

Chidley, George

From: Madden, Robin
Sent: Tuesday, May 21, 2019 4:35 PM
To: Bob Nash
Cc: Chidley, George; Dooley, Marlen; Glenn, Olivia; Texel, Mark; Gabliks, Inga; Felton, Jenny; xengwarner@aol.com; johnbrant@NJMT.org; pe.benton@gmail.com; JMcDonough@sh-law.com; Gunson, Joe; Todd.Kropilk@dot.nj.gov
Subject: Follow up - Pine Creek Railroad - Allaire State Park
Attachments: RobertNashfinal.pdf

Good afternoon Mr. Nash, attached is a summary of our discussion. I did have difficulty reading everyone's handwriting for their e-mail addresses. I would appreciate if I missed someone or spelled their e-mail incorrectly that you could pass it on to them. Thank you.

Robin Madden, Manager
Assistant Commissioner's Office
NJDEP – Natural & Historic Resources
609 292-3541



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

OFFICE OF THE ASSISTANT COMMISSIONER

MAIL CODE 501-03A

P.O. BOX 420

TRENTON, NJ 08625-0420

TEL: # 609-292-3541 FAX: # 609-984-0836

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. McCABE
Commissioner

May 21, 2019

Robert Nash
Recording Secretary
NJ Museum of Transportation
PO Box 622
Farmingdale, NJ 07727

Dear Mr. Nash:

Thank you for meeting with us on Friday, May 10, 2019 and engaging in productive discussions to chart a path forward to a new License Agreement between the NJ Museum of Transportation (NJMT) and the Department of Environmental Protection (Department).

To facilitate moving forward, the Department is memorializing the milestones that were established and agreed to at the meeting:

- The Department shall terminate the Holdover Lease Agreement on or before December 31, 2019 and the NJMT shall continue to operate the Pine Creek Railroad under a New License Agreement.
- By May 31st, the NJMT shall provide the Department with the 2019 Annual Budget and Events for all activities at the Pine Creek Railroad, a list of its current board members with their contact information and a schedule establishing site clean-up milestones for removal of equipment not used in the railroad operation and accumulated scrap metal and wood located on the Pine Creek Railroad premise at Allaire State Park.
- By July 1st, the NJMT shall submit a redline copy of the Draft License Agreement and a written outline of any operational concerns and suggested changes to the Departments Draft License Agreement. The NJMT has been advised that the License Agreement is subject Attorney General, Division of Law review and while the Department agrees to review all the NJMT proposed changes there will be boiler plate language that cannot be changed. Therefore, to assist the Department in our review and discussion, please provide a cover memo outlining all of your operational concerns and proposed solutions to support requested changes to the License Agreement.

- By July 31st, the NJMT shall submit Annual Report and finance information to close-out 2018. In addition, the NJMT shall submit the Annual Work Plan, Proof of Railroad Inspections and list of qualified operators for 2019.

We also clarified that:

- For day to day operations, Inga Gabliks, Superintendent of Allaire State Park is your primary contact. She can be reached via email at Inga.Gabliks@dep.nj.gov or telephone (732) 938-2371.
- For any activities and/or issues related to your Holdover Lease Agreement with the Department, George Chidley will be your primary point of contact. He can be reached at George.Chidley@dep.nj.gov or (609) 633-7860.

We look forward to our continued partnership with the NJ Museum of Transportation at Allaire State Park. And as you meet milestones, we will consider options, at a later time to enter into a new lease agreement to replace the yet to be executed license agreement. Please contact George with any questions on the agreement and next steps.

Sincerely,



Robin Madden
Manager

c. Meeting Attendees (attached)

Chidley, George

From: Bob Nash <bobnash@njmt.org>
Sent: Monday, May 20, 2019 10:24 AM
To: Chidley, George; Madden, Robin; Gabliks, Inga
Cc: Texel, Mark; Gunson, Joe; Glenn, Olivia
Subject: [EXTERNAL] Removal of scape material from NJMT site

Mr. Chidley:

The NJMT respectfully wishes to advise you that we will be removing from the property and disposing of scrap metal that has accumulated over time. This scape metal is excess from material used to repair equipment and is not any actual equipment. The material will be transported to and disposed of at a local junk yard.

