

WBI

Courtney Morrow

From: Kelley Smith
Sent: Tuesday, April 19, 2022 10:21 AM
To: Courtney Morrow
Subject: FW: Lack of Broadband in Warren County

Please add this subject to May agenda under new business and print this email out for reference in meeting packets. thanks

From: Tracy Matlock <tmallock@co.warren.nj.us>
Sent: Wednesday, April 13, 2022 3:20 PM
To: tandastarrs@hotmail.com; Borough of Alpha <alphaclerk@alphaboronj.org>; lbarton <lbarton@washingtonboronj.org>; btipton@florioperrucci.com; cjacksic@hardwick-nj.us; Craig Dunwell <mayordunwell@alphaboronj.org>; slackfarmsnj@yahoo.com; econry@washingtonboro-nj.org; gnorton@oxfordtwpnj.org; jmengucci@yahoo.com; jdherb@comcast.net; mayor@hackettstown.net; john.inscho@comcast.net; Joseph Kennedy <kennedy07823@gmail.com>; jwatters@mansfieldtownship-nj.gov; kramosftc@gmail.com; manager@washingtonboronj.org; dhrebenak@independencenj.com; Mayor JeffD <mayor@franklintwpwarren.org>; admin@washington-twp-warren.org; busadmin@phillipsburgnj.org; rmoorhead@blairstowntwp-nj.com; bbarsony@greenwichtownship.org; mayor@washington-twp-warren.org; mayor@allamuchynj.org; timothymcdonough@embarqmail.com; ttersigni@phillipsburgnj.org; clerk@belvidere-nj.org; kuster@hackettstown.net; lloudenberry@phillipsburgnj.org; municipalclerk@allamuchynj.org; clerk@blairstowntwp-nj.com; clerk@franklintwpwarren.org; clerk@frelinghuysen-nj.us; clerk@greenwichtownship.org; clerk@hardwick-nj.us; Kelley Smith <clerk@harmonytwp-nj.gov>; townclerk@hopetwp-nj.us; dhrebenak@independencenj.com; clerk@knowlton-nj.com; clerk@libertytownship.org; diltsb@lopcongtp.com; Monica Orlando <morlando@mansfieldtownship-nj.gov>; townclerk@oxfordtwpnj.org; clerk@pohatcongtp.org; twpclerk@washington-twp-warren.org; clerk@whitetwp-nj.com
Subject: Lack of Broadband in Warren County

Dear Mayors, Council and Committee Members, and Municipal Clerks,

The State of NJ is currently remapping the state to provide a more accurate broadband availability map to review with the FCC.

I have been working with the state on this issue, and they have asked me to reach out to our individual committees to get some additional information from you.

They need to know where we have no availability at all. So, if you have any areas in your community that have no access to any broadband, please reply to this email with those areas. If you have any questions or concerns feel free to reach out to me.

Once we know where we are lacking coverage, I will set up an online meeting with those towns and the state to discuss and plan how to deal with the lack of broadband.

Your help in this matter is greatly appreciated!

Best regards,
Lori Ciesla
Commissioner Deputy Director

Tracy L. Matlock for Commissioner Deputy Director Lori Ciesla

Tracy L. Matlock, Confidential Assistant
Warren County Board of County Commissioners Office
Wayne Dumont, Jr. Administration Bldg.
165 County Route 519, South
Belvidere, NJ 07823
908-475-6500 Fax 908-475-6528
tmatlock@co.warren.nj.us

CC: Committee Cover Only
MAY N.B.S

WARREN COUNTY PLANNING DEPARTMENT
WAYNE DUMONT, JR. ADMINISTRATION BUILDING
165 COUNTY ROAD 519, SOUTH
BELVIDERE, NEW JERSEY 07823-1949

Report on File

DAVID K. DECH
PLANNING DIRECTOR



Telephone: (908) 475-6532
Fax: (908) 475-6537
planningdept@co.warren.nj.us

TO: Municipal Clerks
Municipal Planning Boards and Land Use Boards

FROM: David K. Dech, Planning Director

DATE: April 8, 2022

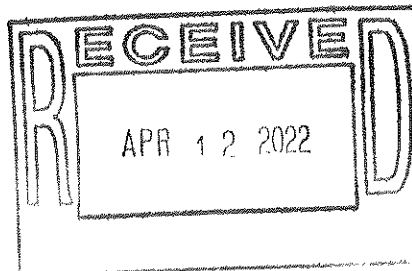
SUBJECT: Public Hearing on Warren County Transportation Plan

The Warren County Planning Board will hold a public hearing on May 23, 2022 at 7:00 p.m. in the County Commissioners' Meeting Room at the Wayne Dumont Jr. County Administration Building, 165 County Route 519, to hear comments on the proposed Warren County Transportation Master Plan. Action may be taken at this meeting to adopt the plan.

