudson we beg this Committee to recommend the rejection of the proposed marina. Mrs. Zapp and I have received many calls from leaders of Civic, Environmental and Conservation Groups throughout the State that comprised the former coalition to Save Liberty Park of 1977 and 1981 requesting re-activization and public hearings. We are sure that you will want to hear from them.

And finally a plea to the distinguished citizens of the Corporation. There is a role for you to carry out the Governor's Mandate in the development of our Great Park. We want to work with you and we will pledge you our support. But, we beg you - don't develop the Park by dismembering it. Central Park took 45 years to be developed. The DEP in 10 years has worked wonders. There is a better way. Let's work together to find it, even if it takes a little longer. We all have a public trust. Let us not betray it.

State earmarks \$36.6 million for Liberty Park renovations

By Joseph Albright

TRENTON — The State Capital Budgeting and Planning Commission yesterday recommended a \$350 million water supply bond issue and approved a capital improvement plan that will direct some \$36.6 million to Liberty State Park in Jersey City.

The bond issue will be on the Nov. 2 ballot to fund a water supply master plan developed by the Department of Environmental Protection. That plan still faces public hearings which could result in revisions.

Liberty Park's three-year capital improvement plan for fiscal years 1982-84 includes \$7,930,000 for development of the South Embankment, \$8,500,000 for terminal restoration, \$6,450,000 for North Embankment work, \$13,800,000 for the Green Park.

South Embankment allocations are: \$500,000 for design and rehabilitation of the stone jetty at Black Tom Channel, raising it to proper elevation for protection of the future marina; fiscal '82.

• \$1,200,000 for stabilization of bulkheads on south face of Pier 7, fiscal '82.

• \$1,000,000 for design and rehabilitation of Piers 5 and 6; fiscal '82.

• \$200,000 for feasibility studies for marina development; fiscal '82.

• \$500,000 for design and rehabilitation of Piers 5 and 6; fiscal '83.

Continued from Page 1.

• \$500,000 for rehabilitation of interior portions of state house, fiscal '84.

• \$1,000,000 for restoration of train sheds; fiscal '84.

North Embankment allocations are:

• \$1,200 to reconstruct Johnston Avenue; work includes extension of underground utilities; fiscal '82.

• \$750,000 for improvements of dock facility; fiscal '82.

• \$500,000 for recreational facilities in vicinity of Johnston Avenue; fiscal '82.

• \$1,000,000 for construction of a large bus; fiscal '82.

• \$1,500,000 for development facilities along Johnston Avenue; fiscal '83.

• \$1,500 for development facilities along Johnston Avenue; fiscal '84.

• \$500,000 for design of utilities for park, water, sewer, electric; fiscal '82.

• \$2,000 for Phase I development of utilities; fiscal '82.

• \$2,000,000 for design and development of site, landscape, walks, playfield, picnic areas; fiscal '82.

MA • \$400,000 for design of a 450-slip marina, including onshore facilities; fiscal '83.

• \$160,000 design of a pile-supported restaurant between Piers 5 and 6; fiscal '84.

MA • \$3,970,000 for Phase I construction of marina for 250 slips, fuel storage, parking and onshore facilities; fiscal '84.

Terminal restoration allocations are:

• \$300,000 for design and restoration of ferry sheds, piling and bulkheads; fiscal '82.

• \$400,000 to rehabilitate interior portions of station house not previously restored; fiscal '82.

• \$1,000,000 for rehabilitation of interior of station house; fiscal '82.

• \$500,000 for restoration and rehabilitation of train sheds; fiscal '82.

• \$1,500,000 for development and restoration of ferry sheds and slips; fiscal '83.

• \$300,000 for system of flood gates to isolate station house from ferry slips during periods of abnormally high water; fiscal '83.

• \$1,000,000 for rehabilitation of interior of station house; fiscal '83.

• \$1,500,000 for restoration of train sheds; fiscal '83.

• \$500,000 for development and restoration of ferry sheds and slips; fiscal '84.

• \$300,000 for design of amphitheater; fiscal '82.

• \$1,500,000 for Phase II development of utilities; fiscal '83.

• \$3,000,000 for design and development of site, landscape, walks, playfield, picnic areas; fiscal '83.

• \$2,000 for construction of amphitheater; fiscal '83.

• \$1,500,000 for Phase III development of utilities; fiscal '84.

• \$3,000,000 for design and development of site, landscape, walks, playfield, picnic areas; fiscal '84.

A

LIBERTY STATE PARK

CAPITAL IMPROVEMENT PLAN FY 1984-1993

GREEN PARK

- FY 84
- . \$1,500,000 is requested for the Phase II development of utilities.
 - . \$3,000,000 is requested for the design and development of site - landscape, walks, playfield, picnic areas.
 - . \$2,000,000 is requested for the construction of the amphitheater.
- FY 85
- . \$1,500,000 is requested for the Phase III development of utilities.
 - . \$2,000,000 is requested for design and development of site - landscape, walks, playfield, picnic areas.
- FY 86
- . \$1,925,000 is requested for the construction of the interpark roadway extension completing the roadway initiated under a FY 1978 program.
- FY 87
- . \$1,250,000 is requested for design and development of site.
- FY 88
- . \$1,000,000 is requested for design and development of site.

SOUTH EMBANKMENT

- FY 84
- . \$400,000 is requested for design of a 450 slip marina including onshore facilities.
- FY 85
- . \$160,000 is requested for design of a pile-supporter restaurant between Piers 5 and 6.
 - . \$2,000,000 is requested for Phase I construction of marina for 250 slips, fuel storage, parking and onshore facilities.
- FY 87
- . \$1,970,000 is requested for construction of marina.

NORTH EMBANKMENT

- FY 85
- . \$1,500,000 is requested for the development facilities along Johnston Avenue.
- FY 88
- . \$1,500,000 is requested for the development facilities along Johnston Avenue.

(CONTINUED)

TERMINAL RESTORATION

- FY 85
- . \$1,500,000 is requested for the development and restoration of ferry sheds and slips.
 - . \$1,000,000 is requested for the rehabilitation of interior portions of the Station House which have not previously been restored.
 - . \$1,500,000 is requested for the restoration of the Train Sheds.
- FY 86
- . \$500,000 is requested for the restoration of the Train Sheds.
- FY 87
- . \$500,000 is requested for the restoration of the Train Sheds.
 - . \$500,000 is requested for the rehabilitation of interior portions of the Station House which have not previously been restored.
- FY 88
- . \$300,000 is requested for the design of a system of flood gates to isolate the Station House from the Ferry slips during periods of abnormally high water.
 - . \$500,000 is requested for the development and restoration of ferry sheds and slips.

A

DEPARTMENT OF ENVIRONMENTAL PROTECTION
LIBERTY STATE PARK
Summary of Expenditures and Obligations Through 9/30/81

	FUNDING SOURCE			
	<u>General State</u>	<u>Bond</u>	<u>Federal</u>	<u>Total</u>
Land Acquisition	\$	\$16,815,962	\$ 5,886,150	\$22,702,112
Planning	1,092,000	77,911	.	1,169,911
South Embankment		5,279,744	4,250,000	9,529,744 ✓
North Embankment		2,782,581		2,782,581 ✓
Terminal Complex		9,558,671	1,374,397	10,933,068
Seawall		2,424,430		2,424,430
Harbor Cleanup		3,305,529	6,600,000	9,905,529
Green Park		4,172,915		4,172,915
Total	<u>\$1,092,000</u>	<u>\$44,417,743</u>	<u>\$18,110,547</u>	<u>\$63,620,290</u>

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
CAPITAL IMPROVEMENT PLAN
FY 88 - 90

ATT. B
Proposed 1986

DIVISION OF PARKS & FORESTRY-LIBERTY STATE PARK

AREA / PROJECT	FUNDING SOURCE	FY88 REQUEST	O&M COST INCREASE	REVENUE INCREASE	FY89 REQUEST	O&M COST INCREASE	REVENUE INCREASE	FY90 REQUEST	O&M COST INCREASE	REVENUE INCREASE
TERMINAL COMPLEX RESTORATION OF TRAIN SHEDS		2,000,000 C	10,000		4,000,000 C			7,000,000 C		
INTERIOR RESTORATION (FIRST FLOOR ROOMS)		1,000,000 C	3,000	50,000						
INTERIOR RESTORATION (SECOND & THIRD FLOOR)					2,500,000 D/C					
UTILITIES & HEATING		1,000,000 C			1,500,000 C					
WALL		5,000,000 C			3,250,000 C					
WATERFRONT SITE IMPROVEMENTS								2,500,000 D/C		
DECKS 5 AND 6 - REHABILITATION		1,000,000 D/C	2,000		3,000,000 D/C					
INDOOR AMPHITHEATER		2,500,000 C	15,000							
BOARDWALK AREA IMPROVEMENTS		2,000,000 C								
NORTH TERMINAL BULKHEAD & DOCK					750,000 D/C					
EAST POINT PIER		1,000,000 D/C			5,300,000 C			5,300,000 C		
TOTALS		15,500,000	30,000	50,000	20,500,000	0	0	14,800,000	0	0
		15,500,000			20,500,000			14,800,000		

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Statue funds will help the homeless

ATTACHMENT
'C'

By Joseph Albright

The state legislature has fulfilled a promise by Gov. Thomas Kean to use tax revenues from the Statue of Liberty and Ellis Island to house and feed the homeless.

The Senate approved legislation to establish a Statue of Liberty Trust Fund. The legislation had already passed the Assembly. The bill was sponsored by Assemblyman Jose O. Arango. The Senate bill, sponsored by Sen. Christopher Jackman, will now go to Gov. Thomas Kean who is expected

to sign it.

Kean and New York Governor Mario Cuomo agreed last summer to create the bi-state fund to be administered by an 11-member board. Both states expect to receive \$1 million each this year.

"Swift enactment of this legislation by both states will provide a perfect culmination of the 100th anniversary year of our Statue of Liberty," Jackman said.

Each state legislature would match the amount provided by taxes and tolls from the two

monuments.

In other legislation passed last night:

- The Assembly approved a \$73,460,000 Green Acres and Green Trust appropriation, sending the final bill to Kean's office for approval.

A portion of the funds will be used for the rehabilitation of the old terminal ferry course, outdoor amphitheater, and a seawall at Liberty State Park in Jersey City. Also to receive funds under the appropriation are Veterans Park in Bayonne, Vincent Waterfront Park in Kearny, and St. Mary's

Park in West New York.

- The legislature also approved a bill that would create a \$10 million gifted and talented pupil program in the public schools. Under the legislation, sponsored by Assemblyman Joseph V. Doria Jr. of Bayonne, Hudson County schools would receive \$1 million to divide among the districts to create new programs for those students classified as gifted and talented.

- The number of Superior Court judges assigned to Hudson will be increased from 18 to 20 under legislation passed last night. The Senate followed Assembly approval of the increase by a 37-0 vote clearing it for the Governor's approval. Each of the new judges will earn an annual salary of \$85,000.

- A total of \$695,400 in municipal aid grants were made to Hudson County communities for road and street repairs. Among the projects were: 72nd Street in North Bergen, \$120,000; Meadowlands Parkway in Secaucus, \$37,300; New York Avenue in Union City, \$90,000; Broadway in West New York, \$80,000; Hudson Avenue in Weehawken, \$78,000; 70th Street in Guttenberg, \$42,500; and Reynolds Avenue in East Newark, \$9,600.

- The Assembly approved, by a 71-0 vote, legislation establishing a grant program for local development of small, minority- and women-owned businesses. The legislation, which now goes to the governor, includes a \$95,000 appropriation under the state Department of Commerce and Economic Development.

22x

STATE OF NEW JERSEY

DEPARTMENT OF TREASURY AND BUREAU OF REVENUE

REVENUE TAXES ASSISTANT COMMISSIONER

SECTION 1

NEW JERSEY'S OPEN SPACE AND OUTDOOR RECREATION

SECTION 1

NEW JERSEY'S OPEN SPACE AND OUTDOOR RECREATION

CAPITAL FUNDING NEEDS

1

NATURAL RESOURCES 5 YEAR CAPITAL FUNDING NEEDS SUMMARY
FISCAL YEARS 1987 TO 1991

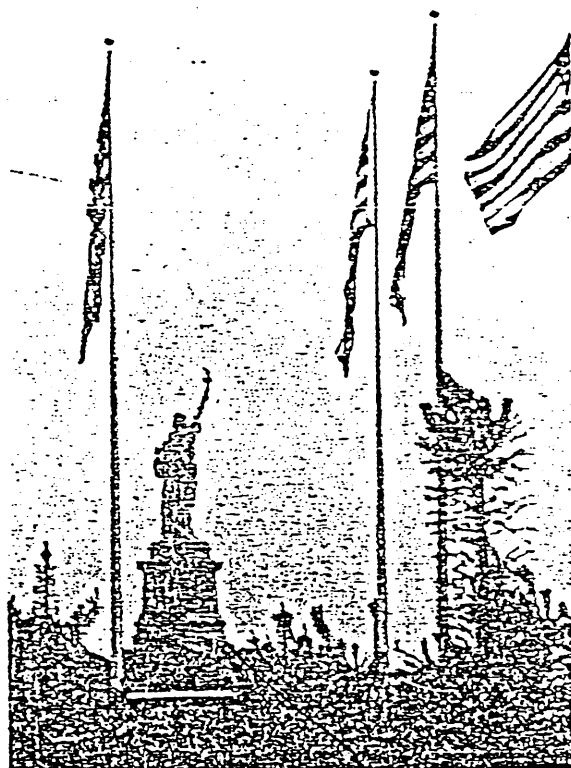
PROGRAM	PROJECT TOTALS	AVERAGE PER YEAR
XX		
SHORE PROTECTION	\$75,000,000	\$15,000,000
PARKS & FORESTRY *	\$85,979,400	\$17,195,880
FISH & GAME	\$36,450,000	\$7,290,000
GREEN TRUST	\$100,000,000	\$20,000,000
	=====	=====
	\$297,429,400	\$59,485,880

* Excluding Liberty State Park

"E"



Liberty State Park
Study and Planning Commission



*Guidelines for
The Development and Financing of
Liberty State Park*

8. Development of the back acreage for revenue generating purposes would permanently preclude beneficial establishment of park like linkages with the bordering residential neighborhoods.

9. The apparent necessity to perform certain physical functions, such as relocation or extension of utility and sewerage lines crossing the property, would delay any significant development. (For example, completion of the extension of the present sewerage lines is not anticipated for five years.)

The Commission fully considered the attitudes of the public, the problems such development would generate regarding the park's relationship with neighboring residential areas, and the economic feasibility of such development producing the sought-after revenue.

Conclude
X

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

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2195

[OFFICIAL COPY REPRINT]
with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 22, 1986

The Assembly Appropriations Committee favorably reports this bill, as amended.

Short titled the "Natural Resources Preservation and Restoration Act," this bill increases the fee imposed on the transfer of real property by \$1.00, from \$1.75 to \$2.75, for each 500.00 of the consideration recited in the deed, and provides for the deposit of the amounts realized as a result of the fee increase in a newly created "Natural Resources Preservation and Restoration Fund."

The amounts in the fund are specifically dedicated to appropriation for (a) 80% of the cost of shore protection projects, (b) the acquisition and development of lands for recreation or conservation purposes, both by the State and local government units, (c) flood control facilities, (d) restoration, rehabilitation, and development projects in State parks, forests, wildlife management areas and other preserved lands under the jurisdiction of the Department of Environmental Protection, and (e) 80% of the cost of dredging projects at lakes, rivers and navigable waterways of the State. Each of these specific types of projects shall be allocated not less than 5% of the amounts annually deposited in the fund.

FISCAL IMPACT:

A fiscal note has not been completed on this bill. The General Fund is expected to receive \$50 million in Realty Transfer Fees in fiscal year 1987 from the portion of the tax currently imposed for State purposes, which is \$1.25 of the \$1.75 per \$500.00 of sale price. The proposed additional tax of \$1.00 per \$500.00 of sale price would generate approximately \$40 million.

AMENDMENTS:

The amendments are technical in nature and allow for a consistent representation of the dollar amount of each proportion of the tax.

Compliments of
THOMAS F. COWAN
N.J. STATE SENATE

UNITED STATES DEPARTMENT OF THE INTERIOR
Heritage Conservation and Recreation Service
Land and Water Conservation Fund Project Agreement

State	New Jersey	Project Number	34-00328
Project Title	Liberty Park Acquisition 34-00333		
Project Period	11/18/75- 6/1/84	Project Stage Covered by this Agreement	ENTIRE PROJECT

Project Scope (Description of Project)

The New Jersey Department of Environmental Protection will acquire approximately 310+ acres along the Hudson River in Jersey City for the development of Liberty Park.

Project Cost	The following are hereby incorporated into this agreement:
Total Cost \$6,000,000.00	1. General Provisions (HCRS Manual)
Fund Support not to exceed 50% Fund Amount \$3,000,000.00	2. Project Application and Attachments.
Cost of this Stage \$6,000,000.00	3. <u>FOOTED</u>
Assistance this Stage \$3,000,000.00	4. <u>4-7-80</u>
	<u>FBL</u>

HCRS 8-92

PART IV

34-00328
34-00333

PROGRAM NARRATIVE

LIBERTY PARK ACQUISITION

1 & 2) Objectives & Benefits Expected:

In accordance with it's Statewide Comprehensive Outdoor Recreation Plan, the New Jersey Department of Environmental Protection will acquire 310+ acres of the Central Railroad of New Jersey property along the Hudson River in Jersey City as part of its acqusition/development plans for Liberty Park.

The basic design concept behind Liberty Park is centered around a two-mile long, crescent-shaped levee along the harbor. The crescent will serve as a broad, waterfront promenade which will be complimented by a variety of land and water-oriented outdoor recreation facilities.

Liberty Park - with only 35 acres open for use - is already the most visited State park in New Jersey. Over 600,000 visits to the tiny park in its first year are evidence of the public need and interest in the park. Liberty Park, upon completion, will encompass over 800 acres of park and recreation area in the most heavily populated part of the State and nation.

The significance of Liberty Park is regional, national, and even international. This is manifested by both the scope of the undertaking and the ease by which it is accessible by numerous modes of public transportation. The proximity to the Statue of Liberty, Ellis Island and the panoramic vistas onto the New York harbor and the New York skyline provide potential for recognition as a national and international visitor attraction.

Major recommendations for such activities included fishing and marina facilities; a grassy well or amphitheatre for community activities, performing arts, etc; an environmental or agricultural science center; picnic areas; trails; a golf course; exhibit areas; a seawall and waterfront promenade running the length of the park; rehabilitation of the CNJ Terminal Building; and a means for access to the Statue of Liberty and Ellis Island from New Jersey.

Priorities dictated that development be divided into three general phases which would allow for use of the park even as construction commenced.

Development Phase I dealt with construction at the south end of the park since this area is closest in proximity to both the Statue of Liberty and to a major access route via the N.J. Turnpike. This development is now practically complete, providing a visitor's center, parking, picnic area and fishing piers, as well as the first access point from New Jersey to Ellis Island and the Statue of Liberty (via Circle Line Tours).

Development Phase II included the provision of a park drive to connect the existing northern and southern access routes to the site ("Phillips Drive" is now complete).

The bulk of work to be completed under Phase II extends from the southern bank of the Morris Canal Basin southward to include restoration of the Central Railroad passenger terminal/associated rail yards and the development of scenic harbor overlooks for viewing activity in the Port of New York.

Restoration of the CNJ Terminal is well underway. The structured plaza north of the terminal and grassy area south of the terminal are also complete and provide two different character settings for scenic overlooks, group festivities, etc.

The work necessary to complete Phase II comprises the scope of this grant proposal. It will render usable another 150-acre segment of Liberty Park.

Development Phase III will form the connecting link between the northern and southern recreational complexes. It involves construction of a seawall (slated for groundbreaking this spring) and a waterfront promenade, both over a mile in length.

The scope of work to be completed under this grant has been purposefully planned to include only the basic facilities necessary to consider the North Embankment area a cohesive recreational unit: The greenspace will not be elaborately planted and the parking will be temporary so as to allow actual visitor use to dictate the size, location and type of elements preferable in the final shaping of this area.

This development plan will not, however, lend itself to any final decisions which will detract from the recreational viability of the site. It is not logical to suggest what future needs will dictate in terms of actual physical design of this recreation space. It is reasonable to assume, however, that whether the North Embankment area, in years to come, is developed to support active vs. passive or structured vs. unstructured facilities, it will remain an area permanently dedicated to public recreational open space.

The work proposed under this development project represents the minimal initial construction deemed necessary for daily public use of this recreation area.

The scope of work includes:

- Bulkhead stabilization work along the Morris Canal Basin;
- Restoration of the canal's existing boat docking facility so that it can be used as the launching area for tour boats visiting the Statue of Liberty and Ellis Island;
- Creation of a landscaped "greenspace" between Johnston Avenue (The Northern access road into Liberty Park) and the Morris Canal Basin;
- Provision of walks, protective railings, seating lighting, etc. in this area;
- Provision of a temporary parking facility to service this area of the park;

III Approach:

As part of New Jersey's Bicentennial Celebration, the first section of Liberty State Park was dedicated by Governor Brendan Byrne, Flag Day, June 14, 1976. During its first year in operation, the state's newest park was also its most popular, with an annual attendance figure of well over 650,000 people. The thirty-five acre initial section is only a small portion of the more than 800 acres scheduled for development by the state.

