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[Second Reprint]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1644

STATE OF NEW JERSEY
213th LEGISLATURE

ADOPTED OCTOBER 6, 2008

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator GERALD CARDINALE

District 39 (Bergen)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman JOAN M. VOSS

District 38 (Bergen)

Assemblywoman CONNIE WAGNER

District 38 (Bergen)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblywoman CHARLOTTE VANDERVALK

District 39 (Bergen)

Co-Sponsored by:

Senators Gordon, Van Drew and Assemblyman Rooney

SYNOPSIS

Revises jurisdiction of Historic New Bridge Landing Park Commission, and transfers administration of Historic New Bridge Landing State Park from DEP to Historic New Bridge Landing Park Commission.

CURRENT VERSION OF TEXT

As amended by the General Assembly on December 15, 2008.

(Sponsorship Updated As Of: 2/6/2009)

1 AN ACT concerning Historic New Bridge Landing State Park, and
2 amending and supplementing P.L.1995, c.260.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1995, c.260 (C.13:15B-1) is amended to
8 read as follows:

9 1. a. The Historic New Bridge Landing Park Commission, a
10 body corporate and politic with corporate succession, is created in
11 the **[Division of Parks and Forestry of the]** Department of
12 Environmental Protection. The commission is an instrumentality
13 exercising public and essential governmental functions. Exercise by
14 the commission of the powers conferred by this act is deemed to be
15 an essential governmental function of the State.

16 b. The commission shall consist of **[the following]** nine
17 members to be appointed and qualified as follows:

18 (1) **[the Director of the Division of Parks and Forestry or the**
19 **director's]** the Commissioner of Environmental Protection or the
20 commissioner's designee; and

21 (2) eight residents of the State,²who shall be recommended by
22 their respective governing body and²appointed by the Governor,
23 with the advice and consent of the Senate, among whom shall be
24 one representative each from the County of Bergen, the Blauvelt-
25 Demarest Foundation, River Edge Borough, and New Milford
26 Borough; and two representatives each from the Bergen County
27 Historical Society and Teaneck Township.

28 Each member in office on the effective date of P.L. _____,
29 c. (C. _____) (pending before the Legislature as this bill) shall serve
30 for the term of the appointment and until a successor shall have
31 been appointed and qualified.

32 Each member appointed by the Governor shall serve for a term
33 of five years¹[and may be reappointed upon completion of the
34 term.]; provided, however, that of the members first appointed, the
35 representative from the County of Bergen shall serve a term of four
36 years, one representative from Teaneck Township shall serve a term
37 of three years and one shall serve a term of four years, one
38 representative from the Bergen County Historical Society shall
39 serve a term of four years and one shall serve a term of five years,
40 the representative from the Blauvelt-Demarest Foundation shall
41 serve a term of five years, and the representatives from River Edge
42 Borough and New Milford Borough shall each serve an initial term

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SBA committee amendments adopted November 13, 2008.

² Assembly floor amendments adopted December 15, 2008.

1 of three years. Each member appointed by the Governor may be
2 reappointed upon completion of the term.¹

3 Each member shall serve for the term of the appointment and
4 until a successor shall have been appointed and qualified. Any
5 vacancy or reappointment shall be filled in the same manner as the
6 original appointment.

7 Members of the commission shall serve without compensation
8 but may be reimbursed for necessary expenses incurred in the
9 performance of their duties. The members of the commission shall
10 elect annually a chairman and vice-chairman from their number,
11 and a secretary and treasurer who need not be members of the
12 commission. The same person may be elected to serve both as
13 secretary and treasurer. The chairman of the commission shall be its
14 presiding officer and the vice-chairman shall serve as chairman in
15 the absence of the chairman. The commission shall organize and
16 adopt procedures for the conduct of its business. Five members of
17 the commission shall constitute a quorum and the concurrence of
18 five members of the commission shall be necessary to validate all
19 acts of the commission.

20 c. Any member of the commission may be removed by the
21 Governor, for cause, after a public hearing.

22 d. Each member of the commission, before entering upon the
23 member's duties, shall take and subscribe an oath to perform the
24 duties of the office faithfully, impartially, and justly to the best of
25 the member's ability. A record of the oath shall be filed in the
26 Office of the Secretary of State.

27 e. The commission shall prepare, adopt, and implement a
28 master plan for the physical development of the property under the
29 commission's jurisdiction, hereby designated as the Historic New
30 Bridge Landing State Park, or a portion thereof; review State and
31 local actions that impact on the park to insure that these actions
32 conform as nearly as possible to the commission's master plan; and
33 coordinate and support activities by citizens' groups to promote and
34 preserve the park.

35 f. On or before December 31 in each year the commission shall
36 make an annual report of its activities for the preceding calendar
37 year to the Governor and, pursuant to section 2 of P.L.1991, c.164
38 (C.52:14-19.1), to the Legislature. The report shall set forth a
39 complete operating and financial statement covering its operations
40 during the year. The commission may, in addition, at any time
41 request the Governor and the Legislature to appropriate funds for
42 commission purposes.