A printed copy of the Warren County Transportation Master Plan is available for inspection at the Warren County Planning Department office during normal business hours, 8:30 a.m. to 4:30 p.m. Monday through Friday. In addition it is available on the Warren County website at <https://www.warrencountynj.gov/home/showpublisheddocument/3719>

Information about the process and project is available on the project website located at <https://www.wctransportationplan.com/>

Written comments may be submitted to the Warren County Planning Department, 165 CR 519, Belvidere, NJ 07823, by fax at 475-6537, or email at planningdept@co.warren.nj.us prior to the May 23rd hearing.



may N.B.3 w/reso

GIORDANO, HALLERAN & CIESLA, P.C.

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
WWW.GHCLAW.COM

STEVEN P. GOUIN, ESQ.
SHAREHOLDER
ALSO ADMITTED TO PRACTICE IN NY
SGOUIN@GHCLAW.COM
DIRECT DIAL:(732) 219-5498

RECEIVED

APR 05 2022

TOWNSHIP OF HARMONY
OFFICE OF THE MUNICIPAL CLERK
April 1, 2022

Please Reply To:
125 HALF MILE ROAD
SUITE 300
RED BANK, NJ 07701
(732) 741-3900
FAX: (732) 224-6599

Client/Matter No. 19306-0092

VIA FEDERAL EXPRESS & EMAIL

Mayor Brian Tipton and Harmony Township Committee
Township of Harmony
Municipal Building
3003 Belvidere Road
Phillipsburg, NJ 08865

Re: A 15.5 acre portion of Block 7, Lot 14, Harmony Township, Warren County, NJ (as depicted on the attached plan)

Dear Mayor Tipton and Township Committee:

This firm represents Harmony Solar Farm, LLC. My client is the ground lessee of the above-referenced property located in Harmony Township. In the course of my client's due diligence, we learned that the property has been inaccurately assessed as "farmland" pursuant to the Farmland Assessment Act of 1964, P.L.1964, c.48 since at least 2002. We are bringing this to the Committee's attention because we understand that the Township would like to correct that error and receive a payment equal to the delta between what was paid by the owner of the property for the period from 2002-2021 (when the property was inaccurately assessed as farmland) and what should have been paid had the property been appropriately assessed as "industrial" property. My client, on behalf of the owner, is prepared to immediately make that payment, in the amount of \$74,427.27, which is what we calculate is due for the above-reference time period.

By way of brief background, the property is what is commonly referred to as the laydown area for an active quarry, industrial sand and gravel mine and resource extraction operation. It is used to store waste materials, lumber, other materials, materials used in the quarry process and for the storage of trailers, equipment and heavy trucks and other quarry related devices. It serves in that capacity as of this date. It is a portion of a larger tax parcel that was and is actively farmed. However, the laydown area was not part of the permanently farmed portion of the site. In fact, the property is more appropriately classified as an industrial "brownfield." As the Committee may be aware, a "brownfield," pursuant to state law is "any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant." See, N.J.S.A. 48:3-51.

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A Professional Corporation
ATTORNEYS-AT-LAW

Mayor Brian Tipton and Harmony Township Committee
April 1, 2022
Page 2

My client has determined that there is substantial contamination at this property (see the enclosed map). That contamination was recently reported to the New Jersey Department of Environmental Protection (NJDEP) hotline and a Confirmed Discharge Notification form has been filed with NJDEP Site Remediation and Waste Management Program. Our client has retained Rodger Ferguson of PennJersey Environmental as the Licensed Site Remediation Professional (LSRP) for the property and Mr. Ferguson has recorded incident number 21-08-04-1455-49 with the NJDEP. The prospective remediation that will be conducted by my client has been assigned NJDEP Program Interest No. 944189 and Activity LSR210001. Simply put, this is not the type of property that would be commonly considered "farmland."

We are not certain the cause of the assessment error, but, in any event, we are happy to work with the Township to correct the mistake. We have included a proposed form of resolution for your consideration at your next public meeting. My client is ready, willing, and able to make the necessary reimbursement payment as soon as the Committee takes appropriate action.

Thank you for your attention to this matter.