How the State Department of Environmental Protection (DEP) is to proceed with this major park undertaking has been the assignment of the Liberty State Park Study and Planning Commission. The Commission, created in 1977 by Executive Order of the Governor, has conducted thorough investigations of the various alternatives for planning and development of Liberty Park, including consideration of the environmental, social, and economic impact of such development on the surrounding neighborhoods and existing transportation systems. Studies also addressed the phasing of such development, capital and operating costs of development and the sources of funds available for these costs. In its quest to determine how to proceed with park development, what public facilities should be included in the park and how to finance the development of these facilities, the commission has reviewed approximately twenty years of accumulated plans and studies for the park, has held public meetings and hearings on all aspects of its studies, and has engaged the services of two land use study teams.

As a result of this process, certain conclusions and general recommendations about the future of Liberty Park evolved. It was decided that the park development should proceed with a balance of active and passive, structured and unstructured, recreational activities. First and foremost, the park should be a "green" park, but other activities compatible with this concept should be included.

As years go on, the State of New Jersey will be faced with an ongoing challenge regarding Liberty Park's planning process in order that the Park continue to reflect a consensus of needs expressed by its various constituencies. In their development guidelines, the Liberty Park Planning Commission has well-expressed this challenge:

"A park is for the people. And people are both young and old, active and contemplative, found in groups and in solitude, artistic and athletic, nature lovers and city dwellers, residents from neighboring areas and visitors from afar. Liberty State Park, in a manner similar to the great parks being enjoyed today although planned a century ago, must continue to expand and meet the needs of all persons visiting the park; the park must be a living, growing organism. . . . Liberty Park should be planned to serve a multitude of recreational needs. It will indeed be a green cornerstone for an entire urban shore, a nature environment with urban convenience."

4) Geographic Location:

Maps included as part of application.

3) Approach:

The State of New Jersey has already acquired some 30 acres at Liberty Park, mainly at the southern end, opposite Ellis Island, and at the northern end, including the Historic Station of the Central Railroad.

In order to tie the State's holdings and begin development at Liberty Park, it became essential to initiate the acquisition of the Central Railroad property during the winter of 1975. Currently the State and Central Railroad are deliberating in court.

Department of Environmental Protection's application for Land and Water Conservation Funds involves 310+ acres of the Central Railroad property (see acquisition schedule). Approximately 25 of these acres are presently under water. Total cost for this acquisition is currently estimated at six million dollars (based on a percentage of the price the State anticipates expending for the entire 335 acre tract). Exact cost cannot be determined until such time that the court case has been resolved.

4) Geographic Location:

See enclosed maps.

The United States hereby promises, in consideration of the promises made by the State herein, to obligate to the State the amount of money referred to above, and to tender to the State that portion of the obligation which is required to pay the United States' share of the costs of the above project stage, based upon the above percentage of assistance. The State hereby promises, in consideration of the promises made by the United States herein, to execute the project described above in accordance with the terms of this agreement.

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

Heritage Conservation and
Recreation Service
United States Department
of the Interior

STATE

New Jersey

By [Signature]
(Signature)

Betty Wilson
(Name)

State Liaison Officer
(Title)

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UNITED STATES
DEPARTMENT OF THE INTERIOR
Heritage Conservation and
Recreation Service

State New Jersey 34-00333
Project Amendment No. 34-00328-1
Liberty Park Acquisition

AMENDMENT TO PROJECT AGREEMENT

THIS AMENDMENT To Project Agreement No. 34-00328 is hereby made and agreed upon by the United States of America, acting through the Director of the Heritage Conservation and Recreation Service and by the State of New Jersey pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964).

The State and the United States, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do promise as follows:

That the above mentioned agreement is amended by adding the following:

Increase Total Cost From \$6,000,000.00 To \$10,000,000.00
Increase Fund Support From \$3,000,000.00 To \$5,000,000.00
Increase Cost of This Stage From \$6,000,000.00 To \$10,000,000.00
Increase Assistance This Stage From \$3,000,000.00 To \$5,000,000.00

In all other respects the agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this amendment as of the date entered below.

THE UNITED STATES OF AMERICA

By

G. M. Chivers
(Signature)

DEPUTY Regional Director

(Title)

STATE

New Jersey

(State)

By

Betty Wilson
(Signature)

Heritage Conservation and
Recreation Service
United States Department of
the Interior

Betty Wilson

(Name)

Date

MAR 27 1980

State Liaison Officer

(Title)

HCRS 8-92a

N.J. STATE LIBRARY
P.O. BOX 520
TRENTON, NJ 08625-0520

POSTED

Date

4-7-80

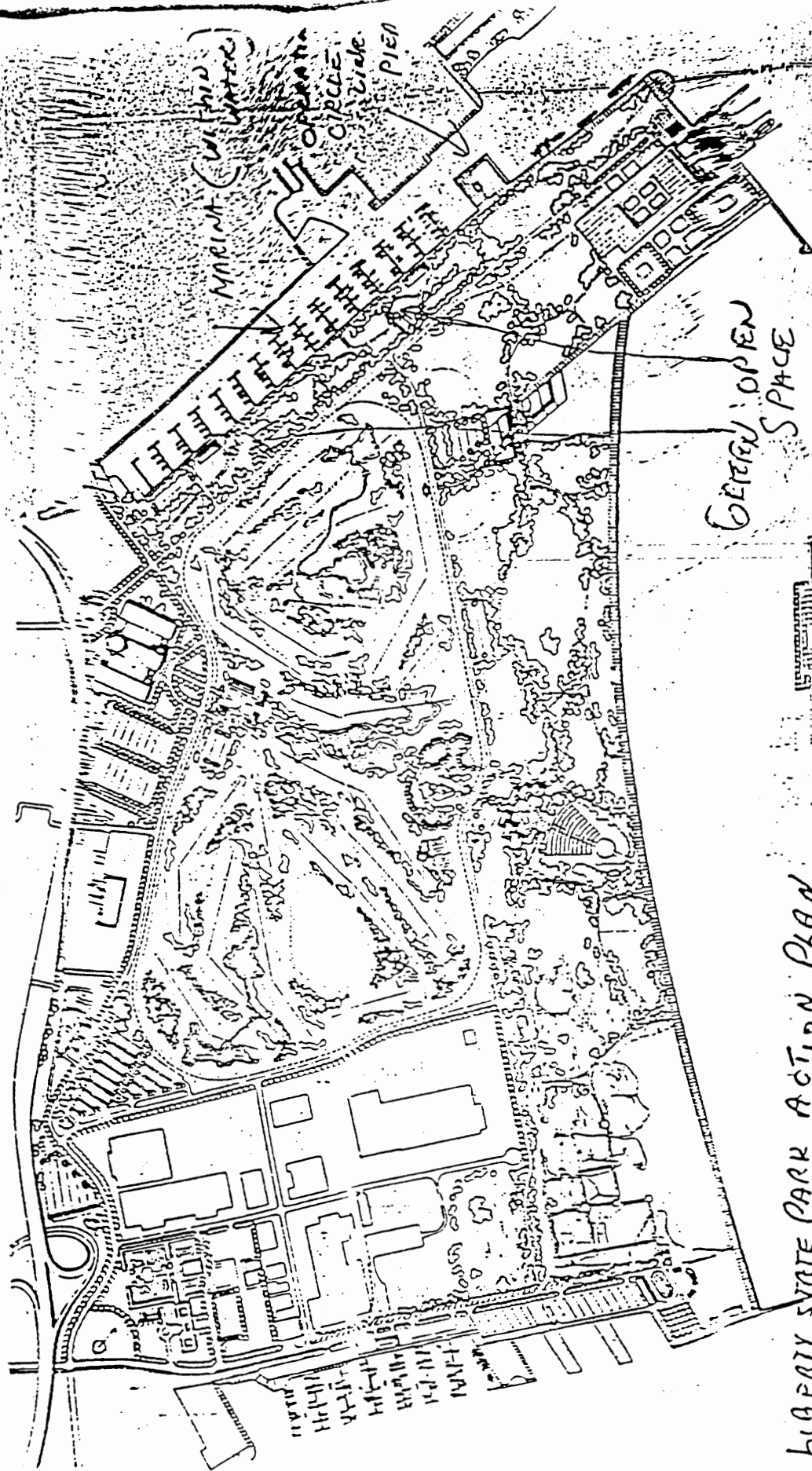
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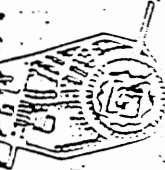
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Sheet 1

36x



LIBERTY STATE PARK ACTION PLAN
 SHOWS MARINA CONTIGUOUS WITH WATER.
 UPLAND CONTAINS GREEN OPEN PARKLAND,
 CIRCLE LINE AND TWO BOAT IN OPERATION.
 PLAN UNDER CONSIDERATION IS IN VIOLATION
 OF THE ACTION PLAN.

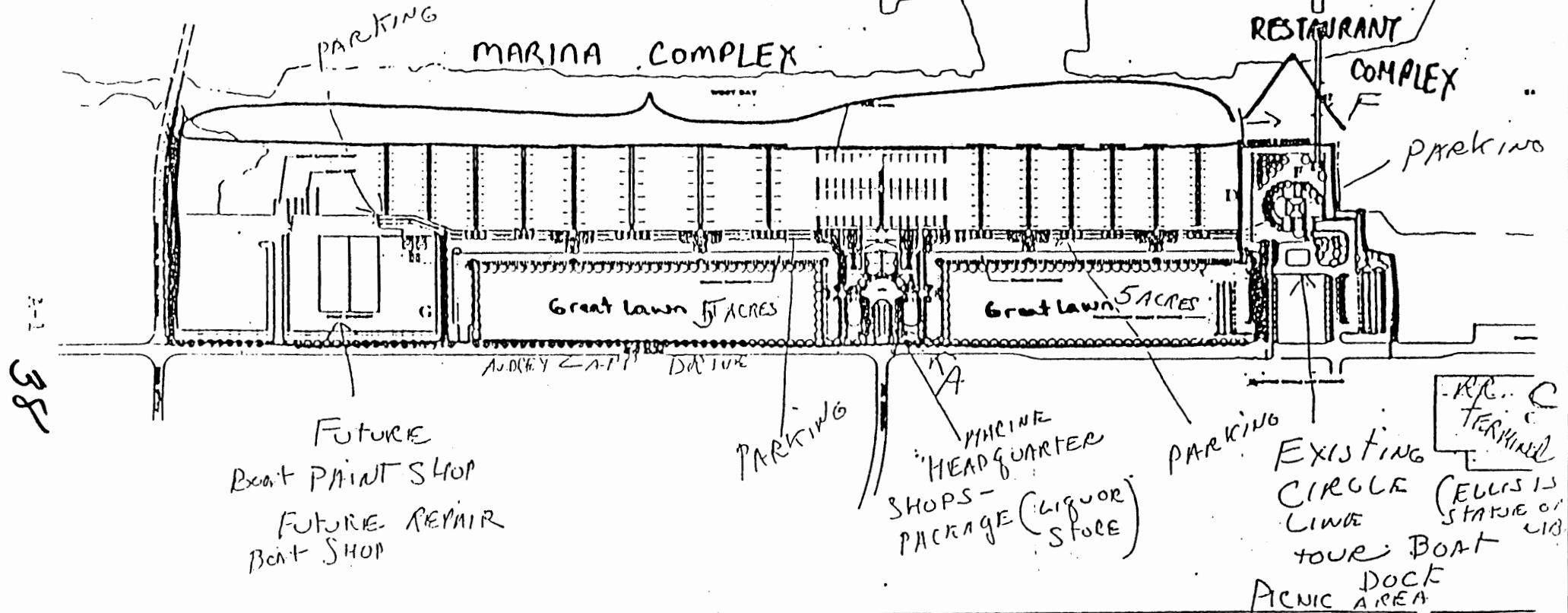


LIBERTY STATE PARK

30, 1983

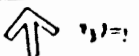
LEGEND

- A Marina headquarters
- B Hudson waterfront walkway
- C Terminal building
- D Circle Line
- E Pedestrian bridge
- F Restaurant
- G Marina service



erty Park Marina

Development Plan Stage 2



TOTAL 57 ACRES

PROPOSED DESIGN

PLAN
RE PLACES
CIRCLE FERRY DOCK
SUBSTITUTES
RESTAURANT

WANT UNUSUAL SPOT FOR FETE?



The Jersey Central Railroad Terminal at Jersey City's Liberty State Park provided an elegant waterfront setting for a recent black tie gala sponsored by the New Jersey Symphony Orchestra. (Photo by Ferdinand H. Fromholz)

By Ann Spina

It's your party, so you can fly if you want to — or train-ride, cruise, sightsee or skate your way through any cause for celebration.

Aside from restaurant banquet halls that are popular spots to rent for birthdays, anniversaries and annual fund-raisers, the Gold Coast is also chock full of imaginative, uncharted and theme-provoking "arenas" to satisfy the tastes of the most unconventional party animals.

Former railroad worker Walter Matuch of Bayonne was literally set in his tracks when he decided to throw a July 4th bash aboard the "New Jersey Transit 1," a 1920 railroad car named for its current owners.

"My family rented the car for a day trip to Bayhead. We even decorated it with authentic kerosene marker lamps and served food that was common on trains 60 years ago," Matuch recalled. He has also rented the train for trips to other destinations.

Until its retirement from the railroad in the 1940s, the 25-passenger coach was linked to the Blue Comet on the now defunct Jersey Central railroad. It has since been dubbed a "partybox" car and is reserved for social events.

There's a \$750 ticket just to board the stationary car and the fare increases if trips, catering and other services are requested, explains Steve Gazillo, who handles special projects for NJT and handles bookings for the train.

NJT and Liberty State Park in Jersey City also rent out spacious, historic terminals for larger parties.

In Hoboken, the old Erie Lackawanna terminal's central waiting room serves as a rest stop for commuters and doubles as an expansive hall for commercial projects and private affairs.

Requests to rent the terminal are weighed against the anticipated inconvenience to commuters and wear and tear to the facility, comments a spokesman for NJT.

Liberty State Park's Central Railroad Terminal in Jersey City serves as another railroad for rent.

The handsomely restored terminal's high ceilings, red brick floors and vanilla glazed wall tiles now create an apt setting for car and train shows, antiques shows, and formal events, including a recent New Jersey Symphony black-tie fund-raiser.

Prices to rent the terminal start at \$825, excluding the insurance and security deposit. If you're hoping to book an event there, do it soon. The terminal's 1987 calendar is almost full.

When the guest list for your party stops considerably short of filling out an entire railroad station, don't sacrifice ambiance for economy. Solution: arrange a "small scale ball" at Jersey City's Barrow Mansion.

With permission from the Barrow Mansion Development Corporation, patrons can rent one of the rooms in this three-story edifice for \$15 per three-hour stint, according to Ruth Turner, who held her own intimate wedding reception there two years ago.

Old world fireplaces, tiles etched with fairies, angel sconces and a palatial chandelier hanging in the lobby

document the mansion's 150-year-old history.

Early reservations are recommended, since the mansion is frequently booked by community groups.

The dome-shaped, stained glass skylight that illuminates the Jefferson Trust

Building in Hoboken is reason enough to laud this as another tastefully rich site for any social gathering.

This old bank shell comfortably houses up to 170 people and has been utilized for art exhibitions (including the Gold Coast's "Made in

Hoboken" exhibits were receptions, and corporate functions. One artist, C. Cercorino, recently rented the space to complete an oversized painting, cumbersome for his job.

From skylight to spotlight — those who rent Liberty's Park Theater for their next party will have room to spare.

"Our theater rivals Broadway," declares Pat Kevin Ashe, who coordinates activities at the theater. "People who rent the theater can make use of the stage as well as the balcony and seating area for people."

The theater's play museum can also be transformed into an intimate party room, where guests can enjoy refreshments while viewing the works of art currently on exhibit.

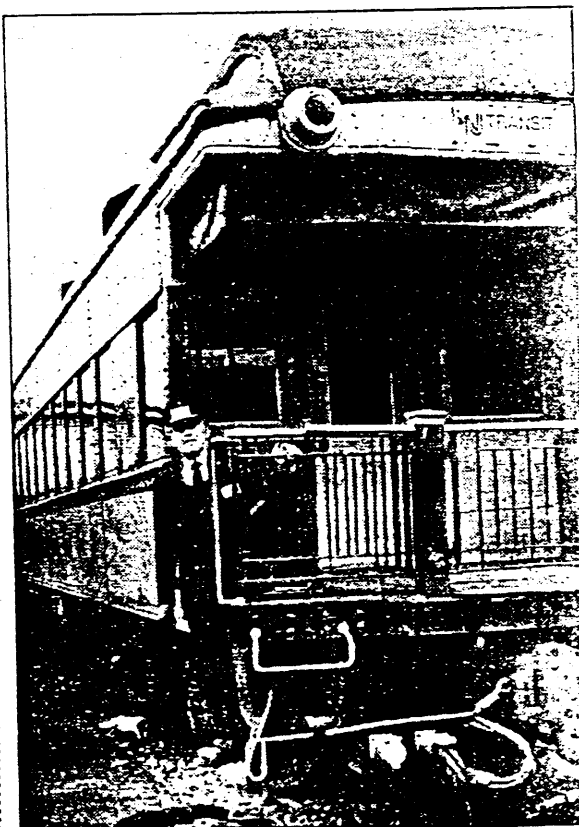
Three months advance notice will assure reservations in most cases.

If having your party on land seems a bit tedious, consider a seafaring excursion on board the Aquaventure, a charter boat available through Metropolitan Ventures Inc.

The Aquaventure departs both Bayonne and Staten Island to pick up crew parties. Couples book the ship for romantic midnight cruises and families plan cruises on the Aquaventure to beach picnics along the Hook, enjoying a lobster roast pig and barbecue ribs.

Upon request, Jeff will add his unique brass band to any Aquaventure excursions. A graduate of New York Restaurant School.

See Perfect — Page 2



Station Master Ray Nalewaicki prepares to board passengers on the New Jersey Transit 1, a 1920 train coach that has been converted to a "partybox" car for social events. (Photo by Steve Golecki)

CITY OF JERSEY CITY

ANTHONY R. CUCCI
MAYOR



CITY HALL
JERSEY CITY, N.J. 07302
[201] 547-5200

REMARKS OF JOSEPH SWEENEY
REPRESENTING MAYOR ANTHONY R. CUCCI
BEFORE SENATE STUDY COMMITTEE
March 3, 1987

Liberty State Park happened because of Jersey City and its residents who gave birth to its concept and nurtured it for many years. The City presented the State with a gift of the first 150 acres of land in 1965 on condition that it be used as a State Park. This permitted the State to acquire an additional 650 acres of some of the most valuable land in America, thereby, relinquishing tremendous tax ratables. It has been a good and proud neighbor in offering the service of our fire, police and public works department when necessary. It is therefore incumbent upon the State that the development of the Park does not adversely impact upon Jersey City.

The City is now deeply concerned, and strongly opposes the proposed marina for reasons set forth in the attached Resolution passed unanimously by the Municipal Council on December 11, 1986. Two major reasons advanced by the City are:

40X

1. A new residential development, on the north side of the Tidewater Basin, is now taking place. According to City projections, the north bank of the Tidewater Basin now being developed will house over 10,000 people within the next ten years. These residents must be protected from the visual, air and noise pollution that will emanate from the proposed 650 boat marina and its extension to the East Bay area into the Hudson River as set forth on the Developer's map.

The land values must of necessity, be adversely affected, with the impact on tax ratables as a result of the Marina. The City by its resolution has already assigned its attorneys to take legal action, if and when necessary to protect its rights.

We also have a case of visual pollution in our beautiful Park. For the Marina to include an industrial appendage of a Boat Warehouse, Paint and Repair shops, it can only offend the taxpayers who paid for this Park.

4/x

2. The City Engineer has sent a letter to the DEP on September 15, 1986 advising that development of the Tidewater Basin would require that the Mill Creek Sewer Outfall which discharges into a 1,000 ft. open ditch connected to the Basin is clogged and that flooding and unsanitary conditions exist. The report concludes "Development of the Tidewater Basin would require that the above mentioned conditions of open ditch discharge and stagnant water must be corrected prior to Jersey City Engineering approving the proposed Marina Development.

The estimated cost is \$4,000,000 to correct this situation and the City Engineer advises that the cost could run into \$6,000,000. The City is in no position to undertake this correction which means that the State would have to undergo this enormous cost which is twice the estimated cost to build its own Marina as recommended by Langan Associates at the south end of the Park.

The State under these circumstances would be involved in embarrassing and costly litigation which would delay the construction of its own Marina as recommended in the master plan and the original recommendation of the Liberty State Park Study and Planning Commission in 1977.

42x

Just as important as the economic and environmental impact of the proposed Marina in Jersey City is the fact that Jersey City and Hudson County have the most densely populated area in the Country and with the least amount of acres devoted to open space in the State.

Liberty State Park has been heralded far and wide as the State's first urban park to serve not only the state but particularly the masses of people in the Northern Urban Areas. To deprive them of the complete use of the Area involved with its adverse impact on the entire North embankment of the Park including the C.R.R. Terminal, etc., to serve a mere 650 boat owners is unacceptable.

We urge the members of this Committee to recommend the rejection of this commercialization of this great Park.