The removal of this material is currently scheduled for Tuesday, May 21st, weather permitting.

Bob

Robert S. Nash
Recording Secretary
New Jersey Museum of Transportation
PO Box 622
Farmingdale, NJ 07727

732.938.5524 (Office)
732.938.2970 (Fax)
973.332.5932 (Cell)
www.NJMT.org

Chidley, George

From: Bob Nash <bobnash@njmt.org>
Sent: Friday, May 17, 2019 2:50 PM
To: Chidley, George
Cc: Madden, Robin; Texel, Mark; Gunson, Joe; Glenn, Olivia; Felton, Jenny; Gabliks, Inga; Dooley, Marlen
Subject: [EXTERNAL] Request Extension of Time for Submission of 2018 Annual Report and Financial Information

Mr. Chidley:

As discussed in our May 10, 2019 meeting, the New Jersey Museum of Transportation respectfully requests and extension of time until August 1, 2019 for the submission of the NJMT's 2018 Annual Report and Financial Information. The extension of time is requested because a portion of the material that is required is prepared by individuals who are doing the work on a pro bono basis.

The NJMT is still on track to submit the following material on the dates that were agreed upon at the May 10th meeting:

1. May 30th - Annual Work Plan, Inspections and Budget for 2019.
2. July 1st - Red lined mark up of draft license agreement

Bob

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Chidley, George

From: Chidley, George
Sent: Monday, April 29, 2019 12:20 PM
To: Bob Nash
Cc: Texel, Mark; Felton, Jenny; Gabliks, Inga; Gunson, Joe; Dooley, Marlen
Subject: RE: [EXTERNAL] RE: FINAL NOTICE OF MATERIAL BREACH AND PENDING ACTION TO SUSPEND OPERATION

Mr. Nash:

The Office of Leases and Concessions (OLC) is in receipt of the 2017 Reporting. Please note that this material does not address the OLC email request made 3/4/19 (see below) for the overdue Annual Report and finance information required to close-out 2018. Nor does it meet the requirements for submission of the Annual Work Plan, Inspections and Budget for 2019.

From: Bob Nash <bobnash@njmt.org>
Sent: Monday, April 29, 2019 12:05 PM
To: Chidley, George <George.Chidley@dep.nj.gov>
Cc: Texel, Mark <Mark.Texel@dep.nj.gov>; Felton, Jenny <Jenny.Felton@dep.nj.gov>; Gabliks, Inga <Inga.Gabliks@dep.nj.gov>; Gunson, Joe <Joe.Gunson@dep.nj.gov>; Dooley, Marlen <Marlen.Dooley@dep.nj.gov>
Subject: [EXTERNAL] RE: FINAL NOTICE OF MATERIAL BREACH AND PENDING ACTION TO SUSPEND OPERATION

Mr. Chidley:

Pursuant to my email of 5:17 AM this morning, attached is a PDF of the NJMT Charitable Filing (form CRI-200) for 2017. This completes the submission of all Lease Compliance material for 2017.

Please acknowledge receipt of this email and that you have all material for the year 2017 submission.

Robert S. Nash
Recording Secretary
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Farmingdale, NJ 07727

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On Mon, 29 Apr 2019 05:27:51 -0400, Bob Nash wrote:

Mr. Chidley:

I have just forwarded you a PDF of the NJMT 2017 Lease Compliance Submission. I am sending you this email incase your email filter rejects the submission.

Please advise if you have not received the submission and I will immediately post it on my company's FTP site for you to download.

Robert S. Nash
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On Tue, 23 Apr 2019 11:29:07 -0400, Bob Nash wrote:

Mr. Chidley:

I apologize. For the last 12 days I have been working 12 hours on and 8 hours off and then 12 hours on again because of staffing shortages on Amtrak. I have marked off for this Saturday (April 27th) to guarantee that I can assemble the required material for submission. You will have all the requested submission material by Monday morning, April 29th. If I am able to complete the submission prior to then, I will upload it immediately.