43 g. The commission shall cause an audit of its books and
44 accounts to be made at least once in each year and the cost thereof
45 shall be treated as one incurred by the commission in the
46 administration of this act, and a copy thereof shall be filed with the
47 State Treasurer, the State Comptroller, and the State Auditor.

1 h. (1) No member, officer, employee, or agent of the commission
2 shall be financially interested, either directly or indirectly, in any
3 project or any part of a project area, '[other than a residence,]' or
4 in any contract, sale, purchase, lease, or transfer of real or personal
5 property to the Department of Environmental Protection for
6 inclusion in the Historic New Bridge Landing State Park.

7 (2) Any contract or agreement knowingly made in contravention
8 of this section is voidable.

9 (3) Any person who shall willfully violate any of the provisions
10 of this section shall forfeit his office or employment and shall be
11 guilty of a crime of the fourth degree.

12 (cf: P.L.1995, c.260, s.1)

13
14 2. Section 2 of P.L.1995, c.260 (C.13:15B-2) is amended to
15 read as follows:

16 2. a. The Historic New Bridge Landing Park Commission shall
17 coordinate and implement federal, State, county, municipal, and
18 private development policies and other activities relating to the
19 historic preservation and recreational use of the property under the
20 commission's jurisdiction.

21 b. The commission has jurisdiction over the area in Bergen
22 County known as New Bridge Landing, in the Borough of River
23 Edge, between Main Street and Hackensack Avenue and extending
24 into Teaneck Township², excluding Block 1002, Lot 2,² and the
25 Borough of New Milford, the area being situated along the banks of
26 the Hackensack River. The jurisdiction of the commission shall
27 extend to all publicly-owned lands, buildings, and structures:
28 fronting the Hackensack River at the former village of New Bridge;
29 fronting on Hackensack Avenue and fronting on Main Street, east
30 of Hackensack Avenue and north of Coles Brook, in the Borough of
31 River Edge; fronting on Old New Bridge Road, on Steuben Place in
32 the Borough of New Milford; lying south of Riverview Avenue,
33 east to River Road in Teaneck Township; and fronting on the
34 Hackensack River within ²[a '[half-mile] quarter-mile'] two-
35 tenths of a mile² of New Bridge Landing and the 1889 iron swing
36 bridge.

37 (cf: P.L.1995, c.260, s.2)

38
39 3. Section 4 of P.L.1995, c.260 (C.13:15B-4) is amended to
40 read as follows:

41 4. a. The Historic New Bridge Landing Park Commission has
42 the specific power to contract for the construction, reconstruction,
43 restoration, or maintenance of all lands, buildings, landscaping,
44 bridges, docks, and facilities under its jurisdiction including the
45 maintenance, restoration, and reconstruction of the Steuben House,
46 the Demarest House, the Campbell-Christie House, the Westervelt-
47 Thomas Barn and the construction and operation of a visitor center,

1 library, mill site, curator's residence, parking area, and other
2 appropriate structures. The Historic New Bridge Landing Park
3 Commission also has the specific power to agree to indemnify and
4 hold harmless any local government unit against claims arising
5 from the use of property leased from that local government unit by
6 the commission.

7 b. Upon an annual determination by the Commissioner of
8 Environmental Protection that the Historic New Bridge Landing
9 Park Commission has fulfilled all conditions required pursuant to
10 section 1 of P.L.1995, c.260 (C.13:15B-1) and following the
11 commissioner's approval of the master plan required pursuant to
12 section 4 of P.L. , c. (C.) (pending before the Legislature as
13 this bill): (1) the commission shall administer the Historic New
14 Bridge Landing State Park, including but not limited to the Steuben
15 House; and (2) any State funds appropriated to the Department of
16 Environmental Protection or the Division of Parks and Forestry in
17 the department specifically for, or related to the administration of,
18 the Steuben House or the Historic New Bridge Landing State Park
19 shall be reallocated to the Historic New Bridge Landing Park
20 Commission for the purposes of the administration of the Historic
21 New Bridge Landing State Park.

22 c. In addition to any other powers pursuant to P.L.1995, c.260
23 (C.13:15B-1 et seq.), the commission shall review and approve all
24 proposed changes, developments or improvements to publicly-
25 owned lands, buildings, and structures within its jurisdiction to
26 prevent or mitigate any adverse impact upon pre-historic or historic
27 resources that have a significant potential to add to the knowledge
28 and appreciation of the story of Historic New Bridge Landing and
29 its vicinity or to enhance its preservation as a Revolutionary War
30 site.