Resolution of the City of Jersey City, N.J. (3)

City Clerk File No. C-1582

Agenda No. 10-Z-8 #



TITLE:

**RESOLUTION OPPOSING THE PROPOSED COMMERCIAL MARINA
IN THE TIDEWATER BASIN IN LIBERTY STATE PARK WHICH
IS NOT CONSISTENT WITH THE MASTER PLAN**

Council *as a whole* offered and moved adoption of
the following resolution:

WHEREAS, after intensive and lengthy evaluation, analysis and review by the public, the Liberty State Park Commission and their consultants, city officials and the New Jersey Department of Environmental Protection approved and adopted Liberty State Park master plan in 1977 and an action plan on June 30, 1983 supporting the public's desire to keep the park green with opportunities for passive and active recreation activities; and

WHEREAS, the City of Jersey City, in order to encourage the expansion of Liberty State Park as New Jersey's first urban park, contributed 150 acres of land and permitted the state to acquire hundreds of acres of land in Jersey City at a tremendous loss in tax rates; particularly in the Morris Canal Basin area now the site of a proposed marina; and

WHEREAS, the Liberty State Park Development Corporation and the New Jersey Department of Environmental Protection are about to lease 57 acres in the aforesaid area to a private developer violating the park's master plan aforesaid; and

WHEREAS, the inclusion of the tour dock in the leased area and the New Jersey Department of Environmental Protection's intention to remove the Circle Line Ferries to the piers adjacent to the Central Railroad Terminal with its devastating impact thereupon is an indication of a reckless giveaway of public parklands and its amenities; and

WHEREAS, the State of New Jersey and the New Jersey Department of Environmental Protection owes not only a legal obligation, but also a moral duty that there be no adverse economic, environmental or recreational impact to the City of Jersey City or its residents as a result of park development; and

WHEREAS, the leasing of the aforesaid parkland and canal basin for commercial exploitation deprives the residents of Jersey City and New Jersey of the free and open use and enjoyment of this area, and adversely impacts the surrounding areas of the park; and

WHEREAS, the north side of the basin and environs is now being developed as a major residential complex in Jersey City which will accommodate 10,000 new residents in the next ten years; and

WHEREAS, the proposed marina of 800 boats and utilities poses serious sight, air and noise environmental problems which will deprive these residents of the peaceful enjoyment of their habitation, affecting their quality of life; and

City Clerk File No. _____

Agenda No. _____

TITLE:

RESOLUTION OPPOSING THE PROPOSED COMMERCIAL MARINA
IN THE TIDEWATER BASIN IN LIBERTY STATE PARK WHICH
IS NOT CONSISTENT WITH THE MASTER PLAN

WHEREAS, the proposed marina will have a serious adverse impact on the future development of this valuable waterfront property with resultant decline in property value and loss of tax rateables; and

WHEREAS, the Division of Engineering of the City of Jersey City has stated that the proposed marina would cause flooding of sewers from the tidal water and unsanitary conditions that must be corrected with an estimated cost of \$6,000,000 to the city; and

WHEREAS, the State of New Jersey and the federal government have committed millions of dollars of Green Acres' and Land and Water Construction Fund's to acquire and develop Liberty State Park and the proposed private marina development plan diverts public parklands for private exploitation in violation of state and federal acts and guidelines; and

WHEREAS, there is an alternative marina plan recommended by Langan Associates and commissioned by the New Jersey Department of Environmental Protection for the state to build a marina which will generate \$470,000 annually without giving up one acre of parkland; and

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Jersey City opposes the proposed commercial marina in the tidewater basin in Liberty State Park which is not consistent with the master plan and for reasons aforesaid.

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

CERTIFICATE to be a true copy of
RESOLUTION adopted by the
Municipal Council of the City of
Jersey City at its meeting of

DEC 11 1986

Thomas J. Smith

City Clerk

City Clerk File No. _____

Agenda No. _____

TITLE:

**RESOLUTION OPPOSING THE PROPOSED COMMERCIAL MARINA
IN THE TIDEWATER BASIN IN LIBERTY STATE PARK WHICH
IS NOT CONSISTENT WITH THE MASTER PLAN**

the marina proposal for possible future action in the courts of our state and that all city agencies withhold all permits and approvals requested by the New Jersey Department of Environmental Protection or the Liberty State Park Development Corporation indefinitely.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Thomas Kean, Honorable Richard T. Dewling, Vincent Murphy, members of the Liberty State Park Development Corporation, members of the Liberty State Park Public Advisory Commission, members of the Hudson County Legislative Delegation and Congressman Frank Guarini.

TF/sk
12/8/86

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: _____

Benjamin Lopez
Business Administrator
Benjamin Lopez

Thomas Kelle 12-11-86
Thomas Kelle Corporation Counsel

Certification Required ☐Not Required ☐

601119

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

*ADOPTED: 9-6
DEC. 11, 1986*

COUNCILPERSON	AYE	NAY	NV	COUNCILPERSON	AYE	NAY	NV	COUNCILPERSON	AYE	NAY	NV
Aviles	✓			KAMINSKI	✓			THOMPSON	✓		
FRICCHIONE	✓			O'REILLY LANDO	✓			VAZQUEZ	✓		
HART	✓			O'DEA	✓			CUNNINGHAM, Pres.	✓		

✓ Indicates Vote

N.V.—Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

PUBLIC PARTICIPATION IN THE PLANNING OF LIBERTY
STATE PARK : OPENING UP THE PROCESS

I am here today as a member of the Liberty State Park Public Advisory Commission , and as an individual involved in the planning and development of Liberty State Park since early 1969. I also served on the Governor's Green Acre Bond Issue Citizens Committee working to promote the funding of Liberty State Park and other parks throughout the state of New Jersey. I was appointed by Governor Byrne in 1977 to serve on the original Liberty State Park Study and Planning Commission. The Commission's charge by the Governor was to conduct a through study and investigation of the various alternatives for planning and development of Liberty State Park, including environmental, social and economic impact of such development on the surrounding neighborhoods . We also were charged with reviewing the capital and operating costs of park development and the sources of funding available for these costs. We held public hearings and completed a very comprehensive report entitled "Guidelines for the Development and Financing of Liberty State Park" , on December 19, 1977. I have requested that the D.E.P. supply the Senate Liberty State Park Study Commission with copies of this important document which was the basis of the park's Master Plan.

I would like to thank the Senate Study Commission for holding these public hearings in order to gather information and inform the public concerning the plans for the development of Liberty State Park. Also to determine if these plans are in the public interest and will benefit the "general" public and not just a very "special interest" group of individuals.

People often ask what is the relationship between public awareness and citizen participation. Public awareness and public participation are at the opposite ends of the same stick. They are the beginning and the end of an evolving process.

You can have public awareness without public participation, people may read about something in the media, news articles, etc. , but you cannot have a meaningful citizen participation without the public being informed and involved in the decision making process. This is what is missing here. Commissioner Pesin and I , appointed by the Governor to be liaisons for the public with the full authority to receive information on the economics, environmental, social impacts of the marina project development on the park , have been unable to receive this information from the Liberty State Park Development Corporation or from the D.E.P. As we are deprived, the public is deprived.

We must never forget, Liberty Park is managed by the N.J. D.E.P. but it was paid for with public monies and is being held in trust for the true owners of the park....the people . Government must be sensitive, responsive and accountable to protecting the public interest and involving the public in the decision making process of developing the public's park by providing adequate information . It is only then the public will be empowered to fully participate.

It saddens me to testify that Liberty State Park is being planned and development plans are being implemented behind closed doors, away from the eyes, ears and mind of the very people who own the park...the public. My only hope is that this decision-making policy can be immediately corrected to

allow full public disclosure.

The Liberty State Park Development Corporation was created by the State of New Jersey to "prepare plans for the development and promoting of Liberty State Park and to review the economic feasibility of financing the park through innovative techniques."

In addition to being created by state government , in a signed agreement with Commissioner Dewling and the D.E.P. executed on June 9, 1986, the Liberty State Park Development Corporation agreed to "conduct any activity involving the Park and implement the purposes of this agreement in COMPLIANCE WITH THE POLICIES OF THE DEPARTMENT AND THE LAWS, RULES AND REGULATIONS PURSUANT TO WHICH THE DEPARTMENT FUNCTIONS."

It is clear from the intent of this document that the Liberty State Development Corporation has agreed to conduct its affairs, in compliance with the New Jersey Department of Environmental Protection laws and regulations which mandates full public disclosure of information. The Corporation is in violation of the agreement by holding its meetings behind closed doors and barring the public from its monthly meeting for the past three years. It also violates the legal agreement by refusing to open up its minutes, files to the public, thus building a high stone wall between the corporation and the people who own & use the park.

In addition to being created by state government and signing agreements with the D.E.P., who by law is accountable to the public, the Liberty State Park Development Corporation has been appropriated almost a half a million dollars in public monies to sustain its operation. If public monies were cut off today, the development corporation would be out of

business.

My research into the public monies appropriated for the Corporation reveals the following information :

1984-85: \$100,000. appropriated from the N.J. D.E.P. taken from the Park's Capital Improvement Fund was given to the Liberty State Park Development Corporation.

1984-85: \$250,000 appropriation was made by the New Jersey Legislature to the Development Corporation to, as the bill stated " to assist the D.E.P. to establish the Liberty State Park Development Corporation to carry out further development of Liberty State Park for the D.E.P." (bill attached for your information)

1986-87 :\$117,333. in federal funds were appropriated by the Ellis Island-Statue of Liberty Fund in payment for the leasing of Liberty parkland property. These funds would have ordinarily been assigned to the D.E.P. or the N.J. Treasury.

In addition there is a request for an additional \$200,000. to be appropriated by the D.E.P. in 1987 to continue the operation of the Corporation. These monies will again come from the D.E.P. Liberty Park Capital Improvement monies. I would recommend that these monies be withheld until the Corporation operation is open to public scrutiny.

My documentation shows that approximately \$500,000. of public monies were given to the Corporation since its inception three years ago. If these park monies were utilized to build the park, perhaps the golf course design , or the amphitheater plan would already be underway.

My recommendation is that the Senate Committee be provided with all budgets, and financial statements from the

Corporation since its inception

50x

In addition to using public monies for its operation, the Liberty State Park Development Corporation uses public office space on public property within the park. It uses space, electricity, water and other public facilities free of charge, paid for by the taxpayers of the state of New Jersey. The future plans of the Corporation, according to Chet Mattson, is to leave the Cabana Club Office and to build new offices and conference rooms on the second floor of the Central Railroad Terminal.. Again using public monies to improve the facility and build the offices. I would recommend to the Senate Committee that these improvements , for the use by the Development Corporation, be put on hold until the Corporation provides full public disclosure of ,their entire operation.

Governor Thomas Kean, Chief Officer of the State of New Jersey appointed the members of the corporation and gave them the powers they now possess. The office of Governor Kean is governed by public laws and he is answerable to the public.

As you can see from my documented testimony, public monies and property are being used to sustain the Liberty State Park Development Corporation. Yet the same public who foot the bills of this entity has no voice in its decision making process. All meetings of the corporation , for the past three years, have been held behind closed doors. The corporation does not conduct its meetings in compliance with the "Open Public Meetings Act" or the Sunshine Law, as it is more commonly called. The public is not only forbidden from attending meetings, but it also is prevented from examining the financial, operating,

budgets and costs of the corporation and is denied the examination of the minutes of the Corporation since its inception.

The "Open Public Meetings Act" was enacted to open the processes of government to the public so that citizens may witness in full detail all phases of the deliberations, policy formulation and decision-making by entities using public funds or property. The New Jersey Legislature declared that "secrecy in public affairs undermines the faith of the public in governing and the public's effectiveness in fulfilling its role in a democratic society." N.J.S.A. 10:4-6 et. seq.

The Liberty State Park Public Advisory Commission conducts all of its business in conformance with the "Sunshine Law". We would expect the Development Corporation to act in the "spirit" of the "Open Public Meetings Act" which was enacted to protect the public interest. In addition, the failure of the Corporation to involve the public in the decision making process in the current marine proposal for development of the park is completely improper, and thus renders the entire process invalid.

It is ironic that the Corporation, which was formed to help develop and improve Liberty State Park, which signifies "Liberty," "Freedom", the best that New Jersey has to offer as a back-drop to the Statue of Liberty and Ellis Island, is denying the people of New Jersey the Liberty to "look over their shoulder" and have a voice in the planning of the people's park, shutting them out from the process. Is this what "Liberty" is all about??

My recommendation is that the Senate Liberty Park Study Commission carefully examine all aspects of this question, obtain all documents and break down the walls shutting out the public from the Corporation's business and let in the sunshine so the people can intelligently be informed of the corporation's affairs.

In addition, I support Commissioner' Pesin's testimony that \$25,000. of public monies should never be used to hire a P.R. firm to attempt to force the marina down the throats of the public. It is the responsibility of the Waterfront Development Corporation to hire the P.R. firm. Using public monies for this project is not only irresponsible but flies in the face of regulations governing the expenditure of public monies. Did the people give the Development Corporation permission to use the money in this fashion? Were they consulted on this ? Again I join with Commissioner Pesin and request the Senate to put a hold on the expenditure of this public money until all documents of the corporation are made public and the doors of the entity are open to the people.

* Note: All figures supplied by the N.J.D.E.P.

8

OPEN SPACE IN HUDSON COUNTY*JERSEY CITY

Within the State of New Jersey there are 807,625 acres * of land dedicated to open space. Hudson County has the least amount of acres devoted to open space in the entire state of New Jersey. While Burlington County has 128,986 acres, Hudson has a mere 2,394 acres of recreation land. The greatest amount of private recreation, those areas owned by corporations, and institutions has Hunterdon County with 23,316 acres and densely populated Hudson County with the least amount of open space privately owned in the state of New Jersey only 55 acres . It is interesting to note that of the state's 807,625 acres of open space land , 80 % of this acreage is located in the more sparsely populated southern half of the state away from the heavily urbanized northeastern area where this parkland is so desperately needed.

Hudson County is the most densely populated county in the state , having more than 12,000 people per square mile. An average of 66.7 people occupy each square mile of most New Jersey counties. The acres/population method of achieving open space standards using acres per population, shows that Hudson County has 999 people for every acre of parkland. The county has a deficit of 3,000 acres plus of parkland.

This will give the Senate Commission an idea of what we have here in the Liberty Park environs and what we require to prevent a wall to wall concrete region. It is interesting to note that the D.E.P. attempted to build a waterfront park near Exchange Place in Jersey City. Waterfront land was already planned for office and housing, and the state was forced to build a waterfront park on a long pier out into the river.

54x

OPEN SPACE IN HUDSON: Cont.

9

It was more expensive to build the steel and wood pier at Exchange Place but there was not waterfront land available. This gives you an idea of how valuable the Liberty State Park property is . It is the most expensive real estate in the region. Small city lots, across the Morris Canal are selling for \$300,000. to \$500,000. per lot. The state must protect its investment by preserving this valuable resource.

Hudson County/ Jersey City has the distinction of having approximately 75% to 80 % of its population recreationally disadvantaged. Recreationally disadvantaged persons are those with age , income levels, cultural patterns, educational backgrounds or physical conditions which affect their ability to participate in recreational activities. Many of the citizens in our region travel by mass transit, or walk. This is an important reason why Liberty Park , located in one of the most densely populated areas of the metropolitan region is so popular with the urban population. Because of its role in their lives it deserves an added amount of protection. The Senate Commission should be aware of the needs of the recreationally disadvantaged citizens living here. With the opening of the new foot bridge from the inner city into the park the visitation has doubled within the past year.

PRESERVING LIBERTY PARK OPEN SPACE , & BREATHING SPACE ISN'T A LUXURY ITS A NECESSITY.

55X

LIBERTY STATE PARK MASTER PLAN

10

More than 21 years ago Jersey City donated 144 acres of waterfront to the State of New Jersey . That was 1965. Over the years Green Acres and Federal Land and Water Conservation funds have purchased additional land so that today Liberty State Park comprises 750 acres, about the size of Manhattan's Central Park.

On June 14, 1976 , Governor Brendan Byrne officially opened Liberty State Park. Only 35 acres at the southern end of today's park were completed.

In 1977, Governor Byrne appointed members of New Jersey citizens from business, community groups, planners, etc. to form a Liberty State Park Study and Planning Commission. The Commission held public hearings (9 in Jersey City, Hoboken, Newark) and hired its own consultants. The consultants were RUDAT (Regional/Urban Design Assistance Teams), a team of architects, planners, engineers from the American Institute of Architects and the team from the U.L.I. (Urban Land Institute) a team of economists . It was the first time that the ULI and the AIA ever worked on the same project.

Out of these intensive investigations, public hearings reports from the two consultants, consultation with local governmental bodies the Liberty State Park Master Plan was born. During these hearings, hundreds of citizens , officials, and professional planners testified to "KEEP LIBERTY PARK GREEN". This was the mandate from the people and the officials . The D.E.P. listened and thus the park Master Plan was designed by the prestigious architects and planners Geddes Brecher Qualls Cunningham of Princeton, New Jersey .

56X

LIBERTY STATE PARK MASTER PLAN: CONT.

11

As you can see from the 1977 Liberty Park Master Plan the Marina at northern embankment was located in the water. The upland area was devoted to green open space with trees, shrubs and other plantings.

In 1983, the New Jersey D.E.P., Division of Parks and Forestry hired Wallace, Roberts and Todd, Architects, Urban and Ecological Planners from Philadelphia, Pa. to review the park's master plan and upgrade it to meet the needs of the new acreage acquired by the state.

After consulting with a number of government officials, planners, D.E.P. officials and community leaders including Morris Pesin and myself and holding a Liberty Park Workshop the Action Plan for Liberty State Park was completed on June 30, 1983.

The report states :

"CONCLUSIONS RE THE MASTER PLAN : Major features of the 1977 Master Plan were unanimously reaffirmed. They are: the Liberty Walk, a Crescent shaped Harborfront Promenade; Marinas at South and North, Wildlife Habitat, Historic Terminal Complex, the Green Park; Interpark Drive, Environmental Interpretive Center. Two features were set aside one the Sepentine Inland Waterway, would be difficult and expensive to develop and operate. " The 18 hole golf course was designed on the newly acquired acreage . This area was left vacant on the original master plan.

One of the major findings of the plan was that :
"Keep it a Park- It is already a lovely place. Efforts to develop it in total by private entrepreneurs should be rejected.

57X

The PARK SHOULD BE KEPT OPEN WITH VIEWS MAINTAINED AND MINIMUM STRUCTURES. " I am quoting from the Action Plan.

The Liberty State Park Corporation and the Waterfront Development Corporation plan for the marina, yacht club, restaurant complex completely violates the adopted Liberty State Park Master/Action Plan for the park. The pre-emption of green open parkland, re-location of the Circle Line Ferry Pier to be replaced with a private restaurant, replacing green open space with a three story yacht club complete with bedroom suites, executive game rooms and offices, executive living quarters constitutes a major revision of the park's master action plan adopted by the N.J.D.E.P. The commercial venture substantially alters the park plan and the components of the development project are totally inconsistent with the land use concept and goals of the park's action-master plan.

The Liberty State Park Action/Master Plan specifies a green open space from the Jersey Avenue border on the west, the Morris Canal Tidewater Basin on the north, the Railroad Terminal on the east and Audrey Zapp Drive on the south. Today these green spaces are flanked by a Morris Canal and Hudson River Walkway/Bikeway, with picnic areas and parking facilities. These are the Great Lawns, known to many television viewers, as the Starting Point and the Finishing Line of the two annual NEW JERSEY WATERFRONT MARATHONS. This marathon will be an added loss since the taking over of the green park area by the private developer will completely eliminate this marathon from that northern area of the park. Eliminating the green area will also prevent the local school and college football, baseball teams from using this area as a practice field. Summer, and fall will find many of our local young people using this area

LAND AND WATER CONSERVATION FUNDING OF LIBERTY
STATE PARK

In 1986 the federal governments Land and Water Conservation funds were used to acquire and develop the northern end of Liberty State Park at the proposed marine site.

The pier to accommodate the Circle Line was built with these funds and the green lawn, lights, water fountains, walkway, etc. at the marine site was constructed with both federal and state green acre, land and water monies. At the time the state of New Jersey agreed to protect the park from commercial encroachments and promised to keep the park "green in perpetuity." This was the signed agreement between the U.S. Dept. of Interior and the D.E.P.

The federal money has very stringent constraints built into its regulations which mandate that the green open space be preserved in perpetuity for outdoor recreation, etc. If the state of New Jersey decides to sell or lease this land for the restaurant, yacht club, where the general public will be restricted, it will be forced to replace this land acre for acre and be forced to purchase substitution land of at least equal fair market value and location. Liberty parkland cannot be used as a substitute.

If the state were forced to replace Liberty State Park land it would have to spend between \$300,000 to \$500,000 for a small city lot.

The D.E.P. record for compliance with the LNW Act has not been good. In the case of state owned recreation land in Vernon Valley Ski Resort, the D.E.P. sold a 1,240 acre site atop Hamburg Mountain to private developers. The state

19x

LAND AND WATER CONSERVATION FUNDS

planned to purchase substitute land in Sussex County to compensate for the loss of the state land. \$837,000 was set aside for this replacement purchase when the state discovered it did not have enough money to buy the land. This is an example of the D.E.P. serious flaw in the monitoring of state land leases and sales. The D.E.P. should never have sold the state land until it had purchased the substitute land.

We must remember this when the Senate Commission is reviewing the marina complex.