Very truly yours,



STEVEN P. GOUIN

SPG/

Enclosures

cc: Reeder Farm Solar Farm, LLC (via email)
Katrina Campbell, Esq. (via email)
Mark S. Bellin, Esq. (via email)
Rodger Ferguson, LSRP (via email)

Docs #5659523-v1

RESOLUTION OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY ACKNOWLEDGING THE MISTAKE IN TAX ASSESSMENT CLASSIFICATION OF A PORTION OF BLOCK 7, LOT 14, HARMONY TOWNSHIP; ACCEPTING REIMBURSEMENT FOR PAST TAXES ACTUALLY DUE; AND DIRECTING THE MUNICIPAL TAX ASSESSOR TO CORRECT THE TAX RECORDS BY APPROPRIATELY ASSESSING THE SUBJECT PROPERTY AS "INDUSTRIAL" PROPERTY FOR TAX YEARS 2002 - 2021

WHEREAS, the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (the "Act") provides for certain qualifies properties to be assessed as "farmland" for purposes of reducing the tax assessment of those qualifying properties; and

WHEREAS, at least a portion of Block 7, Lot 14 in Harmony Township (the "Property") was assessed as "farmland" pursuant to the Act from 2002 - 2021; and

WHEREAS, the Property is the site of a lay down area for an active industrial gravel and sand mining operation; and

WHEREAS, as a result of the industrial gravel and sand mining operation, the Property was contaminated with various chemicals and other contaminants as a result of the industrial use of the Property; and

WHEREAS, the Property is property classified as an industrial "brownfield" pursuant to relevant state law; and

WHEREAS, notwithstanding that the Property is an industrial "brownfield," at least a portion of the Property may have been "farmland" assessed since at least 2002 and through 2021; and

WHEREAS, it has been brought to the Committee's attention that the "farmland" assessment of the Property for years 2002 to 2021 was in error, given the Property's historic use and present "brownfield" status; and

WHEREAS, the owner of the property, or his designee, desires to reimburse the Township for the delta between what was paid by the owner of the property during the period that the Property was erroneously assessed as "farmland;" and

WHEREAS, the Township desires to accept such reimbursement; and

WHEREAS, the Township desires to direct the municipal tax assessor to correct the Township's tax records to reflect that the Property should not have qualified as "farmland" assessed for the period of 2002 to 2021;

NOW, THEREFORE, BE IT RESOLVED by the Committee as follows:

1. The Property is not "farmland" and should not have qualified for "farmland" assessment status at any time during the period of 2002 to 2021.

2. The municipal tax assessor is hereby directed to correct the Township's tax records to reflect that the Property should have been assessed as "industrial" property for the period of 2002 to 2021.

3. The Township is authorized to accept reimbursement of the taxes due for the period of 2002 to 2021 representing the delta between what was paid by the owner of the property during that time period and what should have been paid if the property was appropriately assessed as "industrial" property.

4. The Township agrees that the amount of the reimbursement is \$74,427.2774,427.27.

5. The Township Clerk shall provide a certified copy of this Resolution to all parties of interest.

6. This Resolution shall take effect immediately.

CERTIFICATION

I, _____, Clerk of the Township of Harmony, County of Warren, and State of New Jersey, DO HEREBY CERTIFY that this is a true and correct copy of a Resolution adopted by the Township Committee at a regular meeting held on _____.