31 (cf: P.L.2000, c.158, s.2)

32

33 4. (New section) a. The Historic New Bridge Landing Park
34 Commission shall prepare, or cause to be prepared, and, after a
35 public hearing, or public hearings, adopt a master plan or portion
36 thereof for the physical development of the Historic New Bridge
37 Landing State Park, or amend the master plan. The master plan shall
38 consist of a general management plan and an interpretive plan. The
39 master plan may include proposals for various stages in the future
40 development or preservation of the park. The master plan shall
41 include a report presenting the objectives, assumptions, standards
42 and principles which are embodied in the various interlocking
43 portions of the master plan. The master plan shall be a composite of
44 the one or more written proposals recommending the physical
45 development and expansion of the park either in its entirety or a
46 portion thereof which the commission shall prepare after meetings

1 with the governing bodies of the affected municipalities and
2 counties, and any agencies and instrumentalities thereof.

3 b. In preparing the master plan or any portion thereof or
4 amendment thereto the commission shall consider existing patterns
5 of development and any relevant master plan or other plan of
6 development, and shall insure widespread citizen involvement and
7 participation in the planning process.

8 c. The commission shall act in support of local suggestions or
9 desires to complement the park master plan. Consultation, planning,
10 and technical expertise shall be made available to local planning
11 bodies that wish to implement land-use policy to enhance the park
12 area. The commission shall act on or refer complaints by citizens'
13 groups or private residents who discover hazardous situations,
14 pollution, or evidence of noncompliance with use regulations.

15 d. Upon completion, the commission shall submit the master
16 plan or any amendment to the master plan to the Commissioner of
17 Environmental Protection for review and approval.

18 The commissioner shall approve or disapprove the master plan or
19 any amendment thereto within 90 days of receipt thereof. The
20 commissioner may, for cause, disapprove the master plan or any
21 amendment thereto. In the event that the commissioner fails to take
22 action on the master plan or any amendment thereto within the 90-
23 day period specified herein, then the master plan or amendment, as
24 appropriate, shall be deemed to have been approved.

25

26 5. This act shall take effect immediately.

1 **b. The Historic New Bridge Landing Commission shall**
2 **administer the Historic New Bridge Landing State Park, including**
3 **but not limited to the Steuben House. Any State funds appropriated**
4 **to the Department of Environmental Protection or the Division of**
5 **Parks and Forestry in the department specifically for, or related to**
6 **the administration of, the Steuben House or Historic New Bridge**
7 **Landing State Park shall be reallocated to the Historic New Bridge**
8 **Landing Commission for the purposes of the administration of the**
9 **Historic New Bridge Landing State Park.**

10 **c. In addition to any other powers pursuant to P.L.1995, c.260**
11 **(C.13:15B-1 et seq.), the commission shall review and approve all**
12 **proposed changes, developments or improvements to publicly-**
13 **owned lands, buildings, and structures within its jurisdiction to**
14 **prevent or mitigate any adverse impact upon pre-historic or historic**
15 **resources that have a significant potential to add to the knowledge**
16 **and appreciation of the story of Historic New Bridge Landing and**
17 **its vicinity or to enhance its preservation as a Revolutionary War**
18 **site.**

19 (cf: P.L.2000, c.158, s.2)

20
21 3. This act shall take effect immediately.

22
23
24 SPONSOR'S STATEMENT

25
26 This bill specifies that the jurisdiction of the Historic New
27 Bridge Landing Commission (commission) extends to all publicly-
28 owned lands, buildings and structures: fronting the Hackensack
29 River at the former village of New Bridge; fronting on Hackensack
30 Avenue and fronting on Main Street, east of Hackensack Avenue
31 and north of Coles Brook, in the Borough of River Edge; fronting
32 on Old New Bridge Road, on Steuben Place in the Borough of New
33 Milford; lying south of Riverview Avenue, east to River Road in
34 Teaneck Township; fronting on the Hackensack River within a half-
35 mile of New Bridge Landing and the 1889 iron swing bridge.

36 This bill also assigns to the commission administrative authority
37 for Historic New Bridge Landing State Park, including but not
38 limited to the Steuben House. The bill also provides that any State
39 funds appropriated to the Department of Environmental Protection
40 (DEP) or the Division of Parks and Forestry in the DEP specifically
41 for, or related to the administration of, the Steuben House or
42 Historic New Bridge Landing State Park be reallocated to the
43 commission.

44 In addition, this bill provides that the commission shall review
45 and approve all proposed changes, developments or improvements
46 to publicly-owned lands, buildings, and structures within its
47 jurisdiction to prevent or mitigate any adverse impact upon pre-
48 historic or historic resources that have a significant potential to add

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1 to the knowledge and appreciation of the story of Historic New
2 Bridge Landing and its vicinity or to enhance its preservation as a
3 Revolutionary War site.