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 601

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Assemblymen CHARLES, VILLANE and DORIA

A SUPPLEMENT to "An act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, ***[1984]*** *1985* and regulating the disbursement thereof," approved ***[June 30, 1983 (P. L. 1983, c. 240)]*** *June 29, 1984 (P. L. 1984, c. 56)*.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

- 1 1. In addition to the amounts appropriated by ***[P. L. 1983,**
- 2 **c. 240]*** *P. L. 1984, c. 56*, there is appropriated from the General
- 3 Fund the following additional amount for the purpose specified:

DIRECT STATE SERVICES

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Community Development and Environmental Management

45 Recreational Resource Management

4 12-4875 Parks Management ***[\$100,000]*** *\$250,000.00*

5 Special purpose:

6 Liberty State Park Development

7 Corporation ***[(\$100,000)]*** *\$250,000.00*

1 2. This act shall take effect immediately.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted December 13, 1984.

other piece of land...ly at a time when private individuals are buying up and are willing to restore the older brownstone stock we have in the city," he added.

Debris falls from a brownstone being demolished at 131 Washington St., Newark. The building had stood for at least 118 years

Photo by Rick Kravitz

She noted since the building torn down yesterday was privately owned, the city had no say in halting the demolition.

STAR LEDGER 11-11-86 DEP may have problem buying 'traded' tract

By PATTY PAUGH

Escalating land values and a shortfall in funding may prevent the state from buying all of a 2,612-acre tract in Sussex County that would compensate for a mountainous parcel it sold to a Vernon resort last month, a state official said yesterday.

Although financial prospects for the purchase of Bear Swamp in Frankford and Hampton are unclear, the state Department of Environmental Protection (DEP) will hold a public hearing on the proposal to brief local officials and residents, explained Jeanne Dorton, chief of the DEP's Bureau of Land Acquisition.

The session is tentatively scheduled for 7 p.m. Dec. 9 at the Frankford Elementary School on Route 206, according to Frankford Clerk Joann Risdon.

While the state does not have an estimate of how much the land would cost, Dorton expressed doubts that it could afford the entire parcel.

She said the only money specifically set aside for the purchase is

Funding, land costs may thwart completion of Vernon land deal

\$837,000, part of the \$4.5 million that Vernon Valley Recreation Association Inc. paid for 1,240 acres atop Hamburg Mountain.

The company, which owns Action Park and the Vernon Valley-Great Gorge Ski Area, purchased the land to settle a legal dispute with the state that involved the property it formerly leased.

However, Dorton pointed out that proceeds from the sale will allow the state to acquire only a portion of the parcel.

She blamed the situation on rising property values in Sussex County and a vacillating position among state legislators over acquisition of the parcel.

In June, Assemblyman Garabed (Chuck) Haytanian (R-Sussex, Warren) slashed portions of a \$37 million DEP appropriations bill that in part would

have financed maintenance and acquisition of additional state lands in the two counties, including funds for Bear Swamp. He acted to protest the DEP's plans to treat radium-contaminated soil from three Essex County communities in Vernon.

However, state Sen. Wayne Dumont (R-Sussex, Warren) subsequently had some of the funding restored. Haytanian acknowledged yesterday he would not press again for deletion of the Bear Swamp allocation, which did not set a monetary amount, at the urging of Hampton Mayor Dolores Hanley.

Like Hanley, several other Frankford and Hampton officials signaled support for the proposed acquisition, pointing out that the land is environmentally sensitive and protects surface water supplies in the area.

Risdon acknowledged the swamp

is the headwaters for Culver Lake and Lake Owassa, which serve as the focal points for two large communities in Frankford.

"We certainly never want to see it developed," she said.

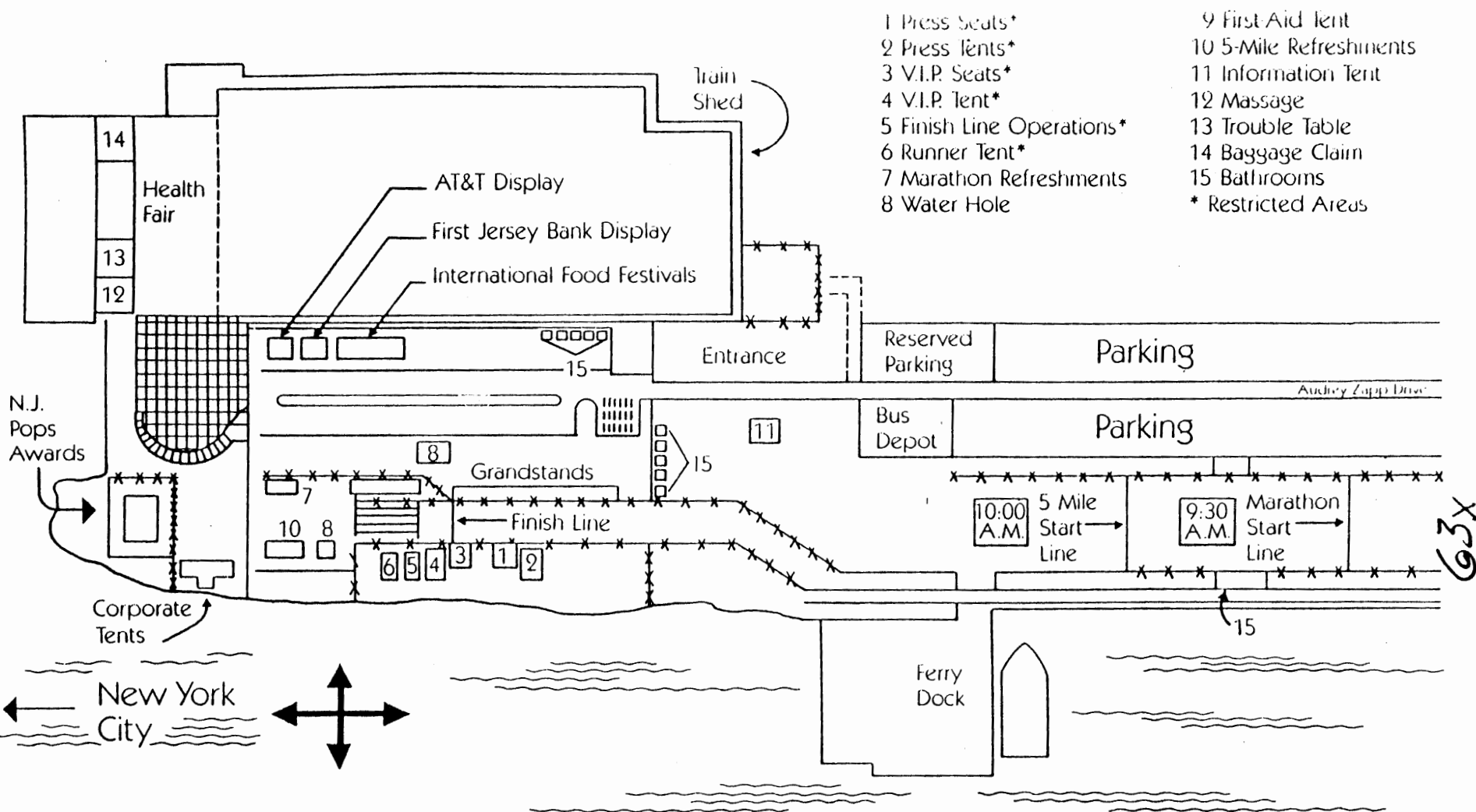
Hampton Committeewoman Anne Vaccaro concurred, contending the environmental sensitivity of the land and its large wildlife habitat warranted its preservation. She added that developers periodically have approached the Hampton Planning Board about building on portions of it in the past 12 years.

If the state did acquire the parcel, it would be operated as a wildlife management area, permitting hunting, fishing and hiking, said Russell Cookingham, commissioner of the state Division of Fish, Game and Wildlife. The agency recommended acquisition of the tract in light of the loss of state land in Vernon.

He cautioned that the project remains in a preliminary stage, and may face a key financial roadblock. "We can only acquire what we have money to acquire," Cookingham said.

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Hudson River



1986 New Jersey Waterfront Marathon Finish Area

Liberty State Park, Jersey City, New Jersey, May 4, 1986

WATERFRONT WATCH

Waterfront Watch is a non-profit newsletter provided for reprinting in the Jersey City Reporter by the authors themselves. The opinions expressed here are the opinions of the authors of Waterfront Watch and not necessarily those of the Jersey City Reporter. Please address all correspondence regarding this column to Kevin M. Meyer, Editor, Jersey City Reporter.

LIBERTY STATE PARK: Plans for a large marina on the north end of Liberty State Park along the Morris Canal Turn-around Basin have stirred fresh controversy over how this State Park is to be developed and how it's to be used.

Dispute centers on three items of contention (1) the need for a marina to take over 57 acres of parkland, (2) the large size of the proposed 3-story Headquarters building, and (3) the need for a boat-repair building in a State Park at all, much less one that's sixty feet high and as large as the one proposed.

Although the Park is now little more than ten years old, the State of New Jersey began to consider the development of Liberty State Park as early as 1964.

More than 21 years ago Jersey City donated 144 acres of waterfront to the State. That was 1965. Over the years since then, Green Acres and Federal Land and Water Conservation funds have purchased additional land so that today Liberty State Park comprises 750 acres, about the size of Manhattan's Central Park.

In the early 1970's, New Jersey DEP and the US Army Corps of Engineers undertook the major harbor clean-up work to remove derelict vessels, broken bulkheads and rotting piers and to clear the land for the new Park.

On June 14, 1976, Governor Brendan Byrne officially opened Liberty State Park. Only 35 acres at the southern end of today's park were then completed.

By December, 1977, the Park's STUDY AND PLANNING COMMISSION approved the new Liberty State Park MASTER PLAN, but only after intensive evaluation of input from nine public hearings in Jersey City, Hoboken and Newark.

During those hearings, hundreds of citizens, officials and professional planners testified that the new Park 'should... be kept green'. The COMMISSION benefitted from the services of the prestigious RUDAT team of architects and engineers as well as from business consultants from the Urban Land Institute.

On June 30, 1983 the N.J. DEP — with assistance from the firm of Wallace, Roberts and Todd — prepared the Governor's ACTION PROGRAM for the continued development of Liberty State Park. The program expanded the original MASTER PLAN to include a golf course, a science center, an improved access from the New Jersey Turnpike, a redesign of the main entrance and construction of the Intrapark Road now called FREEDOM WAY, as well as provision for additional acres for passive recreation.

The purpose of the ACTION PROGRAM was 'to set priorities for next steps in the Park's construction and operation, to outline guidelines for its further development, and to establish the basis for a long-range strategy.' It was clearly the State's intention that all development in Liberty State Park conform to the MASTER PLAN which had taken ten years to develop.

That MASTER PLAN and ACTION PROGRAM established the concept of keeping that Park 'green' with a minimum number of recreational features and restricting the structures — other than the Railroad Terminal, the Administration Building, the SCI-TECH Center — to rest rooms and maintenance facilities. The MASTER PLAN intended that the Park "serve a multitude of recreational needs of various visitors to the Park. It will be a green cornerstone for an entire urban

shore."

In February, 1984, Langan Engineering Associates completed a MARINA FEASIBILITY Study of the Park for the State of New Jersey. The report recommended a marina be built on the SOUTHERN end of the Park to take advantage of these features: (1) "closer proximity to the primary means of automobile access" (2) "better access and visibility for boats entering the marina from the bay" (3) "a higher degree of security due to the existing surrounding uses" (4) the "already provided boat launching ramps and an elaborate landscaped and designed marine walk adjacent to the proposed marina area" and (5) "the area also offers better views to the surrounding landmarks." The disadvantages noted for the NORTHERN embankment included: "the room for maneuvering boats is smaller than the South Embankment Zone and the boats in the marina would have to compete with the larger commercial vessels operating in the dry dock and repair areas to the north."

The Langan Study recommended a marina for 282 boat slips, a fueling station, snack bar and ship's store, shower facilities and additional parking areas.

Two different groups are now concerned with the development of the Park. The L.S.P. PUBLIC ADVISORY COMMISSION, created by Executive Order No. 74 in 1979, is empowered to review and evaluate all development proposals and is required to hold public hearings for proposals under serious consideration. This COMMISSION submits its recommendations to the D.E.P. and is intended to represent the public interest.

The more recently staffed L.S.P. DEVELOPMENT CORPORATION, on the other hand, has been given the task of raising funds to implement the ACTION PROGRAM which would include those proposals approved by the COMMISSION. This group, formed in 1984, is empowered to negotiate contracts which, however, must be approved by the DEP.

On June 18, 1986, the DEVELOPMENT CORPORATION issued a Request for Pro-

posals for the development, construction, maintenance and operation of a full service marina. The location specified was on the NORTHERN embankment of the park, along the Morris Canal Tidewater Basin — not the southern end of the park recommended by Langan. Three firms responded last August. The Waterfront Development Corporation of Philadelphia submitted a proposal that was approved by the DEVELOPMENT CORPORATION.

This proposal more than doubles the number of slips recommended by Langan. It places a large three-story Headquarters building near the Jersey Avenue end of the embankment. It features a mammoth 6-story boat-repair building, over 320 feet wide, between the Canal Basin and the cobblestone road leading to the Railroad Terminal. The proposal would dislodge the Circle Line Ferry from its current dock so a restaurant could be built there, with 500 parking spaces nearby. Additional parking for 1,000 marina users and visitors is also in the plan. The newly constructed restroom facilities near the tour-boat dock would be commandeered by the new marina.

However, the Liberty State Park MASTER PLAN and ACTION PROGRAM specify a green open space from the Jersey Avenue border on the west, the Morris Canal Tidewater Basin on the north, the Railroad Terminal on the east, and Audrey Zapp Drive on the south. Today, these green spaces are flanked by a Morris Canal and Hudson River Walkway/Bikeway, with picnic areas and parking facilities. These are the Great Lawns, known to many television viewers as the Starting Point and Finishing Line of the two annual New Jersey Waterfront Marathons.

The proposal to take these 57 acres of land and water for a gigantic marina violates both MASTER PLAN and ACTION PROGRAM.

Legally, parkland which is purchased with Green Acres and federal funds cannot be leased for private profit without receiving land of equal value in return for the parkland diverted to such other use. Find-

continued on next page

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WATCH

continued from previous page
ing land of equal value will not be a simple task.

Time and again, there have been many plans put forth to bring commercial enterprises into the park which would require fencing off some part of the park from public enjoyment. In 1977 and again in 1981, Warner Leroy proposed a Theme Park with amusements. Also in 1981, a Museum of Fantasy and Play almost took 75% of the space in the newly restored Railroad Terminal for what was popularly known as the Doll Museum. The Rock Concerts using a "Temporary" bandstand in 1985 were another case in point.

Audrey Zapp, who serves on the PUBLIC ADVISORY COMMISSION, asks "How can a developer, with a snap of his fingers, wipe out a MASTER PLAN for

Liberty State Park which took ten years and 30 million dollars to develop and implement?" She points out that taxpayers have paid for the acquisition of the land, its clearing, all improvements including sewer, water and utility lines. She further states, "The real value of a park is the right to use it. When the State sells or leases Liberty State Park land, it derives its purchase price or rental income — not from the new owner or tenant — but from the destruction of the right of the people to use that land for park purposes."

Commissioners Morris Pesin and Audrey Zapp, both from Jersey City, support a 'people's marina' of limited scope. The marina proposed by the Waterfront Development Corporation, they say, "will not be in the public interest because it does not serve the general public...only the private interest." □

INTRODUCTION

This report presents a feasibility study for the development of a marina within the confines of Liberty State Park, Jersey City, New Jersey.

Within the park there are two locations under consideration where a single marina or dual marina facilities could be constructed. These areas are known as the South Embankment Zone and the North Embankment Zone. The locations of these areas are shown on Figure 1 and are described in greater detail in subsequent sections.

The discussion in this study will concentrate on the South Embankment Zone as it appears to be the most desirable location for the initial stage of the Liberty State Park Marina development and there are more issues to evaluate with respect to development. Since the facilities recommended for either area under discussion are very similar, the North Embankment Zone marina will be discussed with respect to its significant differences in development costs and physical layout.

The preparation of this report included a survey of existing marina facilities in the study area as well as other areas in New Jersey, along with a review of typical marina systems, and an evaluation of the potential sites. The report will discuss the size of the marina, facilities to be provided by the marina, construction cost estimates for budgeting and a projection of annual revenue and expenses.

LOCATION AND SITE DESCRIPTION

South Embankment

The South Embankment Zone of Liberty State Park is situated on Black Tom Channel at the southern most point of the park. The site is located approximately 1/4 mile east of Exit 14B of the New Jersey Turnpike Extension along Wolf Drive which provides vehicle access to the South Embankment Zone (see Figure 2). The area under consideration lies directly west of the most developed section of Liberty State Park which provides a diversity of features and activities. There exists presently, a service building containing the park administrative offices, food and restroom facilities, large parking areas, a wetland preserve area under rehabilitation, an amphitheater sundial, picnic areas, a solar energy demonstration project and the initial stages of the Liberty Walk Promenade, a relatively

elaborate and landscaped walkway which will link the South Embankment Zone to the North Embankment Zone. This walkway extends westward into the area under consideration for the marina.

This land area under study is approximately 1,600 ft. long and 180 ft. wide. See aerial photo in Appendix D. A bulkhead extends nearly the entire length of the southern edge. There exists three piers numbered 4, 5 and 6 without bulkheads on the eastern edge of the area. There exists presently on the western edge two 30 foot wide boat ramps with a paved parking area for 33 cars with boat trailers. To the south of this parking area lies two recent additions to the park, the "Sunbowl" and a picnic area approximately 450 ft. long along the promenade.

The area under study offers an excellent harbor's view. The foreground offers views of Ellis Island, and the Statue of Liberty, with a background view of the lower Manhattan skyline featuring the twin towers of World Trade Center, as well as the Brooklyn Bridge and the Verrazano Narrows Bridge.

North Embankment Zone

The North Embankment Zone lies at the northern end of Phillips Drive, 1-1/2 miles along Wolf Drive which abuts the police car impoundment facilities and sewage treatment plant operated by Jersey City. Johnston Avenue, a cobblestone road, begins at the northern terminus of Phillips Drive running east and west, terminating on the eastern edge at the old C.N.J. railroad terminal presently under restoration. The land surrounding the marina has been cleared in recent years of train track and buildings and is now an open semi-grassed area. To the west of the terminal building exists the recently constructed harbor boat docking facility, used for tours of the Statue of Liberty. The site under study is to the west of this area and is approximately 2,500 ft. long bulkheaded the entire length, and 350 to 400 ft. wide. A marine walk runs the entire length of the site and connects it to the terminal building. This walk, however, is not as elaborately landscaped or lighted as the section of marine walk at the South Embankment. To the north of the proposed marina site lies the Morris Canal Basin. This canal is approximately 5,000 ft. long and 480 ft. wide and is presently used for industrial purposes and by dry dock and boat repair facilities on the northern banks of the canal.

68X

Competitive Facilities

There are only four other marina facilities in the region presently located on the Hudson River in the vicinity of the park. They are not considered to be of the quality proposed for development in Liberty State Park. Other marinas in the area, New Elco Marina in Bayonne, New Jersey and Roosevelt Marina in Jersey City, New Jersey located on the Hackensack River are not considered in the same class as the proposed marina development. Table 1 provides a summary of the facilities and services provided by the four nearby marinas located on the Hudson River.

The marina facilities provided by the Palisades Interstate Park Commission just north of the George Washington Bridge on the Hudson River, more closely reflects the type of operation which may be implemented at Liberty State Park. The Alpine and Englewood Boat Basins are fixed docks on piles, and are publicly operated by the commission utilizing civil service employees. Combined, the marinas provide 255 slips which are fully rented by the beginning of the season. There is a waiting list for slips of approximately 20-30 people during the early spring which expands to approximately 50-100 people during the summer months.

A survey of existing marinas shows that none of the marinas have any plans for future expansion due to the difficulty and expense of government regulations.

RECOMMENDED FACILITIES

Location

Based on our evaluation, a phased development of marina facilities in Liberty State Park appears appropriate. The phasing should be both in the number of slips provided at either location as well as development at either or both location. The first phase should be implemented in the South Embankment Zone of the park, and subsequently the second phase should occur within the North Embankment Zone providing there is additional demand.

The reasons for this recommendation are outlined below and discussed subsequently:

- A. Proximity to Existing Park Development
- B. Access by Land and Waterways

69x

for this study in April 1983 by Langan Engineering Associates, Inc. Additional sounding information can be found in the "Liberty State Park Shoreline Reconstruction - Jersey City, N.J. General Design Memorandum (Phase II Project Design)" revised June 1981, Drawing LSP-4.

In the North Embankment Zone, the channel that would be utilized by both recreational and commercial boaters is less than 200' in width creating a potential conflict. However, the State of New Jersey has acquired through the Green Acres Program the waterway in which the marina development is proposed, and has retained Riparian interest for the Tide Water Basin, (i.e., the channel discussed above).

F. Aesthetic Vistas

The South Embankment Zone of Liberty State Park offers the best visual aesthetics as previously mentioned in the location section of this report. The North Embankment Zone also provides very good visual aesthetics to the east and south. However, on the north side of the channel several ship repair facilities and fuel storage tank facilities exist, creating a visual landscape much less than desirable for recreational development.