_____, RMC/CPM
Municipal Clerk/Administrator

Property Tax Summary

Year	Acres	Farmland Assessed	Value	Value/Acre	Tax Paid	Tax Rate	Tax Val/Acre	Totale Acreage	Reimbursement
Block 7; Lot 14									
2021	68.28	No	\$738,800.00	\$10,820.15	\$18,063.66	\$0.02	\$264.55	162.00	\$3,889.49
	93.72	Yes	\$52,200.00	\$556.98	\$1,276.29	\$0.02	\$13.62		
2020	68.28	No	\$738,800.00	\$10,820.15	\$18,034.11	\$0.02	\$264.12	162.00	\$3,883.12
	93.72	Yes	\$52,200.00	\$556.98	\$1,274.20	\$0.02	\$13.60		
2019	68.28	No	\$738,800.00	\$10,820.15	\$18,307.46	\$0.02	\$268.12	162.00	\$3,941.98
	93.72	Yes	\$52,200.00	\$556.98	\$1,293.52	\$0.02	\$13.80		
2018	68.28	No	\$738,800.00	\$10,820.15	\$18,292.69	\$0.02	\$267.91	162.00	\$3,938.80
	93.72	Yes	\$52,200.00	\$556.98	\$1,292.47	\$0.02	\$13.79		
2017	68.28	No	\$738,800.00	\$10,820.15	\$18,314.85	\$0.02	\$268.23	162	\$3,943.57
	93.72	Yes	\$52,200.00	\$556.98	\$1,294.04	\$0.02	\$13.81		
2016	68.28	No	\$738,800.00	\$10,820.15	\$18,071.05	\$0.02	\$264.66	162	\$3,891.08
	93.72	Yes	\$52,200.00	\$556.98	\$1,276.81	\$0.02	\$13.62		
2015	68.28	No	\$738,800.00	\$10,820.15	\$17,923.29	\$0.02	\$262.50	162	\$3,859.26
	93.72	Yes	\$52,200.00	\$556.98	\$1,266.37	\$0.02	\$13.51		
2014	68.28	No	\$738,800.00	\$10,820.15	\$17,332.25	\$0.02	\$253.84	162	\$3,732.00
	93.72	Yes	\$52,200.00	\$556.98	\$1,224.61	\$0.02	\$13.07		
2013	68.28	No	\$738,800.00	\$10,820.15	\$14,319.68	\$0.02	\$209.72	162	\$2,971.72
	93.72	Yes	\$52,200.00	\$556.98	\$1,686.59	\$0.03	\$18.00		
2012	58.28	No	\$613,000.00	\$10,518.19	\$14,448.41	\$0.02	\$247.91	152	\$3,561.22
	93.72	Yes	\$72,200.00	\$770.38	\$1,701.75	\$0.02	\$18.16		
2011	58.28	No	\$613,000.00	\$10,518.19	\$14,111.26	\$0.02	\$242.13	152	\$3,478.12
	93.72	Yes	\$72,200.00	\$770.38	\$1,662.04	\$0.02	\$17.73		
2010	58.28	No	\$613,000.00	\$10,518.19	\$13,620.86	\$0.02	\$233.71	152	\$3,357.24
	93.72	Yes	\$72,200.00	\$770.38	\$1,604.28	\$0.02	\$17.12		
2009	58.28	No	\$613,000.00	\$10,518.19	\$20,559.34	\$0.03	\$352.77	152	\$5,308.77
	93.72	Yes	\$72,200.00	\$770.38	\$962.25	\$0.01	\$10.27		
2008	96.29	No	\$916,600.00	\$9,519.16	\$19,890.22	\$0.02	\$206.57	152	\$2,942.76
	55.71	Yes	\$42,900.00	\$770.06	\$930.93	\$0.02	\$16.71		

Property Tax Summary

Year	Acres	Farmland Assessed	Value	Value/Acre	Tax Paid	Tax Rate	Tax Val/Acre	Totale Acreage	Reimbursement
Block 7; Lot 14									
2007	96.29	No	\$916,600.00	\$9,519.16	\$19,248.60	\$0.02	\$199.90	152	\$2,847.83
	55.71	Yes	\$42,900.00	\$770.06	\$900.90	\$0.02	\$16.17		
2006	96.29	No	\$916,600.00	\$9,519.16	Not Listed	-	-	152	\$3,966.18
	55.71	Yes	\$42,900.00	\$770.06	in Records	-	-		
2005	42	No	\$629,400.00	\$14,985.71	\$11,329.20	\$0.02	\$269.74	152	\$3,966.18
	110	Yes	\$84,700.00	\$770.00	\$1,524.60	\$0.02	\$13.86		
2004	42	No	\$629,400.00	\$14,985.71	\$10,699.80	\$0.02	\$254.76	152	\$3,745.84
	110	Yes	\$84,700.00	\$770.00	\$1,439.90	\$0.02	\$13.09		
2003	42	No	\$629,400.00	\$14,985.71	\$10,846.11	\$0.02	\$258.24	152	\$3,852.29
	110	Yes	\$84,700.00	\$770.00	\$1,067.66	\$0.01	\$9.71		
2002	42	No	\$428,700.00	\$10,207.14	\$9,431.40	\$0.02	\$224.56	152	\$3,349.82
	110	Yes	\$42,200.00	\$383.64	\$928.40	\$0.02	\$8.44		
2001	42	No	\$428,700.00	\$10,207.14	\$9,131.31	\$0.02	\$217.41	152	
	110	Yes	\$42,200.00	\$383.64	\$898.86	\$0.02	\$8.17		
2000	42	No	\$428,700.00	\$10,207.14	\$8,788.35	\$0.02	\$209.25	152	
	110	Yes	\$42,200.00	\$383.64	\$731.85	\$0.02	\$6.65		
								Total	\$74,427.27



CONRAIL
(FORMERLY BELVEDERE DELAWARE BRANCH)



