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JERSEY CITY

Sweet land of Liberty

With dazzling views and waterfront location, state park has been fought over for decades

Margaret Schmidt *The Jersey Journal*

For the last half-century, people have looked at what was once literally a dump on the Jersey City waterfront and said, “Why not?” to many different things.

Why not rolling green hills, some asked, where city folks can take a break from the urban grind with harbor breezes instead of exhaust fumes at their backs? Others asked, why not a sprawling, noisy amusement park?

Why not playgrounds, picnic areas and a magnificent memorial to the New Jersey residents who died across the Hudson River at the World Trade Center on 9/11 — or maybe a doll museum?

That’s the story of 1,200-acre Liberty State Park: decades of competing visions for prime taxpayer-owned real estate, and decades of battles pitting park activists against state officials who had fallen under the sway of developers with big ideas for 600 acres of undeveloped land with stunning views of the Statue of Liberty, Ellis Island, the Manhattan skyline and the Verrazzano-Narrows Bridge.

Fight after fight, it generally comes down to the choice of open space for all next to the most densely populated area in America or a high-value,

high-prestige playground for a few that would come with a hefty windfall for a private developer who would pay to clean up that old dump.

Fifty-three years after the last train left Jersey Central's flagship waterfront terminal — now restored and the centerpiece of the north end of Liberty State Park — that tug of war continues, even as two efforts are underway to decide the park's future.

First, the state Department of Environmental Protection, which operates the park, is about to hold public hearings on plans to clean up and redesign the park's contaminated "interior," 234 acres of inaccessible land — plans that have been in the works since then-Gov. Christie Todd Whitman nixed a public golf course in the area in 1995. According to the DEP, funding

captions of two photos - With the New York City skyline looming over the Hudson River, a couple relaxes recently in Liberty State Park in Jersey City. For decades, open space advocates and developers have had competing visions for the park. Aristide Economopoulos, for The Star-Ledger

The tug of war continues, as two plans are being considered that will help define the park in the future. Reena Rose Sihayan. The Jersey Journal

has already been secured through the federal Natural Resource Damages program, which pursues remediation payments from past polluters.

Second, the all-volunteer Friends of Liberty State Park group is leading a campaign to pass the state Liberty State Park Protection Act, which would restrict commercialization of park property to smallscale operations open to the public, such as food vendors, bike rentals or a winter skating rink.

That measure is seen as a check on the ambitions of Paul Fireman, the billionaire who brought Reebok sneakers to the U.S. and a \$250 million, ultra-exclusive golf course to a once-contaminated site adjacent to the park.

His goal now is to relocate three holes of the Liberty National Golf Course on to the 22-acre, environmentally sensitive Caven Point Peninsula, which course representatives say could attract major PGA tour events and help the local economy. The course also has offered to build a First Tee facility for young golfers.

The state DEP has already turned down the Caven Point plan. But Fireman persists and sees as standing in his way a retired preschool teacher and other volunteers who have succeeded over the years in keeping the parkland accessible to the public.

The developer is pushing what some consider a misleading narrative that would turn the heroes of the park into villains and co-opt the momentum of the Black Lives Matter movement.

Several local people — some of whom have acknowledged receiving large contributions from Fireman for their community organizations — have signed on to the narrative in part or full.

And while Fireman has publicly said he is taking a break from seeking the peninsula, the well-funded effort continues to paper windshields with accusatory flyers and has set up social media accounts with doctored photos.

At first, the narrative focused on the initial vision for the park, alleging that never-realized amenities like ballfields and basketball courts equaled an exclusion of minority interests and voices. The focus has since moved to the still-polluted, fenced-off "interior," alleging that environmentalists somehow like it that way.

Members of the nearby community and people who have worked on Liberty State Park over the years tell a different story.

THE OLD DAYS

At 61, lifelong Jersey City resident Jerome Choice remembers walking as a kid from his home in the Lafayette neighborhood past the old Central Railroad commuter station on Communipaw Avenue and across a dilapidated bridge to get to "the pier." The area would later become part of Liberty State Park, but at the time it was just a local spot where he and his friends would fish, crab and pretty much just make sure they didn't fall through that crumbling pier into the Upper New York Bay.