PROPOSED MARINA MASTER PLAN

As previously mentioned, it is proposed that the first phase of the marina development take place in Black Tom Channel/South Embankment Zone. This phasing is outlined below:

Phase I
South Embankment

- A. 282 Boat Slips
- B. Fueling Station
- C. Operations Building w/Snack Bar, & Ship's Store
- D. Shower Facilities
- E. 320 Space Parking Lot for Marina Users and Visitors
- F. Additional 10 Car/Boat Trailer Parking Spaces
- G. Boat Hoist System (if not constructed on north embankment)

70x

- H. Dry Land Boat Storage Area (if not located at north embankment)
- I. Sanitary Pumpout Station
- J. Restaurant

Phase II - Stage 1
North Embankment

- A. 100 Boat Slips (minimum, actual number determined by market survey)
- B. 100 Space Parking Lot
- C. Screened Dry Land Boat Storage Area
- D. Boat Hoist System (if not constructed in Phase I)
- E. Boat Repair Facility
- F. Operations Building w/snack bar
- G. Shower Facilities

Stage 2

- A. Add additional boat slips and parking as market demand dictates

Docking Facilities

The elevation of the marine walk or promenade at the South Embankment Zone is ± 307 (Port Authority Datum, elevation 300 equals 2.65' above Mean Sea Level (1929) at Sandy Hook, New Jersey - established by the National Ocean Survey). The Mean Low Water Level (low tide) and the Mean High Water Level (high tide) are at elevation 295 and 300 respectively. As shown in Figure 6, the difference in elevation from the walkway to the water level varies from 7 to 12 feet. If a fixed dock marina system was constructed, a system in which a stationary pier or walkway is mounted on piles driven into the harbor bed, it would cause an inconvenience to the boater boarding and unboarding. If the docks were placed at an elevation one foot above Mean High Water, elevation 301, there would be a six foot drop to the water level and a ladder would be necessary for a person to board the boat.

Because the areas selected for the proposed marinas are under tidal influence, it is recommended that a floating dock system anchored by collared piles be used. A system of this type would be more practical than a fixed system due to the five foot difference in elevation between the mean low water level and the mean high water level. Floating dock systems can also be constructed on dryland, then floated into position, thereby reducing construction costs.

7/X

Location of a restaurant facility is not as desirable for the North Embankment Zone due to the existing industrial uses adjacent to the proposed marina area.

Prior to the issuance of the LIBERTY STATE PARK ACTION PROGRAM report, a serpentine lake was proposed, which would link the New York Bay to the Morris Canal Basin. One of its purposes was to aid in the flushing action of the canal. The Action Program report recommended to scrap the serpentine lake due to it being "difficult and expensive to develop and operate, and was not considered central to the Plan." This being the case and with the isolation of the canal to the flows of the Upper New York Bay and Hudson River, there may be a water quality issue for recreational boaters. Debris inadvertently or deliberately deposited into the water will have a tendency to remain, possibly resulting in a health and aesthetic problem. If the commercial boating uses to the north of the canal continue to operate concurrently, additional complications may result from effluent that may be discharged into that waterway.

CONSTRUCTION COST ESTIMATE

An estimate of the construction cost has been made for the marina development at the South Embankment and a summary of the cost is presented with detailed cost estimates and back up information in Appendix B.

The cost of all improvements for a 282 slip marina is \$4,330,000 or approximately \$17,130 per boat slip which includes a 15% contingency. A summary of the cost estimate is shown on Table 3.

This cost includes several items which could be phased reducing initial costs and completed when the anticipated demand is confirmed. Those items include:

1. Bulkhead for Pier 4 which could be reduced to only the westerly half for a saving of \$325,000.
2. Extension of the marina walk which could be reduced to only that along the westerly border for a savings of \$13,750.

72X

The construction cost estimate for the development of the North Embankment would be similar to that of the South Embankment except for the following:

1. No additional bulkheading requirements.
2. Additional roadway improvements for \$55,000 which most likely would be undertaken with other North Embankment Zone development plans.
3. No additional cost associated with marina walk extension. These items would reflect a lesser development cost between \$1,700,000 and \$1,800,000 depending on the development undertaken at the South Embankment.

PROJECTED INCOME AND EXPENSES

Revenue

The major sources of revenue for a marina are slip rentals, dry storage, and the sale of fuel. Other sources include sales at the ship store, snack bar, telephone commission, ice and vending machines. The total project income for the marina is shown on Table 4 assuming 100% leased slips. This income was determined from information gathered on relative rental rates and income from other marinas and certain analysis and assumption which are presented in more detail in the appendix.

Figure 15 shows the rental rates being charged by various marinas in the region and the rental rate being utilized for this report. The rates assumed for this study are:

<u>Slip Size</u>	<u>Rate Per Foot</u>	<u>Seasonal Rent</u>
30 ft	30/ft	\$ 900
40 ft	32/ft	1,280
50 ft	35/ft	1,750
60 ft	38/ft	2,280

The actual rental rates for boats would be based on the actual length of the boat in the slip. The exception is boats of less than 30' for which a fixed fee of \$900 would be charged. The above rates are probably conservative and higher rates are possible.

Gross revenue is projected to be \$920,460 for a 282 slip marina development.

73X

Expenses

As expected the major operating expenses of the marina are wages and cost of fuel. Table 6 presents a breakdown of the projected work force required and estimated payroll cost for the South Embankment marina, assuming that the state ran all operations.

The projected annual operating expenses for the 232 slip marina is \$450,205 or 43% of revenue.

The amount of money left for profit and fixed charges or debt service yearly for a 232 slip marina is \$470,255 or 51% of revenue

Table 4 provides a summary of projected annual income and expense backup information.

STATE VS. PRIVATE OPERATION

Based upon our observations it appears that marinas can be successful whether operated by a public or private operator.

However, among the policies and goals developed in the LIBERTY STATE PARK ACTION PROGRAM are, "to develop uses" that are "as nearly self-financing as possible", and to encourage uses that create maximum amenity with minimum capital and operating costs.

Marina development of the scope discussed in this report would require, for Phase I, a total outlay of nearly \$3.2 million (not including \$1.6 million for new Bulkhead for Pier 1).

As previously stated this marina operation should be profitable therefore be "self-financing".

In 1983 nearly \$500,000 was appropriated to cover the expenses incurred by the Office of Marina Operations in the N.J. Department of Environmental Protection, which includes maintenance of buildings, grounds, equipment, and vehicles as well as salaries and wages, for the three marinas operated by the state. Marina development under a private operator would eliminate the need for increasing the appropriation for marina operations, bringing operating costs to the state down. Also, a private operator would be able to respond in quicker fashion to changing user demands and market conditions than a public operator, due to lack of bureaucracy and set budget limits. In order to more closely fulfill

the goals of the Action Program we recommend that a private operator be allowed to manage the marina. We believe the state would profit from such an operation.

SUMMARY

Both the North Embankment and South Embankment Zones provide advantages and disadvantages for marina development.

The South Embankment Zone offers closer proximity to the primary means of automobile access, as well as better access and visibility for boats entering the marina from the bay. It provides a higher degree of security due to the existing surrounding uses. It already provides boat launching ramps and an elaborate landscaped and designed marine walk adjacent to the proposed marina area. The area also offers better views to the surrounding landmarks. The main disadvantages is the lack of space necessary to provide the most convenient location of some uses, such as in the winter storage and additional boat trailer parking areas and higher development cost.

The North Embankment Zones' primary advantage is that it does provide enough space to adequately supply all the space needed for marina facilities. It would also cost less to build the marina in the North Embankment Zone. The disadvantages are that it is a longer distance from the primary access points by vehicle as well as by boat. The room for maneuvering boats is smaller than the South Embankment Zone and the boats in the marina would have to compete with the larger commercial vessels operating in the dry dock and repair areas to the north. The area being relatively undeveloped at present lacks security and visibility. The views of the boat repair area are not as favorable for recreational boating.

first phase of marina development can occur in either the North or South Embankment Zones, but initial development of a marina in the South Embankment Zone would be complementary to the existing park development. Once this marina is completed, and the constraints on development in the North Embankment Zone have been eliminated, then the second phase of the marina development, can logically follow.

TABLE 4

PROJECTED ANNUAL INCOME AND EXPENSES

100% Operational
with 232 Slips

REVENUES:

Slip Rentals - Seasonal	\$334,580
- Transient	6,840
Winter Storage	167,250
Fuel & Lubricants	252,000
Ship's Store	55,000
Food Concession	97,500
Telephone Commission	3,250
Other (ice, vending)	<u>4,000</u>

GROSS REVENUE:

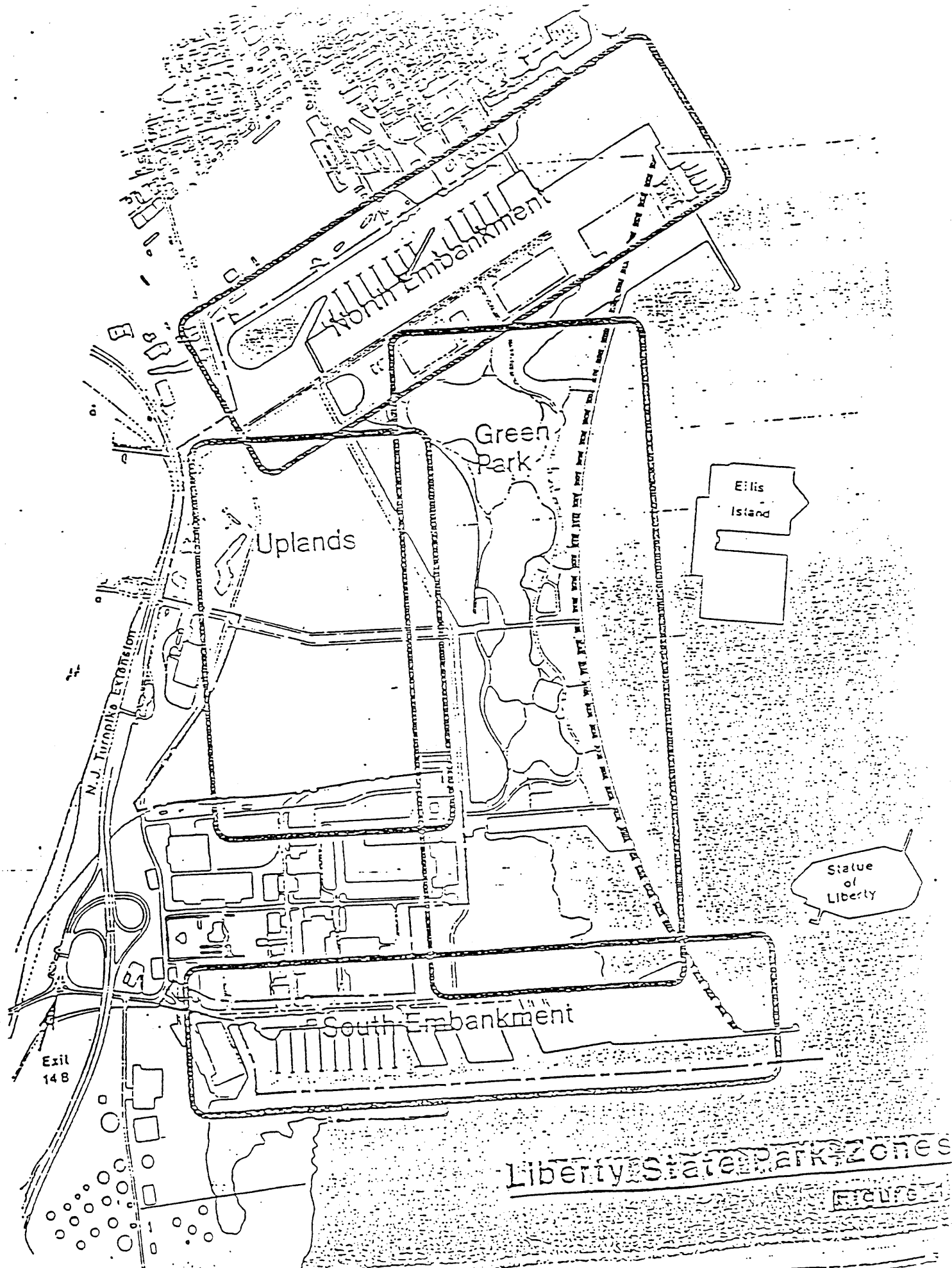
\$920,460

EXPENSES:

Wages and Salaries - Marina	\$84,655
- Food Concession	31,600
Fuel & Lubricants	214,500
Ship's Store	33,950
Food Concession	46,800
Other (ice, vending)	2,750
Property Maintenance	6,500
Utilities	20,200
Vehicle Expense	4,000
Office Supplies	2,000
Miscellaneous	<u>3,250</u>
	\$450,205

Profit, Fixed Charges
and Debt Service

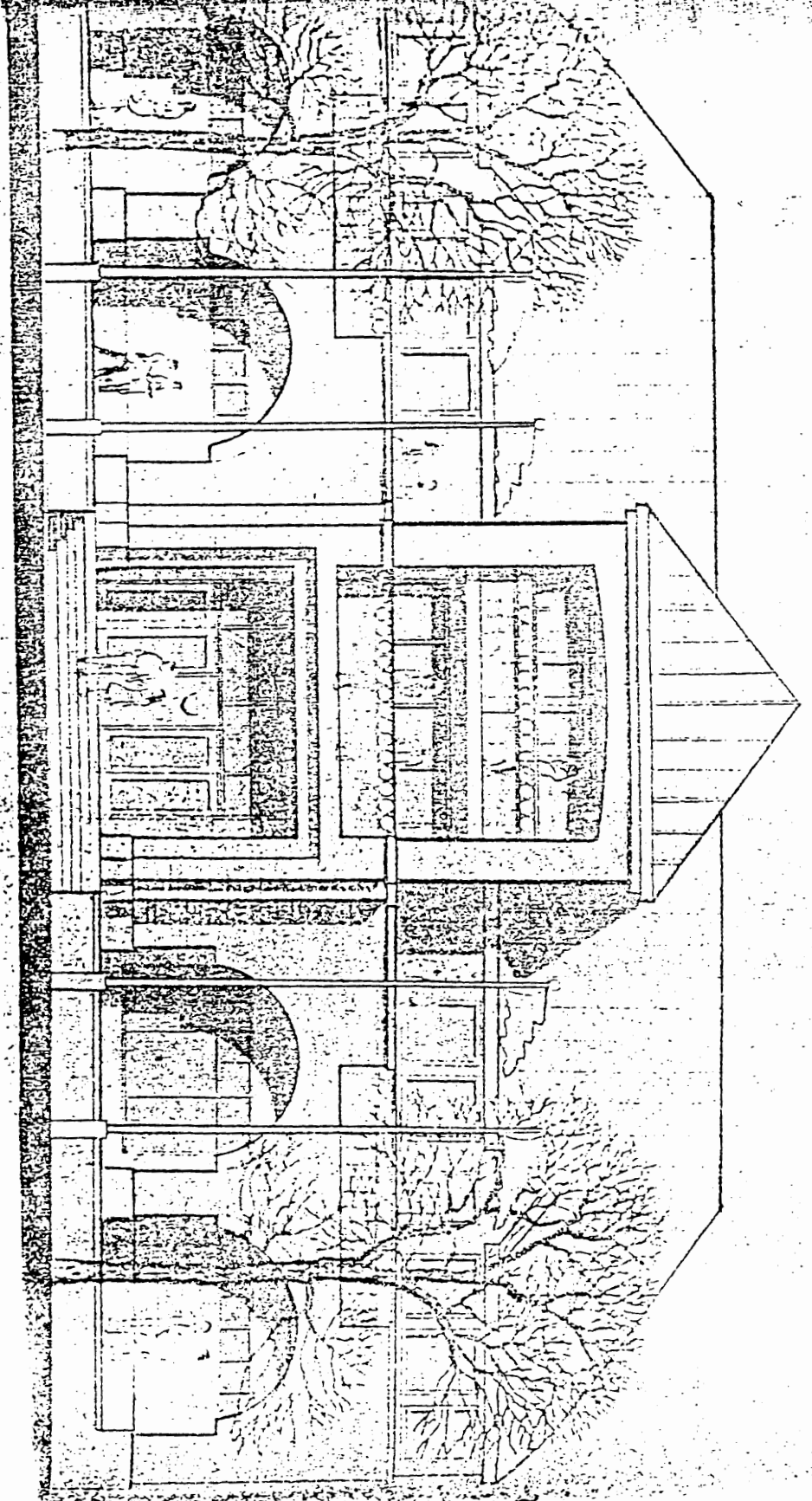
\$470,255



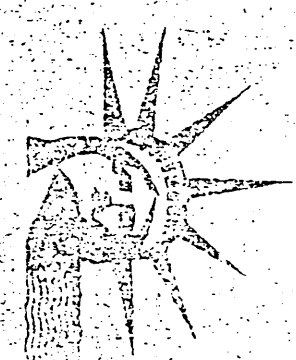
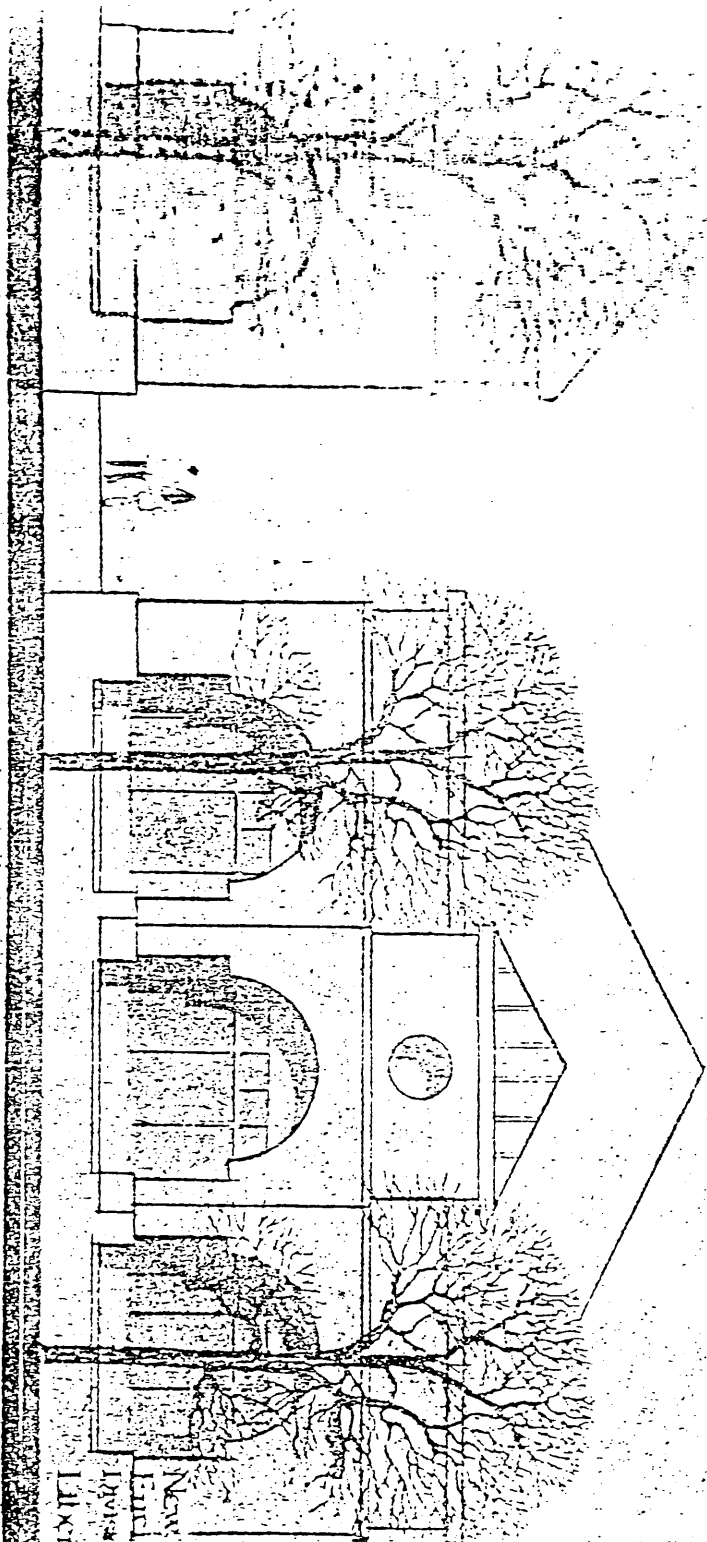
Liberty State Park Zones
FIGURE 1

AUCKLEY ZAPP DRIVE ELEVATION

SCALE 1/8" = 1'-0"



