

From: [Eugene T. Paolino](#)
To: [Tabachnick, Alan](#)
Cc: [Christopher Albanese](#); [Michael Ritz](#)
Subject: RE: STB - Checking on Harsimus Settlement Status
Date: Friday, January 10, 2020 5:58:38 PM
Importance: High

Sorry I caught you on the Metro. I was attempting to answer the questions you posed to Chris. So, we do indeed have good news—long in the making. We (all parties and their various counsels, including the City of Jersey City) spent three days in my office, from morning to evening on each day. I think we are very near completing a Settlement Agreement that resolves all issues and directly addresses the Section 106 process, a proposed Memorandum of Agreement for the STB and ancillary documents necessary to implement the settlement. In addition to bringing you all up to date on those fronts and obtaining your view on how well we have addressed, for instance, the 106 process, there are other critical matters that need to be resolved for which we could use your and SHPO's advice, counsel and guidance. To keep the momentum going, I respectfully urge that you join us at the Trenton meeting in person. I am sure that your presence at the meeting would be very welcome and much appreciated by everyone. I look forward to seeing you at the end of the month. Best regards,

Eugene T. Paolino

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From: Tabachnick, Alan <alan.tabachnick@stb.gov>
Sent: Friday, January 10, 2020 4:10 PM
To: Christopher Albanese <cva@albaneseorg.com>
Cc: Tingey, Andrea <Andrea.Tingey@dep.nj.gov>; Eugene T. Paolino <ETPaolino@genovaburns.com>; Nicholas L. DePaolo <ndepaolo@genovaburns.com>; Michael Ritz <mar@albaneseorg.com>; Jack Fersko <jfersko@greenbaumlaw.com>
Subject: RE: STB - Checking on Harsimus Settlement Status

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Glad to hear good news! I can definitely say that I will make myself available but will have to check here with Vicki Rutson and Barbara Miller to see if they are available that day. If you can let me know if it needs to be an in-person meeting, or conference call, or the overall nature of the agenda,

that would be helpful when I talk with them. I know that STB is interested in doing whatever we can to help move the case/project forward!

I am around the office until 5pm today, and telework Monday, but can be reached via cell phone on Monday, or at the office number for the next hour. I am looking forward to hearing how it all is going and what has been agreed upon.

Thanks.

Alan Tabachnick

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From: Christopher Albanese <cva@albaneseorg.com>
Sent: Friday, January 10, 2020 4:01 PM
To: Tabachnick, Alan <alan.tabachnick@stb.gov>
Cc: Tingey, Andrea <Andrea.Tingey@dep.nj.gov>; 'Eugene T. Paolino' <ETPaolino@genovaburns.com>; Nicholas DePaolo (<ndepaolo@genovaburns.com>) <ndepaolo@genovaburns.com>; Michael Ritz <mar@albaneseorg.com>; Jack Fersko <jfersko@greenbaumlaw.com>
Subject: RE: STB - Checking on Harsimus Settlement Status

Alan,

Yes, I have good news to report. The parties made significant progress on the settlement agreement through a 3-day, all hands, meeting this week. Yesterday, I reached out to Andrea Tingey of SHPO, who is cc'd, requesting a meeting with all the parties on Monday, January 27th. Those that will attend include Conrail, the Embankment Coalition, Jersey City, Rails to Trails, the Property Owner (Vickie Hyman) and the developer and contract vendee (Albanese Development Corp.), and their respective attorneys. If this date works for SHPO, would STB be available to join? Thanks.

Christopher V. Albanese,
President

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From: Tabachnick, Alan <alan.tabachnick@stb.gov>
Sent: Friday, January 10, 2020 3:11 PM
To: Christopher Albanese <cva@albaneseorg.com>
Subject: RE: STB - Checking on Harsimus Settlement Status

Hi Chris. I wanted to check in now that it is after the holidays and you had mentioned that you all were meeting in early January about the settlement agreement. If you could provide me with an update on its status that would be great. I was just up in the project area last Friday, at the Jersey City Cemetery with some of the SHPO who wanted to see that location. Also went on a short tour of the project corridor with them. So the 106 process continues to move forward.

Looking forward to hearing some positive news. Thanks much.

Alan Tabachnick

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From: Tabachnick, Alan
Sent: Thursday, December 5, 2019 12:12 PM
To: Christopher Albanese <cva@albaneseorg.com>
Cc: 'Eugene T. Paolino' <ETPaolino@genovaburns.com>; Michael Ritz <mar@albaneseorg.com>; Russell Albanese <rca@albaneseorg.com>
Subject: RE: STB - Checking on Harsimus Settlement Status

Thanks for getting back to me. Sounds potentially hopeful. I am pretty booked this afternoon, but tomorrow morning would work for me. Any time from 9am onward. Let me know what works for you and I can block it off. Thanks.

Alan Tabachnick

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From: Christopher Albanese <cva@albaneseorg.com>
Sent: Thursday, December 5, 2019 9:56 AM
To: Tabachnick, Alan <alan.tabachnick@stb.gov>
Cc: 'Eugene T. Paolino' <ETPaolino@genovaburns.com>; Michael Ritz <mar@albaneseorg.com>;
Russell Albanese <rca@albaneseorg.com>
Subject: STB - Checking on Harsimus Settlement Status

Alan,
Thanks for checking in. The term sheet was executed over the summer and, over the last few months, the parties have been working diligently on the settlement agreement. We have meetings with the attorneys the first week of January to try to conclude the settlement agreement. I anticipate that the settlement agreement will be concluded in January. Do you have time for a quick call either this afternoon or tomorrow morning to discuss further?

Christopher V. Albanese,
President

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From: Tabachnick, Alan <alan.tabachnick@stb.gov>
Sent: Wednesday, November 27, 2019 12:43 PM
To: Christopher Albanese <cva@albaneseorg.com>
Subject: Checking on Harsimus Settlement Status

Hi. I haven't heard anything about the status of the term sheet or the negotiations related to the potential settlement since mid-summer. Has there been any progress or can you share any information? We continue to move ahead with the Section 106 and NEPA processes. Thanks and have a nice holiday.

Alan Tabachnick

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