Former city Councilman and acting Mayor L. Harvey Smith, who also served in the state Assembly and Senate, has similar memories and jokes he

mostly ended up losing crabbing nets.

Back then, the waterfront wasn't pretty.

Photos taken in 1973 by the nascent U.S. Environmental Protection Agency captured old pilings everywhere and rampant illegal dumping. Rusted cars, mattresses, construction debris, sofas and such can be seen in heaps in those pictures, contrasting with the elegance of Lady Liberty.

By the bicentennial in 1976, about 35 acres had been turned into a green space where people could watch the parade of tall ships and the fireworks that celebrated America's 200th birthday. That was just scratching the surface.

City planner Alan Mallach was then a 30-something living in Princeton and heading his own housing and economic analysis firm. As a volunteer member of the American Institute of Architects' Regional/Urban Design Assistance Team, he spent an intensive five days in the fall of 1977 visiting the park grounds, walking the surrounding neighborhoods, talking with residents, officials and anyone else interested in the park's future.

In an interview last month, he recalled taking in from the Jersey City waterfront the view of the World Trade Center, its twin towers "blazing with light."

"It looked like you could just reach out and touch it," he said.

Still, he emphasized that 43 years ago, Jersey City was a poor, struggling, weak-market city and New York was “barely staying above being a basket case financially.”

As news clippings from the time show, then-Gov. Brendan Byrne and the state DEP had just backed off a plan to turn the park over to Warner LeRoy — of Warner Bros. heritage and Maxwell’s Plum and Russian Tea Room fame — to create a \$600 million theme park, a Great Adventure on the Hudson.

“No doubt such a place would be profitable,” The Jersey Journal editorialized before the plan’s plug was pulled amid massive resistance from local residents, “but why should the public use of Liberty Park be sacrificed for private profit?”

Following the debacle, Byrne’s own advisory Liberty State Park Study and Planning Commission and the R/UDAT group of which Mallach was a part came up with recommendations for the park’s future.

IDENTITY CRISIS

In 1976 and ’77, Mallach recalled, the choice then, too, was between park preservation and profitable development.

“We came down very strongly on the answer: Maintain the park to the maximum extent even if it takes 10, 20, 30, 40, 50 years to develop it out as a park because it’s a public treasure, basically,” he continued. “And it’s interesting how those issues still reverberate.”

Liberty Park’s inherent identity crisis — a state park destined to be the pride of Jersey City and Hudson County — also shaped the recommendations, he said. For while the park would draw people from throughout the region, he said, it essentially served as “the lungs” of those in the southern

half of Jersey City, a function that seems more important than ever in a time of pandemic. The resulting reports read like wish lists with a heavy emphasis on nature, views and quiet.

“There has been no place in the city where people can go and just relax,” one person quoted in the R/UDAT report said.

“Please, if you do just one thing, keep this park green,” said another.

“First and foremost, the park should be a ‘green’ park, but other activities compatible with this concept should be included in the first phase of development such as a fishing pier, a bowl or grassy well for the performing arts, children’s playgrounds, athletic trails, two marinas and other recreational needs of the county and region,” said the study commission’s December

“There’s always going to be somebody who thinks they have a better private use, a better commercial use for the People’s Park. When are we going to say enough is enough?”

Assemblyman Raj Mukherj in “pulled out” quote in story.

(From photo caption) **Lifelong Jersey City resident Jerome Choice, 61, said one of the fondest memories of his youth was going on the rocks by the water at Liberty State Park near the Central Railroad of New Jersey terminal. Back then, the walkway and railing had yet to be built.** *Reena Rose Sibayan, The Jersey Journal*

This photograph taken in 1973 for the federal Environmental Protection Agency shows the condition of what is now Liberty State Park. *Gary Miller for the EPA*

1977 report, "Guidelines for the Development and Financing of Liberty State Park."