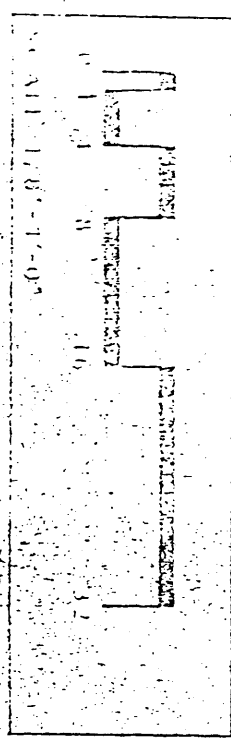
78X



79x

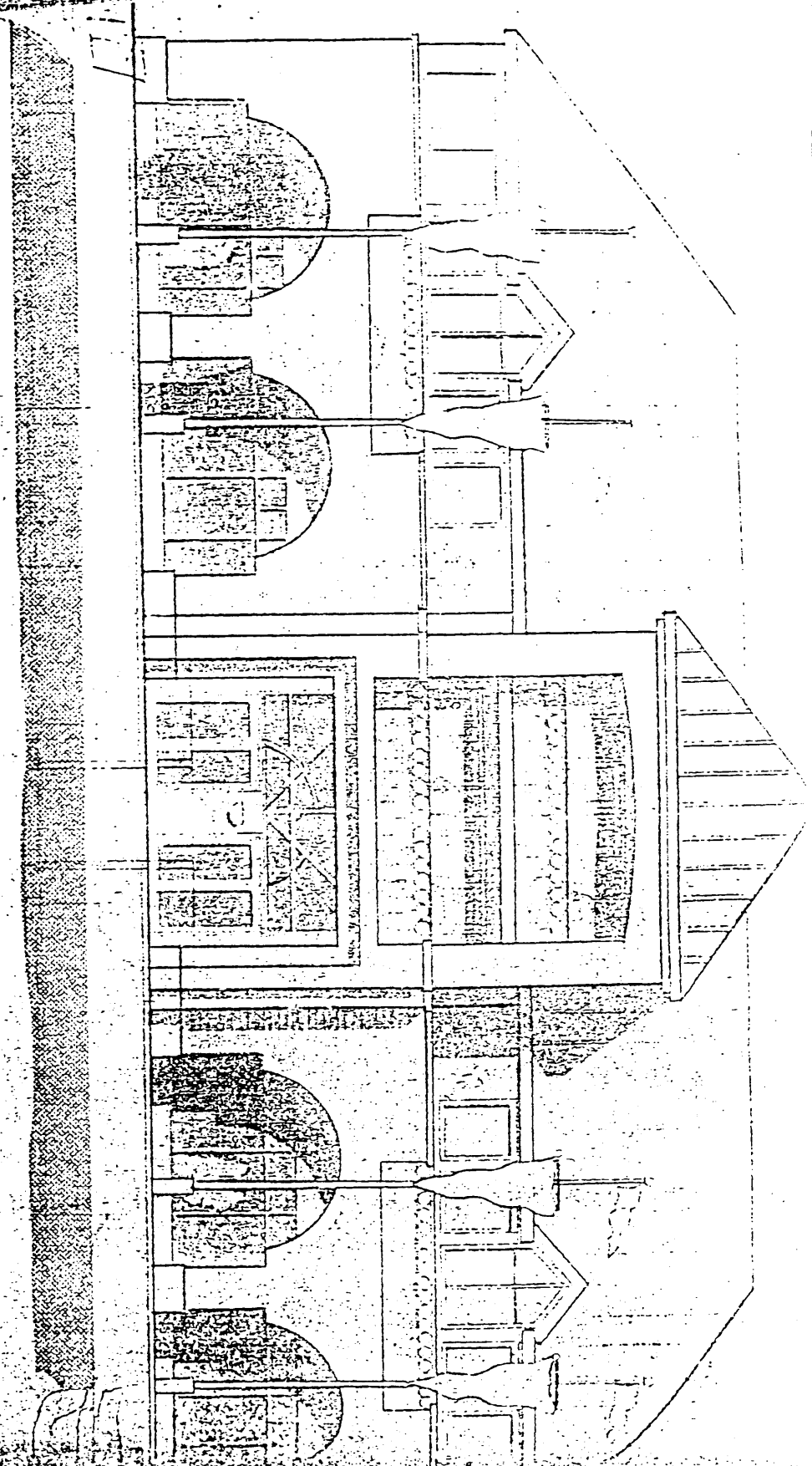
New Jersey Department of
Environmental Protection
Division of Parks and Forestry
Liberty State Park Development

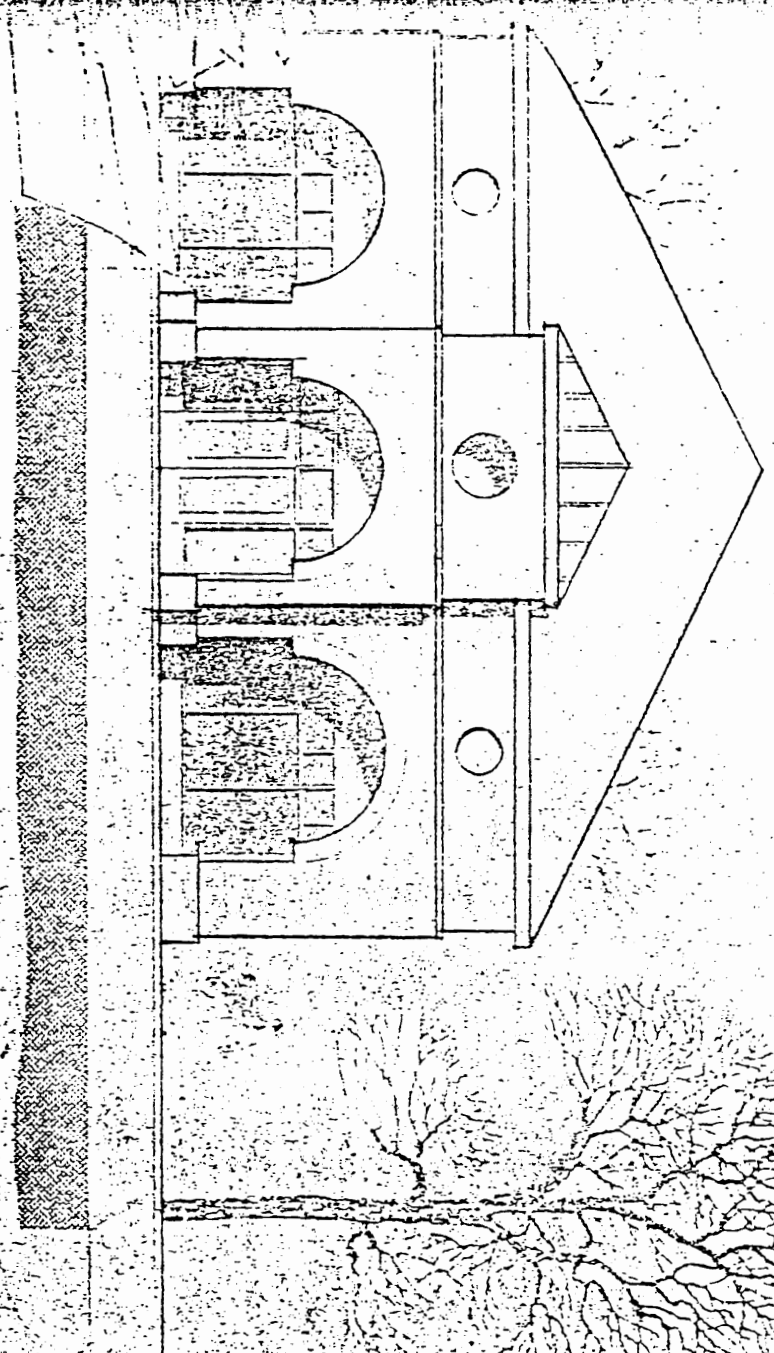
Prepared by:
Waterfront Developers Corporation
Marlin Complex Development and
Project Management
McHillo & Bauer Associates
Landscape Architects, Site Planners
Sikes, O'Connor, Salerno & Hazzard
Architecture Planning Interiors
Kinsey & Haupt



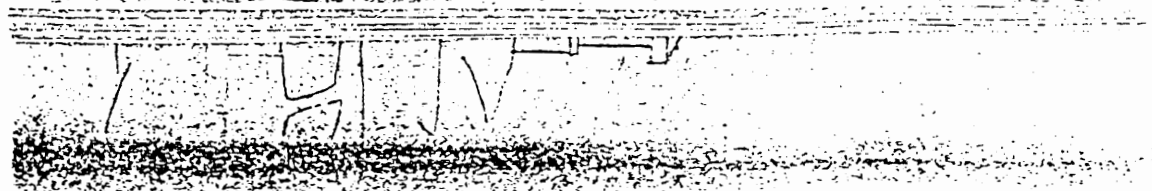
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DEC 1, 1988

HODGKINS BLDG

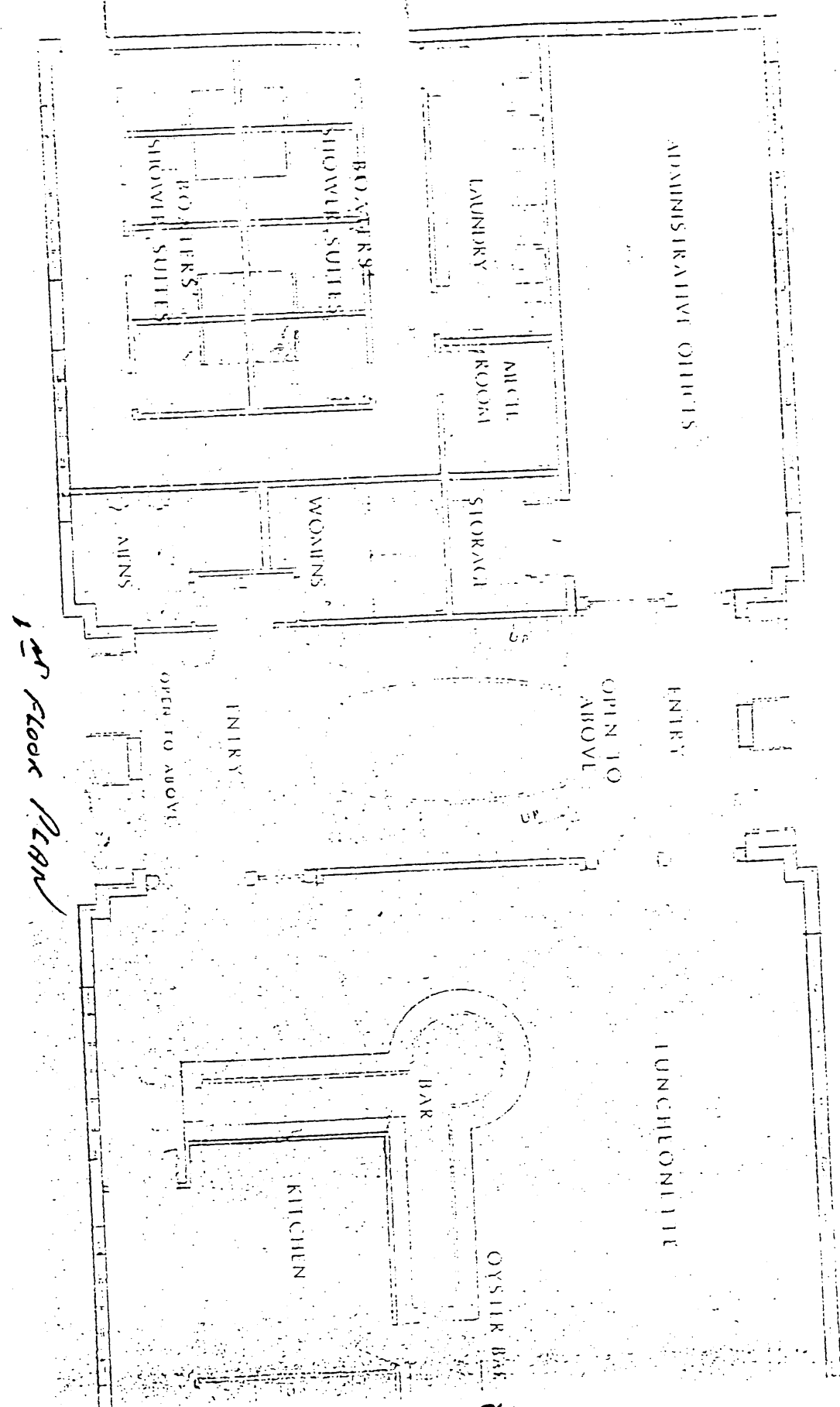




SIDE VIEW

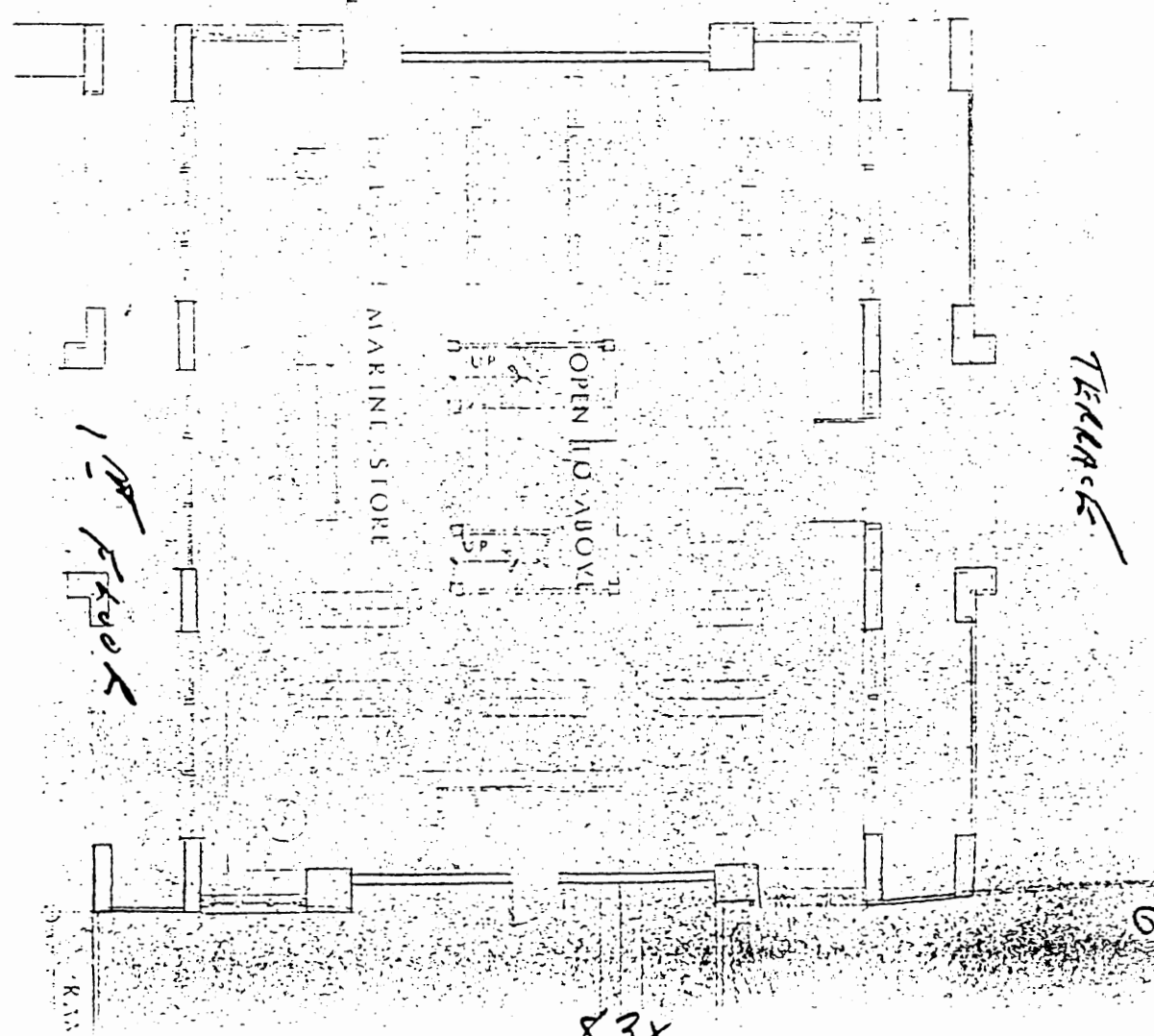
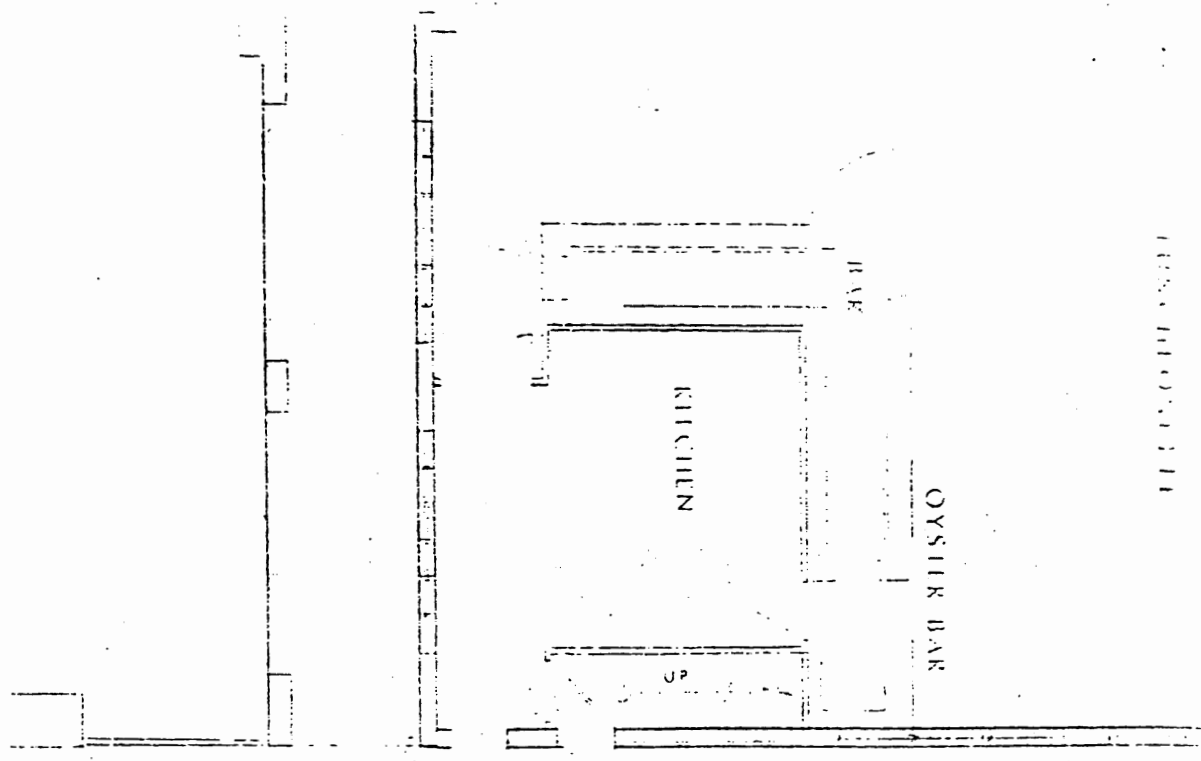