4 The nine member commission was created by P.L.1995, c.260
5 (C.13:15B-1 et seq.), within the DEP's Division of Parks and
6 Forestry, to act as the coordinating entity for the various bodies and
7 organizations that own and operate properties and structures in the
8 historic community of New Bridge Landing in Bergen County, for
9 the purpose of re-creating the area as a unified historic cultural
10 educational park. Under current law, the commission may also
11 contract for the preservation of the current buildings and lands as
12 well as construct and operate a visitor center, library, mill site,
13 curator's residence, parking area, and other appropriate structures.
14 This bill would expand the commission's responsibilities to include
15 the day-to-day administration of the State park.

16 The Historic New Bridge Landing Historical Site spans the
17 Hackensack River at the intersection of four municipalities (River
18 Edge Borough, New Milford Borough, Teaneck Township, and
19 Hackensack City). The State, Bergen County, the Bergen County
20 Historical Society, and Teaneck Township each own portions of the
21 site. The site includes numerous structures of historical importance
22 and interest to the general public, including the State-owned
23 Steuben House, the Westervelt-Thomas Barn, the Demarest House
24 and the Campbell-Christie House foundations. General Washington
25 and his army found temporary refuge here while retreating from
26 Fort Lee during a British offensive. The area is also noteworthy for
27 its Jersey Dutch and Native American heritage.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 1644**

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 13, 2008

The Senate Budget and Appropriations Committee reports favorably Senate No. 1644 (SCS), with committee amendments.

Senate Bill No. 1644 (SCS), as amended, revises the jurisdiction of the Historic New Bridge Landing Park Commission (commission), and transfers the administration of the Historic New Bridge Landing State Park to the commission.

Senate Bill No. 1644 (SCS), as amended, also clarifies the commission's jurisdiction by specifying publicly-owned lands, buildings and structures related to the historic site; re-designating these properties as the Historic New Bridge Landing State Park; requiring the commission to prepare and adopt a master plan for the physical development of the Historic New Bridge Landing State Park, subject to final approval by the Department of Environmental Protection (DEP) Commissioner; authorizing the commission to review and approve all proposed changes, developments or improvements to publicly-owned lands, buildings, and structures within its jurisdiction; and clarifying the structure and duties of the commission and its members.

The substitute bill reallocates any State funds appropriated to the (DEP) or the Division of Parks and Forestry in the DEP specifically for, or related to the administration of, the Steuben House or Historic New Bridge Landing State Park to the commission, following the commissioner's approval of the master plan adopted by the commission.

COMMITTEE AMENDMENTS:

The committee amendments clarify that the first terms of the gubernatorial appointments first made to the commission with the advice and consent of the Senate will have staggered terms. The amendments also clarify the measure of the land under the jurisdiction of the commission.

FISCAL IMPACT:

The DEP has noted that it expends approximately \$20,000 annually from its Parks Management budget on utility and maintenance expenses for the Steuben House at Historic New Bridge Landing. Historically, the aforementioned allocation has not included staffing funds for this site. Under the committee substitute, these funds would be internally transferred to a new account controlled by the Historic New Bridge Landing Park Commission and used for the same purposes.

Based upon information obtained through the Historic New Bridge Landing Park Commission: The commission currently receives all of its funding from the DEP budget. Its secretary and commissioners are volunteers and do not receive any reimbursement for their time or services. The commission adopted a General Management Plan in 2000, with its core elements being updated in 2003 and 2006 through grants provided by the New Jersey Historic Trust and a private foundation. A foundation grant is currently funding a wetlands delineation and topographic survey of the site. It may be possible that these studies and documents fulfill the requirement under the committee substitute that the commission prepare a Master Plan for the physical development of the park.

The Office of Legislative Services (OLS) estimates that the committee substitute may not increase any immediate or short-term State costs but may require additional administrative funds in the long-term if there is additional physical development of the Historic New Bridge Landing State Park under the commission's jurisdiction.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 1644

STATE OF NEW JERSEY

DATED: OCTOBER 6, 2008

The Senate Environment Committee reports favorably a Senate Committee Substitute for Senate Bill No. 1644.

The Senate Committee Substitute for Senate Bill No. 1644 revises the jurisdiction of the Historic New Bridge Landing Park Commission (commission), and transfers the administration of the Historic New Bridge Landing State Park to the commission.

The substitute bill specifies that the jurisdiction of the commission extends to all publicly-owned lands, buildings and structures: fronting the Hackensack River at the former village of New Bridge; fronting on Hackensack Avenue and fronting on Main Street, east of Hackensack Avenue and north of Coles Brook, in the Borough of River Edge; fronting on Old New Bridge Road, on Steuben Place in the Borough of New Milford; lying south of Riverview Avenue, east to River Road in Teaneck Township; and fronting on the Hackensack River within a half-mile of New Bridge Landing and the 1889 iron swing bridge.

The substitute bill assigns to the commission administrative authority for the Historic New Bridge Landing State Park, including but not limited to the Steuben House, and reallocates any State funds appropriated to the Department of Environmental Protection (DEP) or the Division of Parks and Forestry in the DEP specifically for, or related to the administration of, the Steuben House or Historic New Bridge Landing State Park to the commission, following the commissioner's approval of the master plan adopted by the commission under section 4 of the substitute bill.