BOHLER SITE CIVIL AND CONSULTING ENGINEERING LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE SUSTAINABLE DESIGN PLANNING SERVICES TRANSPORTATION SERVICES	REVISIONS NO. DATE COMMENT	
FOR EXHIBIT PURPOSES ONLY	BOHLER 811 1000 BELVIDERE ROAD SUITE 200 BELVIDERE, MD 21814 TEL: 410-326-1000 FAX: 410-326-1001 WWW.BOHLERCO.COM	
PROJECT: PRELIMINARY / FINAL LAND DEVELOPMENT PLANS CLIENT: HARMONY SAND AND GRAVEL, LLC	DRAWN BY: [Name] CHECKED BY: [Name] DATE: [Date]	
MAP 11, B.C. TITLE 3, §14.14 2010 BELVIDERE ROAD TOWNSHIP OF BELVIDERE, NJ	BOHLER 811 1000 BELVIDERE ROAD SUITE 200 BELVIDERE, MD 21814 TEL: 410-326-1000 FAX: 410-326-1001 WWW.BOHLERCO.COM	
RL STRECKER PROFESSIONAL ENGINEER LICENSE NO. 35802 1000 BELVIDERE ROAD SUITE 200 BELVIDERE, MD 21814 TEL: 410-326-1000 FAX: 410-326-1001 WWW.BOHLERCO.COM	2020 FARMLAND EXHIBIT C-05 DATE: 02/28/2020	

R:22-18

RESOLUTION OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY ACKNOWLEDGING THE PROPER REASSESSMENT CLASSIFICATION OF A 15.5 Acre PORTION BLOCK 7, LOT 11, HARMONY TOWNSHIP; ACCEPTING REIMBURSEMENT FOR PAST TAXES ACTUALLY DUE; AND DIRECTING THE MUNICIPAL TAX ASSESSOR TO CORRECT THE TAX RECORDS BY APPROPRIATELY ASSESSING THE SUBJECT PROPERTY AS "INDUSTRIAL" PROPERTY FOR TAX YEARS 2002 - 2021

WHEREAS, the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (the "Act") provides for certain qualifies properties to be assessed as "farmland" for purposes of reducing the tax assessment of those qualifying properties; and

WHEREAS, at least a 15.5 acre portion of Block 7, Lot 11 in Harmony Township (the "Property") was assessed as "farmland" pursuant to the Act from 2002 - 2021; and

WHEREAS, the Property is the site of a former industrial gravel and sand mining operation; and

WHEREAS, as a result of the former industrial gravel and sand mining operation, the Property was contaminated with various chemicals and other contaminants as a result of the industrial use of the Property; and

WHEREAS, the Property is property classified as an industrial "brownfield" pursuant to relevant state law; and

WHEREAS, notwithstanding that the Property is an industrial "brownfield," at least a portion of the Property has been "farmland" assessed since at least 2002 and through 2021; and

WHEREAS, it has been brought to the Committee's attention that the "farmland" assessment of the Property for years 2002 to 2021 should have been assessed as a browns field based on then existing conditions, given the Property's historic use and present "brownfield" status; and

WHEREAS, the owner of the property, or his designee, desires to reimburse the Township for the delta between what was paid by the owner of the property during the period that the Property was assessed as "farmland;" and

WHEREAS, the Township desires to accept such reimbursement; and

WHEREAS, the Township desires to direct the municipal tax assessor to correct the Township's tax records to reflect that the Property should not have qualified as "farmland"

assessed for the period of 2002 to 2021

NOW, THEREFORE, BE IT RESOLVED by the Committee as follows:

1. The Property is not “farmland” and should not have qualified for “farmland” assessment status at any time during the period of 2002 to 2021.
2. The municipal tax assessor is hereby directed to correct the Township’s tax records to reflect that the Property should have been assessed as “industrial” property for the period of 2002 to 2021.
3. The Township is authorized to accept reimbursement of the taxes due for the period of 2002 to 2021 representing the delta between what was paid by the owner of the property during that time period and what should have been paid if the property was appropriately assessed as “industrial” property.
4. The Township agrees that the amount of the reimbursement is \$75,000.00. for which payment has already been tendered to the Township.
5. The Township Clerk shall provide a certified copy of this Resolution to all parties of interest.
6. This Resolution shall take effect immediately.

CERTIFICATION

I, _____, Clerk of the Township of Harmony, County of Warren, and State of New Jersey, DO HEREBY CERTIFY that this is a true and correct copy of a Resolution adopted by the Township Committee at a regular meeting held on _____.

_____, RMC/CPM
Municipal Clerk/Administrator