8/18



1st Floor Plan

82x

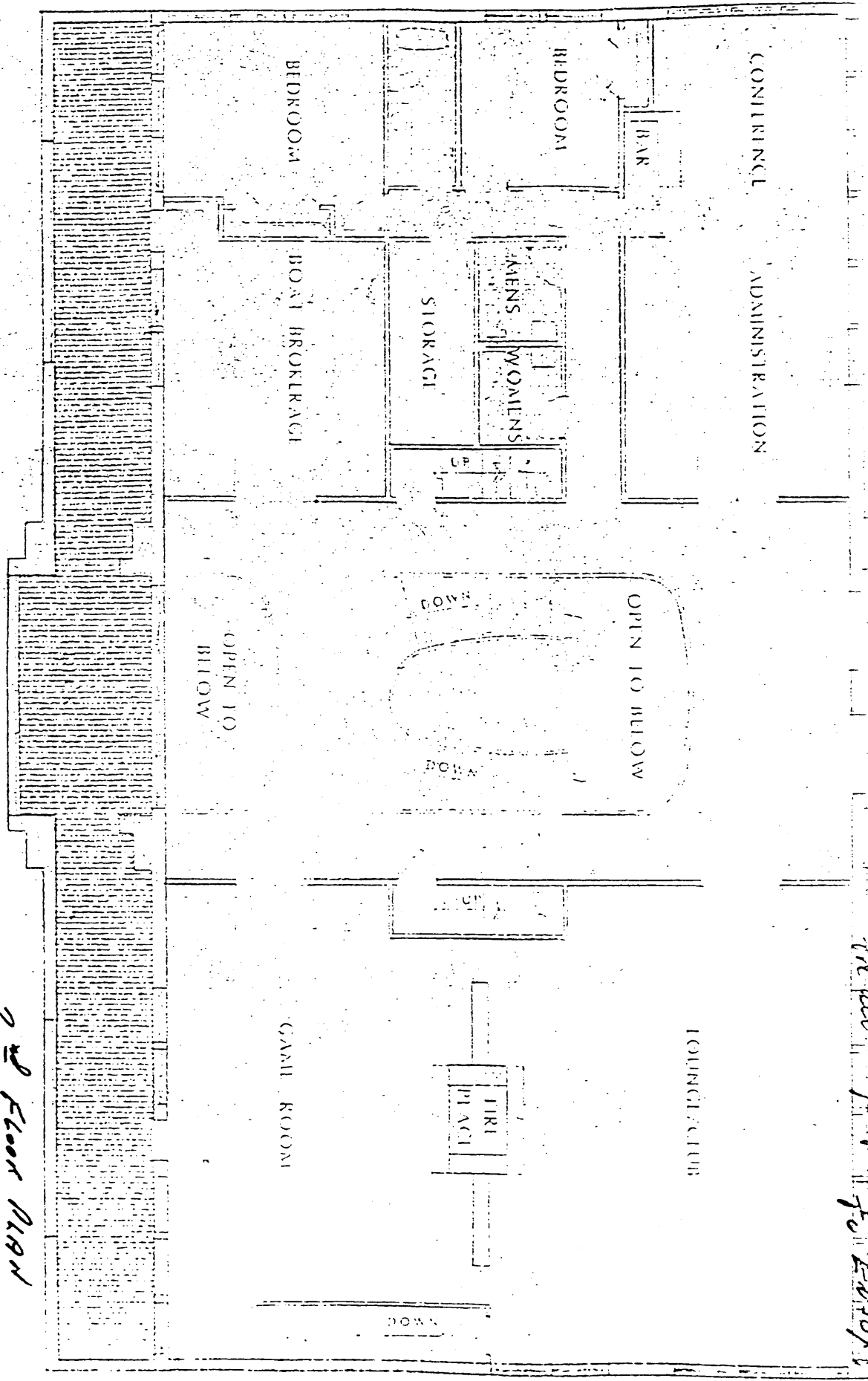


TEARACK

1st Floor

83X

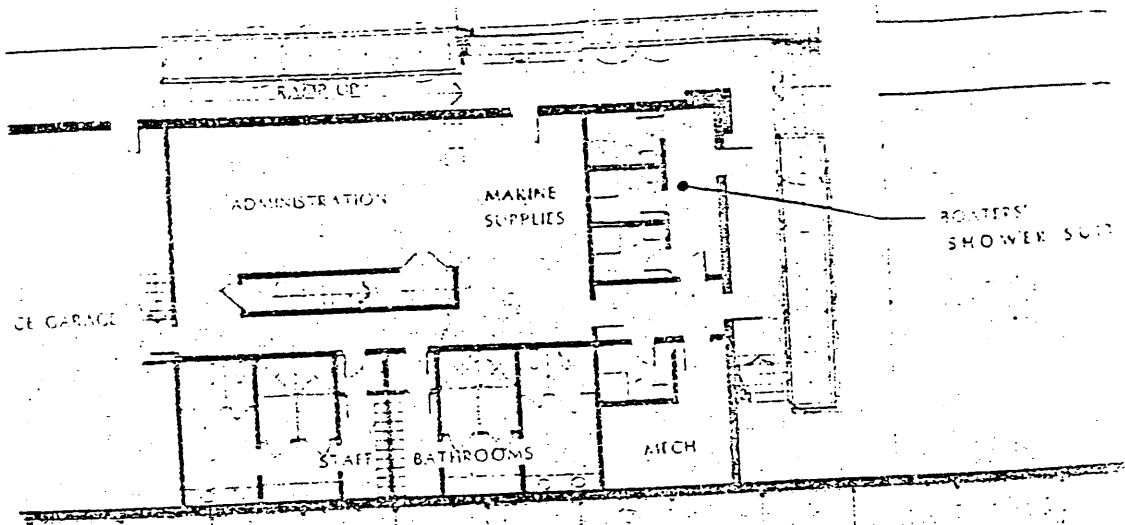
6



2nd Floor Plan

The plan was prepared by the Architect

84X



BOAT RACK STORAGE BUILDING

REDUCED 85X

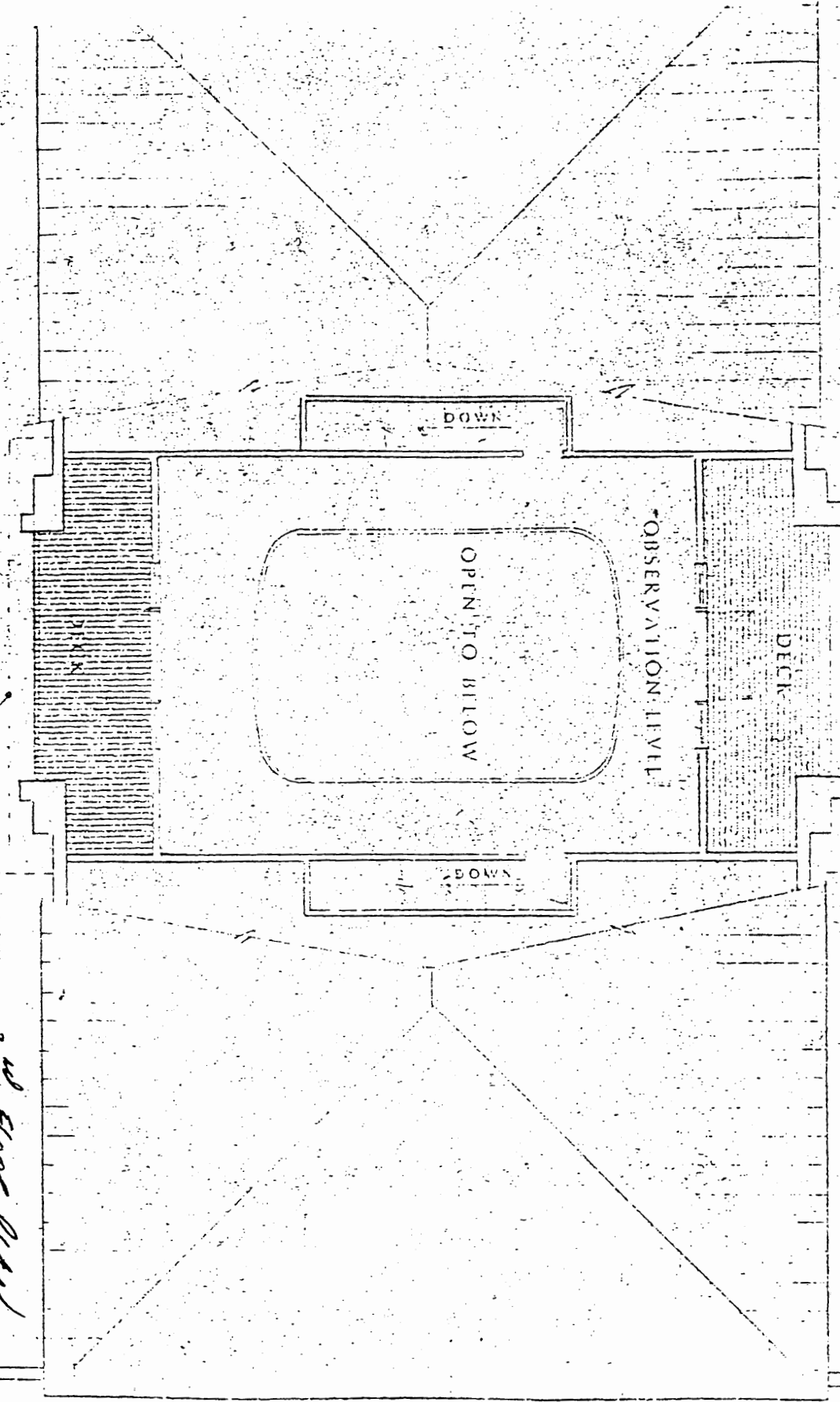
DECK BELOW

LINE OF POOL ABOVE

DECK BELOW

LINE OF POOL ABOVE

3rd Floor Plan

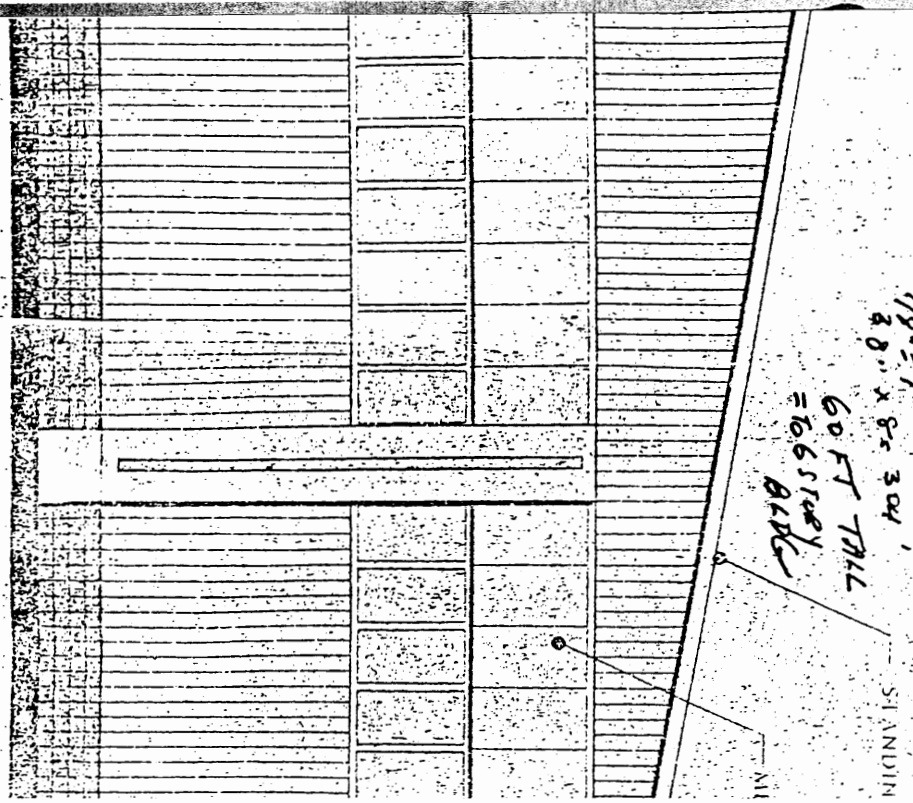


86X

BOAT STOKING DECK

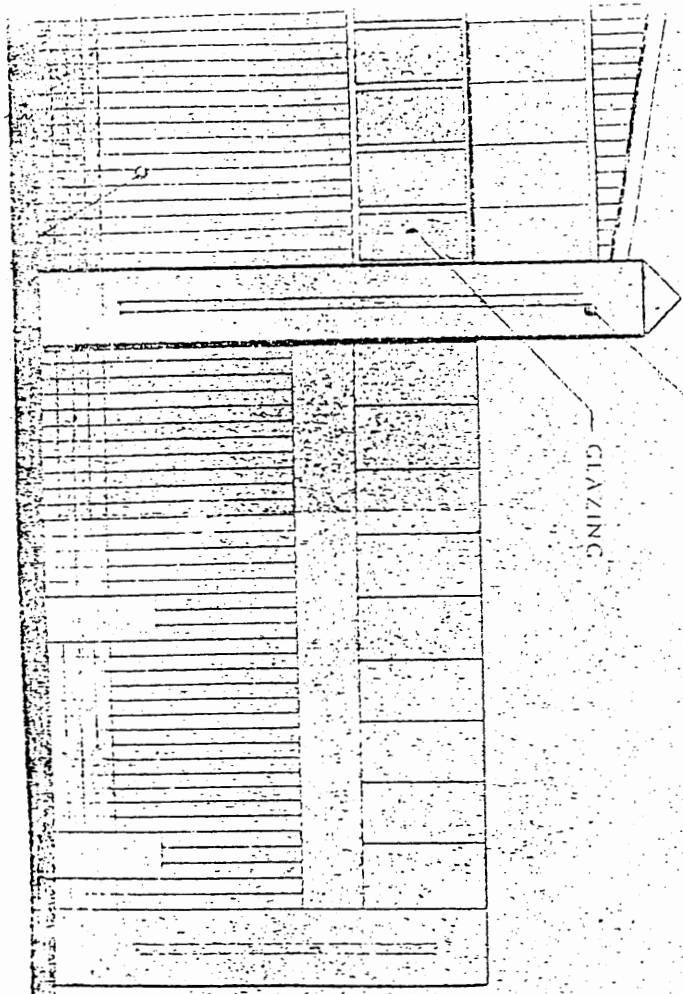
1/8" x 1
2.8" x 8" x 3.04

60 FT TRAIL
= 10.651487
8.14



STANDING

METAL PANELS



METAL COLUMNS

X88

My name is Alfred W. Sitarski. I am a resident of Warren County and I have served as a public member of the Liberty State Park Advisory Commission since appointed by the Governor on April 8, 1984. Unless reappointed, my three year term will end this year.

I welcome this opportunity to appear before this Senate Liberty State Park Study Commission to address the issue that I believe you have a specific interest in studying. These issues are:

1. The proposed North Marina project.
2. The role of the New Jersey Department of Environmental Protection in this project and
3. Conformance with the Park Master Action Plan.

I appreciate the State Senate's interest in the future of this beautiful urban state park. Lets hope this study will generate some tangible help for this park so we can get on with development of the Master Plan.

At the risk of being repititious a brief background summary of how matters are supposed to be handled on this project might be helpful to this study.

1. Back in June of 1983 a group of workshop participants with the help of Wallace, Roberts and Todd, formulated an Action Program for this park. Participating in this effort were the Jersey City Mayor's office, three members of the Liberty State Park Advisory Commission including two from Jersey City, representatives of New Jersey Department of Environmental Protection plus others. This Action Plan - Master Plan has been the foundation for virtually all of the development steps.
2. In 1979 Governor B. Byrne issued Executive Order #74 creating a Liberty State Park Public Advisory Commission. In March of 1984 Governor Tom Kean amended this order and re-issued it as Executive Order #65 - appointing 11 members to the Advisory Commission (6 members outside of Hudson County, 2 members of Hudson County, 2 citizens from Jersey City and the mayor). This group's basic responsibility is to provide for public participation and to make recommendations to the Commissioner of the New Jersey Department of Environmental Protection concerning implementation of the Master Plan or subsequent plans.

89x

3. In the formulation of the Master Plan, one of the key recommendations was the establishment of a non-profit Liberty State Park Development Corporation reporting to the Commissioner - for the purpose "to centralize responsibility for making negotiations and managing the development process". "To create an appropriate development entity for public/private partnerships". (Similar to what was done for Baltimore's Inner Harbor Project). On July 20, 1984 the Liberty State Park Development Corporation was formed.

* * * * *

The relationship of this non-profit Corporation to the Public Advisory Commission is spelled out in article 2j of the papers of incorporation which states "From time to time, to receive advice from and to consult with the Liberty State Park Advisory Commission with respect to the development of Liberty State Park and the operation of its facilities."

The Corporation is managed by a 12 member Board of Trustees including the Director of the Division of Parks and Forestry and the Chairman of the Liberty State Park Advisory Commission.

All actions of the Corporation must be approved by the New Jersey Department of Environmental Protection and on June 10, 1986 a contract agreement was executed between the New Jersey Department of Environmental Protection and the Corporation outlining the essential requirements of each party.

* * * * *

To my knowledge these agreements do not require the Corporation to have a public hearing process on any of their actions nor do they specifically require the Corporation to adhere to the Master Plan published in 1983. The Liberty State Park Advisory Commission is the only mechanism for public input on any park projects or plans.

One final point - the Chairman of the Liberty State Park Advisory Commission who serves on the Corporation Board, is the only communication link between the two groups.

The key points are:

1. The Liberty State Park Advisory Commission has a responsibility to assure that Park development follows the Master Plan.
2. The Advisory Commission provides the only public forum.
3. The Corporation was established to encourage private sector

90X

development of the park, presumably in a manner consistent with the Master Plan.

4. Both groups report to the Commissioner.
5. The Chairman of the Advisory Commission is the only direct link between the two groups.

I point out this organizational set-up to you because it does offer a workable arrangement with public input; a system of checks and balances; with the New Jersey Department of Environmental Protection having ultimate approval power over all projects. The Advisory Commission, over the years, has quietly and diplomatically rejected many unacceptable projects that would have adversely effected the character of this park.

The real problem before us is the new concept of privatization of certain key elements of the Master Plan. How do we do this without too much commercial influence and still preserve the public resource for everyone's enjoyment? Several of our Commission members are fairly adamant about keeping all future development entirely in state hands with state funds. With limited capital and expense dollars in the Parks and Forestry Budget future development will be unacceptably delayed, denying thousands of citizens full use of this valuable resource. It seems to me we have no recourse but to move forward with both state funds, when available, and intelligent carefully controlled privatization. This is a somewhat new concept for us but in the absence of a more reliable stable source of dedicated funding for natural resources, we have no other choice.

All of which leads us to our current problem with the first major privately funded project for Liberty State Park, the north-side marina - a controversy, which led to this hearing.

The Wallace, Roberts and Todd Master Plan calls for both a North and South Marina within the park. I, and others of the Advisory Commission, do support a marina for Liberty State Park as a very desirable addition. However, the piecemeal manner in which this project was presented to our Advisory Commission by representatives of the Corporation left much to be desired. When we finally wrote to Commission Dewling some answers were forthcoming. Several of our objections did result in changes to the project by the Corporation staff. Personally I would have preferred a somewhat scaled down marina with less land, a more aesthetically acceptable maintenance building, and our full retention of the tour boat pier and facilities. A very touchy subject, in all of this, is what dollar return will accrue to the park from this first commercial venture. In a letter to me dated December 22, 1986 Commissioner Dewling stated and I quote (in response to a question from the Commission on the revenues that will be generated.) "The marina project is most certainly, in the department's purview, in the public interest. The Commission, by

9/x

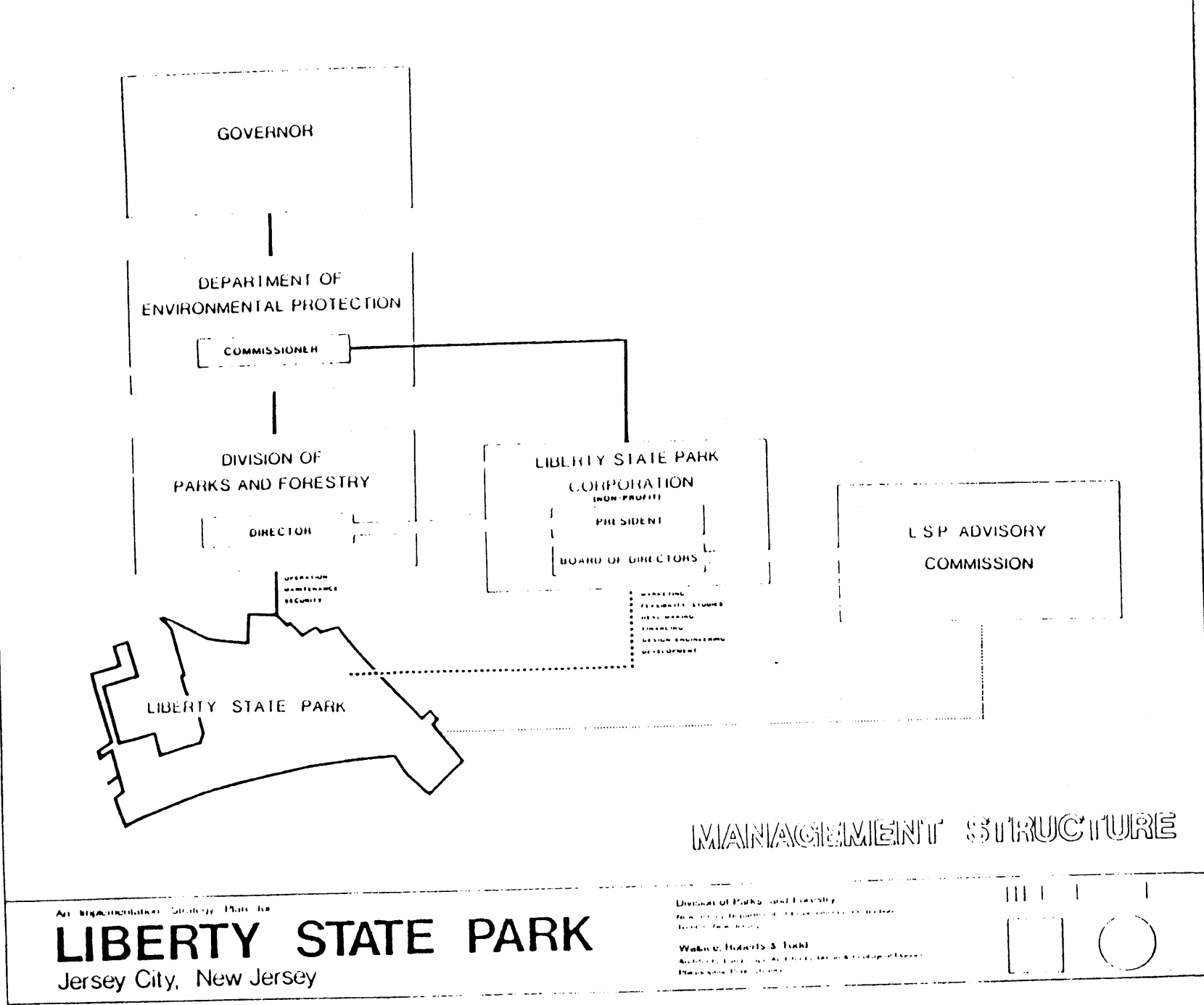
previously approving the Action Program, determined that the marina is a suitable and important recreational activity at the park. It is further my understanding, as attested to by the Corporation, that the business aspects of the project are also appropriate financially and will serve to further the entire park program and operation" (signed M. Catania for R. Dewling).

If we cannot get a quantitative answer than that qualitative one will have to do.

The remaining "bugs" in the North Marina Project can be resolved between the Department of Environmental Protection, the Corporation and the Commission; and the project should move forward with the firm assurance that financial benefits will accrue that will help with other badly needed park projects.

Thank you for the opportunity to present this statement. I will try to answer any questions.

* * * * *



93x

Figure 12. A non-profit development entity, The Liberty State Park Corporation, is proposed to carry out the development of the Park.

DIVISION OF ENGINEERING

MICHAEL J. BARNES, P.E.
MUNICIPAL ENGINEER

ANTHONY R. CUCCI
MAYOR

March 2, 1987

Senator Edward T. O'Connor, Jr.
Chairman
Senate Liberty State Park Study Commission
State House Annex
CN-068
Trenton, NJ 08625

SUBJECT: Public Hearing - Jersey City Division of Engineering
Comments

Dear Senator:

The Division of Engineering-City of Jersey City is responsible for Jersey City's infrastructure system that typically encompasses 100 year old water and sewer lines and undersized, deteriorated roadways. City Bond money alone could never rebuild these facilities; and therefore, developer contributions are sought through site plan reviews and connection charges. Major developers and sites clear of other utilities and structures are required to rebuild city outfalls and sewers to a 10 year storm level through "open/vacant" development sites with no city share. When upgraded beyond the 10 year storm or inclusion of other drainage areas, then Jersey City bonds a proportionate share. This share is made up of several years of bond money due to City Bond limits.