The master plan for the physical development of the Historic New Bridge Landing State Park, which would be prepared and adopted by the commission after one or more public hearings, may include proposals for various stages in the future development or preservation of the park. The master plan shall consist of a general management plan and an interpretive plan. The master plan must include a report presenting the objectives, assumptions, standards and principles which are embodied in the various interlocking portions of the master plan. The master plan shall be a composite of the one or more written proposals recommending the physical development and expansion of the park either in its entirety or a portion thereof which the

commission shall prepare after meetings with the governing bodies of the affected municipalities and counties, and any agencies and instrumentalities thereof.

In preparing the master plan or any portion thereof or amendment thereto the commission must consider existing patterns of development and any relevant master plan or other plan of development, and shall insure widespread citizen involvement and participation in the planning process. The commission shall act in support of local suggestions or desires to complement the park master plan. Consultation, planning, and technical expertise would be made available to local planning bodies that wish to implement land-use policy to enhance the park area. The commission shall act on or refer complaints by citizens' groups or private residents who discover hazardous situations, pollution, or evidence of noncompliance with use regulations.

Upon completion, the commission must submit the master plan or any amendments to the master plan to the Commissioner of DEP for review and approval. The commissioner must approve or disapprove the master plan or any amendment thereto within 90 days of receipt thereof. The commissioner may, for cause, disapprove the master plan or any amendment thereto. In the event that the commissioner fails to take action on the master plan or any amendment thereto within the 90-day period, the master plan or amendment, as appropriate, would be deemed to have been approved

In addition, the substitute bill provides that the commission must review and approve all proposed changes, developments or improvements to publicly-owned lands, buildings, and structures within its jurisdiction to prevent or mitigate any adverse impact upon pre-historic or historic resources that have a significant potential to add to the knowledge and appreciation of the story of Historic New Bridge Landing and its vicinity or to enhance its preservation as a Revolutionary War site.

STATEMENT TO

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1644

with Assembly Floor Amendments
(Proposed By Senator WEINBERG)

ADOPTED: DECEMBER 15, 2008

These amendments would:

- (1) clarify that each of the eight public members of the Historic New Bridge Landing Park Commission appointed by the Governor, with the advice and consent of the Senate, must be recommended by their respective governing body;
- (2) decrease the jurisdiction of the commission from within a quarter-mile to two-tenths of a mile of New Bridge Landing and the 1889 iron swing bridge; and
- (3) exclude Block 1002, Lot 2 in Teaneck Township from the jurisdiction of the commission.

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1644
STATE OF NEW JERSEY
213th LEGISLATURE

DATED: NOVEMBER 13, 2008

SUMMARY

- Synopsis:** Revises jurisdiction of Historic New Bridge Landing Park Commission, and transfers administration of Historic New Bridge Landing State Park from DEP to Historic New Bridge Landing Park Commission.
- Type of Impact:** No immediate impact on the General Fund.
- Agencies Affected:** Department of Environmental Protection; Historic New Bridge Landing Park Commission

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate - See comments below.		

- The committee substitute revises the jurisdiction of the Historic New Bridge Landing Park Commission by transferring the administration of its properties from the Department of Environmental Protection (DEP) to the commission. The commission was created in the DEP pursuant to P.L.1995, c.260.
- It re-designates the Historic New Bridge Landing site as the Historic New Bridge Landing State Park and requires the commission to prepare and adopt a master plan for its physical development.
- The commission's jurisdiction over specific publicly-owned lands, buildings and structures related to the historic site is clarified, as well as the structure and duties of the commission and its members.
- The Office of Legislative Services (OLS) estimates that the committee substitute may not add any immediate or short-term costs to the State Budget but may require additional administrative funds in the long-term as the historic site becomes more developed.

BILL DESCRIPTION

Senate Committee Substitute for Senate Bill No. 1644 of 2008 revises the jurisdiction of the Historic New Bridge Landing Park Commission by transferring the administration and funding of the properties under its jurisdiction from the DEP to the commission. The committee substitute also clarifies the commission's jurisdiction by specifying publicly-owned lands, buildings and structures related to the historic site; re-designating these properties as the Historic New Bridge Landing State Park; requiring the commission to prepare and adopt a master plan for the physical development of the Historic New Bridge Landing State Park, subject to final approval by the DEP Commissioner; authorizing the commission to review and approve all proposed changes, developments or improvements to publicly-owned lands, buildings, and structures within its jurisdiction; and clarifying the structure and duties of the commission and its members.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

Although the OLS did not receive fiscal note worksheet data from the Executive Branch on the committee substitute, the DEP and the Historic New Bridge Landing Park Commission did informally provide the OLS with relevant information, as follows: The DEP states that it expends approximately \$20,000 annually from its Parks Management budget on utility and maintenance expenses for the Steuben House at Historic New Bridge Landing. Historically, the aforementioned allocation has not included staffing funds for this site. Under the committee substitute, these funds would be internally transferred to a new account controlled by the Historic New Bridge Landing Park Commission and used for the same purposes.