A DEP master plan report in November 1977 offered still other ideas, most of which never came to be. They ranged from "grassed areas for unstructured recreation" to, longer term, "a seaquarium, exhibitions, and landscaped displays of marine life; an educational playground, such as a Sesame Street park; a park lodge for overnight guests and conferences."

The report also noted needs for the surrounding communities: "ballfields and soccer fields — some with portable bleachers — track, tennis, bike trails as much desired activities for which there is no presently available adequate open space." It noted that "many of these facilities could be in use by the summer of 1978."

The report suggested these fields be put at the western edge of the park land, where, a decade and a half later, the Liberty Science Center would open, assuming in some ways the mantle of originally envisioned education, exhibition and conference space. The master plan envisioned playing courts at the north end of the park, now a grassy area across the cobblestone street from the location of a marina and the Maritime Parc and Liberty House restaurants.

Clearly, rehabbing the historic railroad terminal at the north end of the park and creating the waterfront walkway were early priorities and were realized, although it took years to cobble together the tens of millions of dollars to do so. Both ribbon-cuttings didn't come until 1993.

Some ideas — like an 18-hole public golf course taking up much of the upland acreage — met so much community resistance they were tossed.

LONGTIME FRIENDS

Figuring out why projects came to fruition, were scrapped or are still on the drawing board isn't easy.

As with all state parks, Liberty State Park's development can be very much subject to who's sitting in the governor's office at any given time. In the last 44 years, New Jersey has gone through eight administrations — 13 if you count the in-betweeners when Whitman left for a job with the federal EPA and when Jim McGreevey resigned. As a result, there hasn't been a consistent effort from Trenton to find funds in the state budget or seek federal grants.

What has been consistent has been the commitment of activists in the Friends of Liberty State Park and in environmental organizations like the New York/New Jersey Baykeeper and the New

Jersey Sierra Club. The Friends are led by Sam Pesin, the retired preschool teacher, whose father, the late Jersey City Councilman Morris Pesin, is known as the visionary “Father of Liberty State Park.”

While people like former council President Smith credit those activists with transforming the park into the vibrant place it is today, the Fireman narrative has a different spin.

“A series of committees and groups formed over the years decided they knew what was best for Jersey City,” Arnold Stovell of Jersey City, executive director of a new entity, the Liberty State Park for All Coalition, charged in a recent letter to The Jersey Journal. “They never sought minority input; disregarded the master plan, and, not surprisingly, excluded constituents from Ward A or F.”

Yet news clippings and documents in the Jersey City Public Library clearly show the engagement through the years of individuals and organizations in Wards A (the Greenville section), F (Lafayette) and E (Downtown).

A public hearing transcript from 1994 captures the words of Jersey City trailblazer Addison McLeon — a former Tuskegee Airman and the first Black person from Hudson County to serve in the state Assembly — telling state officials that the only minority that would be served by a golf course in the park would be the minority of people who play golf.

“I don’t recall (minority residents) being excluded,” said Smith, who has lived in Wards A and F his whole life and was in public office from 1993 to 2010.

Statements that park planning has been exclusionary galled Eliza Wright, a Black resident of the city’s Greenville neighborhood and a co-vice president of the Friends of Liberty State Park.

“They had all the time in the world,” she said, to talk to or join the Friends group, go to meetings or attend concerts, where plans are also discussed. “We don’t turn anybody away.”

Pesin, who heads the Friends, similarly says the group has never turned away anyone and has no objection to active recreation being put in the park.

SEARCH FOR ANSWERS

Still, the question remains why the portion of the 1977 plans calling for recreation facilities to serve Jersey City residents closest to the park has gone unfulfilled.

Former Hudson County Freeholder Lou Manzo, a native of Jersey City’s West Side who served in the Assembly from 2004 to 2008, suspects that Green Acres funds that would have been used for such facilities in Liberty State Park went to build the nearby city-owned rec complex at Caven Point, which opened six years later, in 1983.