Jersey City has requested both NJDEP sewer grant money (\$16 Million) and NJDOT Municipal Aid money (\$1.3 Million) for 1986/87 and it appears that no State/Federal assistance will be available to Jersey City. (NJDEP has placed Jersey City 55th on the priority list and NJDOT has recently informed us that our Garfield Avenue Roadway Project (from Exit 14B North) will not receive any funds. Jersey City has scheduled some of the available \$6 Million in 1987 City Bonds to initiate many of these projects on our own.

continued

Jersey City has also made it a policy to remove sanitary flows from the old combined sewer system for all waterfront developments and many major developers in the vicinity of a Jersey City Sewerage Authority sanitary interceptor pipe. This policy ensures treatment of sanitary flows and improves the water quality of the various outfall discharges and the local waterways.

The Liberty Harbor North Project is such a development. This site will include a 90 inch stormwater only system, discharging into the Tidewater Basin from on and off site areas. All sanitary flows will be collected and discharged into the Jersey City Sewerage Authority interceptor. All work will be performed by the developer at no cost to Jersey City. The benefits of this arrangement exceed any partial contribution that Jersey City could request for the off-site Mill Creek Outfall. A 30 inch high pressure water line also will be constructed by this developer through to Jersey Avenue for continuation into Liberty State Park, at a later date. Jersey City will reserve the right to request a Mill Creek Outfall contribution when site plans are submitted for the waterfront/marina portion of this project.

The Mill Creek combined sewer and outfall is currently deteriorated, inadequate in size, and discharges into an open ditch that discharges into the Tidewater Basin. The attached Mill Creek Outfall Project #83-029 memorandum describes this outfall and presents costs to upgrade this outfall ranging from \$3 to \$10 Million. To date, Jersey City has \$1.5 Million for this project (\$0.5 Million from JCSEA and \$1 Million - 1987 City Bonds).

Water quality tests also have been collected and these results indicate that the Mill Creek Outfall should be relocated to the Hudson River. A report prepared for the JCSEA by Mayo Lynch Associates, Consulting Engineers, concludes this fact.

continued

In summary:

1. The Mill Creek Outfall must be extended to a deep water discharge point.
2. Vacant land (Liberty State Park) must be utilized to economically install the Mill Creek Outfall extension. (Typical of other Jersey City development sites).
3. Jersey City has requested State/Federal funds for several sewer/outfall and roadway projects. No funds will be available in 1987. (See copy of September 17, 1986 letter to NJDEP "1987 Priority List". Jersey City requested \$4.3 Million for the Mill Creek Project.)
4. Jersey City does not have the financial resources to accomplish this project in the near future.
5. Elimination of the Mill Creek Outfall discharge will ensure development of the Tidewater Basin-Marina by the Liberty State Park.
6. The Marina Developer should construct the entire Mill Creek Outfall extension with Jersey City contributing approximately \$3 Million and being responsible for upgrading the existing pipes (\$1.3 Million.)

Jersey City's "share" would be a combination of Jersey City Sewerage Authority funds, Jersey City Bonds, and other developer contributions.

Very truly yours



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

tb
attachments

CC: Honorable Anthony R. Cucci, Mayor
Senate Liberty State Park Study Commission
Herman Volk - Governor's Office
Joseph Sweeney, Mayor's Office
Morris Pesin
Abdus Safi, PE, PP, Supervising Engineer

96X

DIVISION OF ENGINEERING

September 17, 1986

Mr. Nicholas G. Binder, Assistant Director
New Jersey Department of Environmental Protection
1474 Prospect Street
PO Box CN 029
Trenton, NJ 08625

SUBJECT: 1987 Project Priority List

Dear Mr. Binder:

The City of Jersey City maintains a combined sewer and outfall system consisting of hundreds of miles of pipes, most of which are eighty to one hundred years old. Brick, steel, and clay pipes make up the majority of the aging system. Currently, the Engineering Division has identified over \$40 Million of sewer and outfall work that has been found to need immediate repairs, replacement and/or upgrading to contain a ten year storm versus the present 1 to 2 year capacity. A majority of this work involves outfalls along the Hudson River where developers are required to upgrade these pipes to their project boundaries. NJDEP's Coastal Resources Division has also required a deep water discharge, typically a project cost Jersey City cannot afford for projects outside development areas.

The Jersey City Sewerage Authority (JCSA) also operates within Jersey City; however, their responsibilities include regulators, interceptor lines and the two sewage plants. Only a few of the 34 outfalls are under their control. Therefore, it is the City of Jersey City's responsibility to maintain these outfall facilities and ultimately fund and construct replacement outfalls and sewer pipes.

The Jersey City Engineering Division consists of 34 staff involved in design, road, bridge and sewer infrastructure planning, site plan reviews, demolition, architecture, surveys, and construction inspection. Eight (8) licensed staff and five (5) graduate engineers/architects are currently available to complete design projects in-house. In addition, consultants are currently working on several sewer projects. Jersey City Engineering Division has compiled a list of ongoing wastewater collection projects to upgrade several outfalls, regulators and combined sewers, within Jersey City. These projects include:

continued

<u>Project</u>		<u>Estimated Construction Cost</u>
Duncan Ave.*	(Under DEP review)	\$ 360,000
Henry St.*	(75% designed)	\$ 750,000
2nd St. Phase 2	(Study completed)	\$3,000,000
Mill Creek Phase I	(Study completed)	\$4,300,000
Richard St. Phase 2	(Under design)	\$2,600,000
Broadway Outfall	(75% designed)	\$1,100,000
North Tract Outfall Phase 2	(75% designed)	\$4,000,000
Total Projects		<hr/> \$16,110,000

* Under DEP order to install sanitary sewers (previously unsewered).

A summary of each project is attached detailing the project and providing a preliminary cost estimate. These projects are presented to NJDEP for consideration in receiving a favorable listing for the 1987 priority projects funding and loan programs. These projects are separate of those of the JCSA.

Additional information will be made available as requested. Please review the attached and contact me to arrange a convenient time to discuss the various projects and a plan to obtain any available funding for 1987 or beyond.

Very truly yours,



MICHAEL J. BARNES, P.E.
Municipal Engineer
Division of Engineering

tb
attachment

cc: Honorable Anthony R. Cucci, Mayor
Benjamin Lopez, Business Administrator
Jackie Lutke, Construction Grants Administration
Joseph Lefante, ECUA
Joseph Beckmeyer, JCSA

1987 NJDEP Priority List

City of Jersey City
Waste Water Collection and Sewer Outfall
Correction Projects

1. Duncan Avenue Sewer

This project was developed under a directive from NJDEP to install a separate sanitary sewer in Duncan Avenue to direct waste water flows to the treatment plant. Presently, all waste water flows in a portion of Duncan Avenue west of State Route 1 & 9 discharge into Hackensack River through the combined sewer outfall. Estimated cost of the project \$360,000.00.

2. Henry Street Sewer

The project was developed under a directive from NJDEP to connect Henry Street and Baldwin sewers to the City's combined sewer system. Presently, sewage from these two areas is being discharged into a railroad ditch and is a public health hazard. Estimated cost of the project is \$750,000.00.

3. Second Street Phase II

The existing sewers in Second Street are deteriorated because of age and are under sized resulting in a flooding of low lying areas even under a two year frequency storm. In addition, Mary Benson Park receives storm run-off from 45 acres area without any drainage outlet. Stagnant water for weeks after the rain creates an unhealthy situation.

The Second Street Phase is designed to improve the existing system and to provide drainage system in unsewered areas. Estimated cost of the project is \$3,000,000.00.

4. Mill Creek Outfall Phase I

The project consists of partially replacing existing undersized system, constructing deteriorated chambers and regulator and eliminating the existing open ditch. The improved system will eliminate frequent flooding of low lying areas and will eliminate health hazard created by stagnant water and debris deposits in the ditch. Estimated cost of the project is \$4,300,000.00.

Continued

99x

5. Richard Street Phase II

Richard Street sewer outfall is undersized and over 100 years old. Storm run-off in excess of the capacity of the outfall frequently drains into the open area along railroad tracks. Phase I, of the project about 2000 feet of the outfall will be constructed by the Port Liberte Partners - under the Redevelopment Plan. Phase II of the project about 2600 feet of the outfall will be constructed by the City. Estimated cost of this project is \$2,600,000.00

6. Broadway Outfall

Existing Broadway Sewers and outfall is undersized. Improvement to the system is required to prevent frequent flooding of the low lying area during even two year frequency storms timed with river high tides.

The project entails construction of an adequate capacity combined sewer system and an outfall to relace the existing open ditch. Estimated cost of the project is \$1,100,000.00

7. North Tract Outfall Phase II

Phase II of the project consists of construction of sewers from the new regulator to Henderson Street. Phase II of the project will divert the existing deteriorated 96" outfall at 12th Street and will eliminate the temporary connection constructed by Newport City under Phase I by providing connections to all the combined sewers between 10th Street and 16th Street. North Tract Outfall will replace the existing undersized and deteriorated system of four (4) outfalls. Estimated cost of the project is \$4,000,000.00.

MILL CREEK OUTFALL PROJECT #83-029

CORRECTION OF COMBINED SEWER OVERFLOW

The Mill Creek Outfall serves about 826 acres in tributary areas E5 and E6 described as follows:

1. Pine Street area 122 acres 54" outlet RCP.
2. Grand Street 193 acres 72" steel and 48" CB.
3. Grand Street area 306 acres 91" x 54" RCP, and 48" CB.
4. Grand Street area 106 acres 48" steel.
5. Mill Creek area 99 acres 48" steel.

The combined sewer downstream of the diversion chamber in Grand Street consists of 1,045 ft. twin 84" RCP and 625 ft. 18'-0" x 7'-8" armco steel multiplate arch. One of the 84" RCP exclusively drains the 72" pressure pipe and the remaining 4 sewers, except the Pine Street sewer are connected to the chamber at Grand Street and drain through the other 84" RCP, resulting in an unbalanced use of the hydraulic capacity of the drainage system and ineffective drainage of the low lying areas. The 54" RCP draining Pine Street area is connected at the chamber upstream of the steel multiplate arch. The steel multiplate arch discharges into 1000 ft. long open ditch downstream of the regulator.

The Mill Creek combined sewers and the outfall system has three (3) basic deficiencies:

1. Deteriorated sewers because of age
2. Inadequate sizes
3. Open ditch which remains clogged most of the time. There is very little if any effect of tidal wash in the ditch resulting in high pollutant concentration throughout the tidal cycle.

A sampling survey and analysis conducted for the Jersey City Sewerage Authority indicated that in the absence of tidal action, the sewer overflow discharge is impacting the water quality and biota of the Tide Water Basin. This report also concluded that the combined sewer overflow into the open ditch represents a pollutant point source which is adversely effecting the aquatic environment and is in contravention of the NJDEP and ISC Standards.

In order to eliminate the health hazard and frequent flooding of the low lying areas in the drainage basin, the following corrective measures are proposed:

- a. Upgrade the upstream sewers and chambers.
- b. Relocate the combined sewer overflow into Hudson River (Deep Water) where tidal action would be sufficient to carry the discharge out at sea.

(CONTINUED)

MILL CREEK OUTFALL PROJECT #83-029

CORRECTION OF COMBINED SEWER OVERFLOW

Upgrading of the Grand Street drainage system will be accomplished in Phases. Phase I will include the improvements needed between the chamber at Grand Street and the regulator, at an estimated cost of \$1.3 Million.

If the Tide Water Basin at Jersey Avenue is considered environmentally acceptable point of discharge, 1000 ft. of box culvert will be required. Estimated cost of the outfall would be \$3.00 Million and the total cost of Phase I improvement, Alternate 1 is estimated at \$4.30 Million.

Construction of the combined sewer outfall, about 6,000 ft. into deep water to allow tidal wash, is estimated at \$9.1 Million.

The total cost of Mill Creek Combined Sewer Overflow Outfall System, Alternate 2 is estimated at \$10.4 Million.

ASS/mct
2/27/87

ESTIMATE OF COST
MILL CREEK COMBINED SEWER
AND OUTFALL PHASE I IMPROVEMENTS

COMBINED SEWER IMPROVEMENT

1. 1,045 ft. - 72" Steel Pipe @ \$400/ft	= \$ 418,000
2. Chamber at Grand Street	= 350,000
3. Chamber at Pine Street Connection	= 250,000
TOTAL	<u>\$ 1,018,000</u>

Design, Construction and Contingency at 30%	<u>305,000</u>
TOTAL SEWER IMPROVEMENTS	<u>\$ 1,323,000</u>

OUTFALL ALTERNATE 1

1. New Regulator	= \$ 400,000
2. 1,000 ft. of Box Culvert	= 1,800,000
3. Discharge Structures	= 100,000
SUB TOTAL	<u>\$ 2,300,000</u>

Design, Construction and Contingency at 30%	<u>690,000</u>
	<u>\$ 2,990,000</u>

**TOTAL COST PHASE I
IMPROVEMENTS WITH ALTERNATE 1
OUTFALL**

= \$ 4,313,000

OUTFALL ALTERNATE 2

1. New Regulator	= \$ 400,000
2. 6,000 ft. Box Culvert	= 6,500,000
3. Discharge Structures	= 100,000
SUB TOTAL	<u>\$ 7,000,000</u>

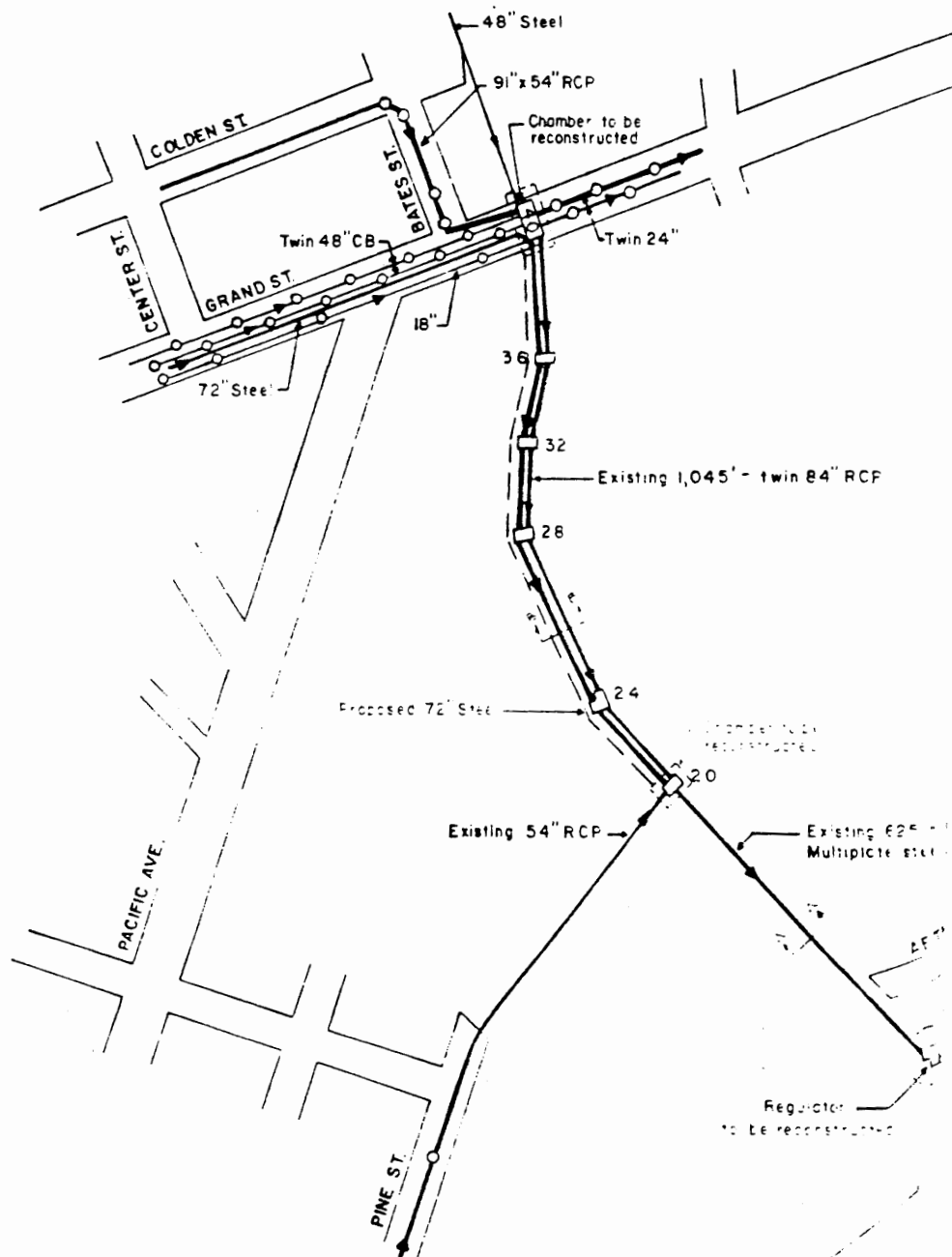
Design, Construction and Contingency at 30%	<u>2,100,000</u>
TOTAL OUTFALL	<u>\$ 9,100,000</u>

**TOTAL COST - PHASE I
IMPROVEMENT WITH ALTERNATE 2
OUTFALL**

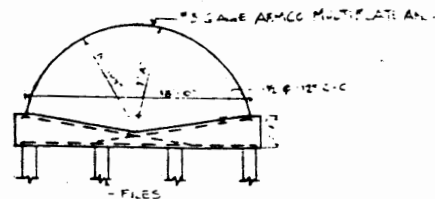
= \$10,423,000

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2/27/87

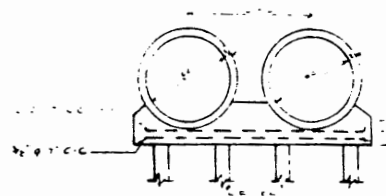
DIVISION OF ENGINEERING		PROJECT NO.
DEPARTMENT OF ADMINISTRATION, JERSEY CITY, N.J.		
DESIGNED BY	CHECKED BY	DATE
R.K.		NOV 26, 1986
APPROVED BY		



MILL CREEK SEWER OUTFALL 104X



SECTION A-A OF ARCH
SCALE 1\"/>



SECTION B-B OF BOX CULVERT
SCALE 1\"/>

PERCEPTOR

18"

JERSEY AVE

TERNATE A

Proposed 1000' - 8'-0" x 11'-0" culvert

MILL CREEK

Open ditch

TIDE WATER BASIN

ALTERNATE B

Proposed deep water discharge Mill Creek combined sewer overflow outfall

Proposed 5000' - 8'-0" x 12'-0" box culvert

105X

Statement by Rick Cohen,
Director, Department of Housing and Economic Development
City of Jersey City, on
Liberty State Park Development

March 3, 1987

We are proud that Liberty State Park is located in Jersey City and has provided the citizens of Jersey City access to badly needed open space on the waterfront and in the shadow of Lady Liberty with a magnificent view of New York.

We believe that our residents represent the majority of park-goers and that the park is an especially valuable resource to its Bergen-Lafayette neighbors. The State has done what the City could not afford to do. The State has spent tens of millions of dollars to acquire and develop derelict railroad yards along the Hudson River.

Jersey City also has a lot invested in Liberty State Park. Our citizens were instrumental in its creation and prevented several misguided efforts to commercialize the park. The City donated 15% of the park's land and gave up property tax claims on 800 acres. (The taxes on this largely unimproved land would now amount to millions of dollars a year.)

The City has made millions of dollars in road, sewer and water improvements which benefit the park, not to mention other routine services such as police and fire protection. In addition, redevelopment has positively changed some surrounding land uses.

106x

The City is planning millions of dollars more in improvements, especially for roads and sewers, which will greatly aid development of the park. By zoning, redevelopment and control of its own property in the area, the City will have a further positive effect on surrounding land uses.

However, as the State has set its sights more and more on cultivating a national and international reputation for Liberty State Park, from the Liberty centennial celebration to the Olympic marathon trials, its plans have taken less and less account of Jersey City's residents generally and the Bergen-Lafayette area in particular.

The original Master Plan for the park included considerable opportunities for city residents, including community gardens, community recreational facilities and educational programs. At that time, the plan was more sensitive and responsive to the uniquely urban location of Liberty State Park. The current action plan makes fewer recreational opportunities available to the general public, particularly to those who now use the park most.

For example, the 150-200 acres of open space previously devoted to community oriented activities have been replaced by a golf course which will serve far fewer people. A 600-slip private marina is currently being planned, which will limit access to the waterfront by park users. On the other hand, the Science and Technology Center will provide an important educational resource for the children and adults of Jersey City.

Because the park is so large and development is booming all around, DEP seems compelled to fill badly needed recreational space with profit-making ventures. At the same time, the Liberty State Park Development Corporation, is contemplating the acquisition of the 120-acre Liberty Industrial Park and the eventual phasing out of the light industrial uses there. The industrial park currently provides \$1.5 million a year in property taxes and 1,000 jobs, half of which are held by Jersey City residents. These tax revenues and jobs would be lost if Liberty Industrial Park ceases to exist. These industrial, blue collar jobs are the type which are most desperately needed within Jersey City.

In closing, Jersey City remains enthusiastic about the successes of Liberty State Park and we look forward to our involvement and participation in future park development. We, too, recognize the potential national and international reputation which Liberty State Park could attain. It is our hope that this reputation will be based on the development of this park as a uniquely urban space geared not only towards national and international visitors, but towards the needs and aspirations of the citizens of Jersey City, our neighbors in Hudson County, and other visitors from throughout the State.

For further information, please contact
Rick Cohen at (201) 547-5070.

108x