An official of the Historic New Bridge Landing Park Commission offered the following information concerning the committee substitute: The commission currently receives all of its funding from the DEP budget. Its secretary and commissioners are volunteers and do not receive any reimbursement for their time or services. The commission adopted a General Management Plan in 2000, with its core elements being updated in 2003 and 2006 through grants provided by the New Jersey Historic Trust and a private foundation. A foundation grant is currently funding a wetlands delineation and topographic survey of the site. The commission official believes these studies and documents fulfill the requirement under the committee substitute that the commission prepare a Master Plan for the physical development of the park.

Considering the aforementioned information, the OLS estimates that the committee substitute may have a modest, but not immediate, fiscal impact on the State Budget. This is based on the assumption that the existing funding level for maintenance and utility expenses would not immediately change when transferred to the commission's jurisdiction, but could eventually increase as the park becomes more developed and draws more visitors. Consequently, as the park becomes more developed, staffing and security needs could also become more acute. Further, once the commission assumes administrative control of its budget, it may require the hiring of at least one paid staff person to serve as its administrator or manager. However, the

reassignment of a DEP employee could fulfill this need until additional funding is secured for this purpose.

With respect to the development of a Master Plan, normal costs associated with this activity may be avoided if the DEP approves the existing planning documents already prepared by the commission. Any further updating or supplementary data required by the DEP could incur added costs that would be supported by the DEP if alternative, non-State funding sources could not be found.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Richard M. Handelman
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-1 et seq.).

1 **b. The Historic New Bridge Landing Commission shall**
2 **administer the Historic New Bridge Landing State Park, including**
3 **but not limited to the Steuben House. Any State funds appropriated**
4 **to the Department of Environmental Protection or the Division of**
5 **Parks and Forestry in the department specifically for, or related to**
6 **the administration of, the Steuben House or Historic New Bridge**
7 **Landing State Park shall be reallocated to the Historic New Bridge**
8 **Landing Commission for the purposes of the administration of the**
9 **Historic New Bridge Landing State Park.**

10 **c. In addition to any other powers pursuant to P.L.1995, c.260**
11 **(C.13:15B-1 et seq.), the commission shall review and approve all**
12 **proposed changes, developments or improvements to publicly-**
13 **owned lands, buildings, and structures within its jurisdiction to**
14 **prevent or mitigate any adverse impact upon pre-historic or historic**
15 **resources that have a significant potential to add to the knowledge**
16 **and appreciation of the story of Historic New Bridge Landing and**
17 **its vicinity or to enhance its preservation as a Revolutionary War**
18 **site.**

19 (cf: P.L.2000, c.158, s.2)

20
21 3. This act shall take effect immediately.

22
23
24 SPONSOR'S STATEMENT

25
26 This bill specifies that the jurisdiction of the Historic New
27 Bridge Landing Commission (commission) extends to all publicly-
28 owned lands, buildings and structures: fronting the Hackensack
29 River at the former village of New Bridge; fronting on Hackensack
30 Avenue and fronting on Main Street, east of Hackensack Avenue
31 and north of Coles Brook, in the Borough of River Edge; fronting
32 on Old New Bridge Road, on Steuben Place in the Borough of New
33 Milford; lying south of Riverview Avenue, east to River Road in
34 Teaneck Township; fronting on the Hackensack River within a half-
35 mile of New Bridge Landing and the 1889 iron swing bridge.

36 This bill also assigns to the commission administrative authority
37 for Historic New Bridge Landing State Park, including but not
38 limited to the Steuben House. The bill also provides that any State
39 funds appropriated to the Department of Environmental Protection
40 (DEP) or the Division of Parks and Forestry in the DEP specifically
41 for, or related to the administration of, the Steuben House or
42 Historic New Bridge Landing State Park be reallocated to the
43 commission.

44 In addition, this bill provides that the commission shall review
45 and approve all proposed changes, developments or improvements
46 to publicly-owned lands, buildings, and structures within its
47 jurisdiction to prevent or mitigate any adverse impact upon pre-
48 historic or historic resources that have a significant potential to add

A3036 VAINIERI HUTTLE, VOSS

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1 to the knowledge and appreciation of the story of Historic New
2 Bridge Landing and its vicinity or to enhance its preservation as a
3 Revolutionary War site.