Planners add that those original documents weren’t intended to be a final statement of what Liberty State Park should become, but rather a starting point for further discussion.

“A master plan is generally a guidance document, what (a park’s) potential can be,” said Jay Watson, senior director of statewide land protection and community relations for the New Jersey Conservation Foundation.

Watson couldn’t say why ballfields weren’t built at the park. But he cautioned that past shortcomings should not become a rationalization to use valuable public space for private ends.

The current leadership at the DEP declined to comment on anything in the past. However, the department noted the imminent hearings on plans for the next stage of major redevelopment at the park — a first public look at initial designs for remediating environmental damage in the park’s interior and reopening it to the public.

“In the coming weeks we will be soliciting feedback on the proposed restoration of the 234-acre interior of LSP,” the statement said. “This is an incredibly important project, funded through Natural Resource Damage monies paid by polluters, to remediate and open up public access to a significant portion of the park that has been fenced off and unusable due to contamination.”

A second front in the effort to secure the park’s future has been unfolding in the Statehouse.

Two months ago, language tucked deep in a 110-page, three-month spending bill allowed the DEP to solicit both for-profit companies and nonprofit entities for investments in state parks.

Gov. Phil Murphy signed the stopgap, pandemic-era bill, which funds the state through Sept. 30, despite calls from legislators and advocates to veto the line item related to state parks. Pesin condemned Murphy for his action, saying the bill “sells out” the park.

“The language does not specifically refer to Liberty State Park,” Alexandra Altman, Murphy’s deputy press secretary, said in a statement. “The Governor’s Office and Department of Environmental Protection do not intend to do a solicitation for Liberty State Park.”

Sen. Brian Stack, who was among the nine Hudson County legislators who voted in favor of the bill, released a joint statement with Assemblywoman Annette Chaparro and Assemblyman Raj Mukherji, all D-Hudson, saying the language was sneaked into the measure.

“Now, more than ever, we must fight to ensure that Liberty State Park remains a free, open, urban green oasis protected from commercialization and privatization,” the lawmakers said. “That is why we have sponsored the Liberty State Park Protection Act and call for its immediate passage.”

A call for enactment of the bill also will be made at a rally on Sept. 12 in the park. In organizing the event, the Friends call the Park Protection Act “essential

after 44 years of grassroots privatization battles.”

The bill was passed by the state Senate but died in the Assembly during the 2019-20 legislative session, Primary sponsor Mukherji said the substance of the bill as written last year is strong and

approving it should be a “no brainer” to protect the park from privatization. Tweaks to the bill have already been drafted to clarify that representatives of social justice groups in Wards A and F should be on the proposed advisory committee, he said. The bill’s next stop is to be before the Assembly Agriculture Committee, where the amendments can be made.

“I expect it would get a hearing in the near future,” he said.

Not everyone agrees with its aims. In an op-ed piece written for NJ.com in January, Richard T. Smith, president of the NAACP New Jersey State Conference, called for a delay in voting on the bill and backed a plan by Fireman that “would protect 99% of the park forever, increase accessibility to the park, and create opportunities for minority communities in Hudson County.”

“Decades ago, the area around Caven Point was a desolate wasteland,” he wrote. “Paul Fireman decided to invest hundreds of millions of dollars of his own money into the environmental cleanup of the site.”

In addition, critics have focused on whether active recreation like ballfields or basketball courts would be permissible under the bill and the makeup of a proposed advisory committee.

However, the act wouldn’t prohibit active recreation from being developed and specifically notes it should be allowed, saying the DEP should continue to “increase both active and passive recreational uses.” As for the advisory committee, Friends president Pesin said he agrees with a Jersey City Council resolution that calls for the makeup to specifically include representatives of the neighborhoods next to the park.

To the bill’s supporters, what’s paramount is making sure a public treasure isn’t sold off.

“There’s always going to be somebody who thinks they have a better private use, a better commercial use for the People’s Park,” Mukherji said. “When are we going to say enough is enough?” *The Jersey Journal’s Joshua Rosario and Teri West contributed to this report.*

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