4 The nine member commission was created by P.L.1995, c.260
5 (C.13:15B-1 et seq.), within the DEP's Division of Parks and
6 Forestry, to act as the coordinating entity for the various bodies and
7 organizations that own and operate properties and structures in the
8 historic community of New Bridge Landing in Bergen County, for
9 the purpose of re-creating the area as a unified historic cultural
10 educational park. Under current law, the commission may also
11 contract for the preservation of the current buildings and lands as
12 well as construct and operate a visitor center, library, mill site,
13 curator's residence, parking area, and other appropriate structures.
14 This bill would expand the commission's responsibilities to include
15 the day-to-day administration of the State park.

16 The Historic New Bridge Landing Historical Site spans the
17 Hackensack River at the intersection of four municipalities (River
18 Edge Borough, New Milford Borough, Teaneck Township, and
19 Hackensack City). The State, Bergen County, the Bergen County
20 Historical Society, and Teaneck Township each own portions of the
21 site. The site includes numerous structures of historical importance
22 and interest to the general public, including the State-owned
23 Steuben House, the Westervelt-Thomas Barn, the Demarest House
24 and the Campbell-Christie House foundations. General Washington
25 and his army found temporary refuge here while retreating from
26 Fort Lee during a British offensive. The area is also noteworthy for
27 its Jersey Dutch and Native American heritage.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3036

STATE OF NEW JERSEY

DATED: NOVEMBER 13, 2008

The Assembly Environment and Solid Waste Committee reports favorably an Assembly Committee Substitute for Assembly Bill No.3036.

The Assembly Committee Substitute for Assembly Bill No. 3036 revises the jurisdiction of the Historic New Bridge Landing Park Commission (commission), and transfers the administration of the Historic New Bridge Landing State Park from the Department of Environmental Protection (DEP) to the commission.

The substitute bill amends current law to revise the membership of the commission to provide that: the DEP Commissioner, or the commissioner's designee, serve on the commission rather than the Director of the DEP's Division of Parks and Forestry; and the eight public members of the commission be appointed by the Governor with the advise and consent of the Senate.

The substitute bill also expands the responsibilities of the commission to require the commission to prepare, adopt, and implement a master plan for the physical development of the property under the commission's jurisdiction, designated by the bill as the Historic New Bridge Landing State Park, or a portion thereof; review State and local actions that impact on the park to insure that these actions conform as nearly as possible to the commission's master plan; and coordinate and support activities by citizens' groups to promote and preserve the park.

The substitute bill specifies that the jurisdiction of the commission extends to all publicly-owned lands, buildings and structures: fronting the Hackensack River at the former village of New Bridge; fronting on Hackensack Avenue and fronting on Main Street, east of Hackensack Avenue and north of Coles Brook, in the Borough of River Edge; fronting on Old New Bridge Road, on Steuben Place in the Borough of New Milford; lying south of Riverview Avenue, east to River Road in Teaneck Township; and fronting on the Hackensack River within a quarter-mile of New Bridge Landing and the 1889 iron swing bridge.

The substitute bill assigns to the commission administrative authority for the Historic New Bridge Landing State Park, including

but not limited to the Steuben House, and reallocates any State funds appropriated to the DEP or the DEP's Division of Parks and Forestry specifically for, or related to the administration of, the Steuben House or Historic New Bridge Landing State Park to the commission, following the commissioner's approval of the master plan adopted by the commission under section 4 of the substitute bill.

The master plan for the physical development of the Historic New Bridge Landing State Park, which would be prepared and adopted by the commission after one or more public hearings, may include proposals for various stages in the future development or preservation of the park. As required by the substitute bill, the master plan shall consist of a general management plan and an interpretive plan. The master plan must include a report presenting the objectives, assumptions, standards and principles which are embodied in the various interlocking portions of the master plan. The master plan shall be a composite of the one or more written proposals recommending the physical development and expansion of the park either in its entirety or a portion thereof which the commission shall prepare after meetings with the governing bodies of the affected municipalities and counties, and any agencies and instrumentalities thereof.

In preparing the master plan or any portion thereof or amendment thereto the commission must consider existing patterns of development and any relevant master plan or other plan of development, and insure widespread citizen involvement and participation in the planning process. The commission shall act in support of local suggestions or desires to complement the park master plan. Consultation, planning, and technical expertise would be made available to local planning bodies that wish to implement land-use policy to enhance the park area. The commission shall act on or refer complaints by citizens' groups or private residents who discover hazardous situations, pollution, or evidence of noncompliance with use regulations.

Upon completion, the commission must submit the master plan or any amendments to the master plan to the DEP Commissioner for review and approval. The commissioner must approve or disapprove the master plan or any amendment thereto within 90 days of receipt thereof. The commissioner may, for cause, disapprove the master plan or any amendment thereto. In the event that the commissioner fails to take action on the master plan or any amendment thereto within the 90-day period, the master plan or amendment, as appropriate, would be deemed to have been approved.

In addition, the substitute bill provides that the commission must review and approve all proposed changes, developments or improvements to publicly-owned lands, buildings, and structures within its jurisdiction to prevent or mitigate any adverse impact upon pre-historic or historic resources that have a significant potential to add to the knowledge and appreciation of the story of Historic New Bridge

Landing and its vicinity or to enhance its preservation as a Revolutionary War site.

STATEMENT TO

**ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3036**

with Assembly Floor Amendments
(Proposed By Assemblywoman VAINIERI HUTTLE)

ADOPTED: DECEMBER 15, 2008

These amendments would:

- (1) clarify that each of the eight public members of the Historic New Bridge Landing Park Commission appointed by the Governor, with the advice and consent of the Senate, must be recommended by their respective governing body;
- (2) decrease the jurisdiction of the commission from within a quarter-mile to two-tenths of a mile of New Bridge Landing and the 1889 iron swing bridge; and
- (3) exclude Block 1002, Lot 2 in Teaneck Township from the jurisdiction of the commission.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3036
STATE OF NEW JERSEY
213th LEGISLATURE

DATED: DECEMBER 17, 2008

SUMMARY

- Synopsis:** Revises jurisdiction of Historic New Bridge Landing Park Commission, and transfers administration of Historic New Bridge Landing State Park from DEP to Historic New Bridge Landing Park Commission.
- Type of Impact:** No immediate impact on the General Fund.
- Agencies Affected:** Department of Environmental Protection; Historic New Bridge Landing Park Commission

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate—See comments below		

- The committee substitute revises the jurisdiction of the Historic New Bridge Landing Park Commission by transferring the administration of its properties from the Department of Environmental Protection (DEP) to the commission. The commission was created in the DEP pursuant to P.L.1995, c.260.
- It re-designates the Historic New Bridge Landing site as the Historic New Bridge Landing State Park and requires the commission to prepare and adopt a master plan for its physical development.
- The commission’s jurisdiction over specific publicly-owned lands, buildings and structures related to the historic site is clarified, as well as the structure and duties of the commission and its members.
- The Office of Legislative Services (OLS) estimates that the committee substitute may not add any immediate or short-term costs to the State Budget but may require additional administrative funds in the long-term as the historic site becomes more developed.

BILL DESCRIPTION

Assembly Committee Substitute for Assembly Bill No. 3036 of 2008 revises the jurisdiction of the Historic New Bridge Landing Park Commission by transferring the administration and funding of the properties under its jurisdiction from the DEP to the commission. The committee substitute also clarifies the commission's jurisdiction by specifying publicly-owned lands, buildings and structures related to the historic site; re-designating these properties as the Historic New Bridge Landing State Park; requiring the commission to prepare and adopt a master plan for the physical development of the Historic New Bridge Landing State Park, subject to final approval by the DEP Commissioner; authorizing the commission to review and approve all proposed changes, developments or improvements to publicly-owned lands, buildings, and structures within its jurisdiction; and clarifying the structure and duties of the commission and its members.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

Although the OLS did not receive Fiscal Note worksheet data from the Executive Branch on the committee substitute, the DEP and the Historic New Bridge Landing Park Commission did informally provide the OLS with relevant information, as follows: The DEP states that it expends approximately \$20,000 annually from its Parks Management budget on utility and maintenance expenses for the Steuben House at Historic New Bridge Landing. Historically, the aforementioned allocation has not included staffing funds for this site. Under the committee substitute, these funds would be internally transferred to a new account controlled by the Historic New Bridge Landing Park Commission and used for the same purposes.

An official of the Historic New Bridge Landing Park Commission offered the following information concerning the committee substitute: The commission currently receives all of its funding from the DEP budget. Its secretary and commissioners are volunteers and do not receive any reimbursement for their time or services. The commission adopted a General Management Plan in 2000, with its core elements being updated in 2003 and 2006 through grants provided by the New Jersey Historic Trust and a private foundation. A foundation grant is currently funding a wetlands delineation and topographic survey of the site. The commission official believes these studies and documents fulfill the requirement under the committee substitute that the commission prepare a Master Plan for the physical development of the park.

Considering the aforementioned information, the OLS estimates that the committee substitute may have a modest, but not immediate, fiscal impact on the State Budget. This is based on the assumption that the existing funding level for maintenance and utility expenses would not immediately change when transferred to the commission's jurisdiction, but could eventually increase as the park becomes more developed and draws more visitors. Consequently, as the park becomes more developed, staffing and security needs could also become more acute. Further, once the commission assumes administrative control of its budget, it may require the hiring of at least one paid staff person to serve as its administrator or manager. However, the

reassignment of a DEP employee could fulfill this need until additional funding is secured for this purpose.

With respect to the development of a Master Plan, normal costs associated with this activity may be avoided if the DEP approves the existing planning documents already prepared by the commission. Any further updating or supplementary data required by the DEP could incur added costs that would be supported by the DEP if alternative, non-State funding sources could not be found.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Richard M. Handelman
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L. 1980, c.67 (C. 52:13B-1 et seq.).