Thank you for your understanding.

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Recording Secretary
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On Mon, 22 Apr 2019 18:38:03 +0000, "Chidley, George" wrote:

Mr. Nash:

The Office of Leases and Concessions requests that you acknowledge this request and provide information on your Organizations intention to cure the material breach.

George Chidley, Manager
Office of Leases and Concessions

From: Chidley, George
Sent: Thursday, April 11, 2019 9:43 AM
To: bobnash@njmt.org
Cc: 'lluBrant@njmt.org' <lluBrant@njmt.org>; Texel, Mark <Mark.Texel@dep.nj.gov>; Felton, Jenny <Jenny.Felton@dep.nj.gov>; Gabliks, Inga <Inga.Gabliks@dep.nj.gov>; Gunson, Joe <Joe.Gunson@dep.nj.gov>
Subject: SECOND NOTICE OF MATERIAL BREACH AND PENDING ACTION TO SUSPEND OPERATION

Mr. Nash:

Please be advised that the scheduling of the meeting does not relieve the Tenant of the responsibility for curing the Material Breach. The items highlighted below must be received within ten business day of the date of this notice. Thank you for your anticipated cooperation in this matter.

George Chidley, Manager
Office of Leases and Concessions

From: Chidley, George
Sent: Monday, March 4, 2019 12:34 PM
To: 'bobnash@njmt.org' <bobnash@njmt.org>
Cc: 'lluBrant@njmt.org' <lluBrant@njmt.org>; Texel, Mark <Mark.Texel@dep.nj.gov>; Felton, Jenny <Jenny.Felton@dep.nj.gov>; Gabliks, Inga <Inga.Gabliks@dep.nj.gov>; Gunson, Joe <Joe.Gunson@dep.nj.gov>
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Mr. Nash:

This shall serve as notice that the New Jersey Museum of Transportation is in Material Breach of the Holdover Lease Agreement for failure to submit the Annual Report and finance information to close-out 2018. In addition, the Annual Work Plan, Inspections and Budget for 2019 have not been submitted for Department approval. As you are aware the Department has determined that it will not offer the New Jersey Transportation Museum an new Lease. The present site is not being maintained and the New Jersey Transportation Museum has moved equipment and stored materials on the site without the written permission of the Department. The Department provided the New Jersey Transportation Museum with a copy of a proposed draft license Agreement in 2017, that would allow your organization to remain onsite. The Office of Leases and Concessions has repeatedly requested comments on the License Agreement terms and conditions and you have responded in writing that the Board would submit comments shortly. The only comments received from your organization disputed the boundaries of the Allaire Village State and National Registers Historic District boundaries, to which you received our response. Absent any effort to comply with the Holdover Lease Agreement reporting requirements and to pursue the License Agreement will force the Department to initiate action to suspend the operation at Pine Creek Railroad. The Department requires a meeting in Trenton with the members of the Board of Trustees to discuss overdue reporting and the future of the Pine Creek Railroad under a License. On or before March 15, 2019, please provide the contact information for the members of your Board so that the Department can schedule a meeting. Thank you for your anticipated cooperation in this matter.

George Chidley, Manager
Office of Leases and Concessions

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Subject: [EXTERNAL] RE: FINAL NOTICE OF MATERIAL BREACH AND PENDING ACTION TO SUSPEND OPERATION
Attachments: 12-31-17 NJ CRI-200.pdf

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George Chidley, Manager
Office of Leases and Concessions



New Jersey Office of the Attorney General

Division of Consumer Affairs
Office of Consumer Protection
Charities Registration Section
124 Halsey Street, 7th Floor, P.O. Box 45021
Newark, NJ 07101 (973) 504-6215

Form CRI-200

Short-Form Registration/Verification Statement

Charitable organizations domiciled or doing business in the State of New Jersey, which receive gross contributions of \$25,000 or less per year, are required to submit an initial registration and to renew registration annually. In both circumstances this form may be used. In the event an organization receives gross contributions of less than \$10,000 per year and does not compensate anyone to solicit or perform fund-raising activities on its behalf, the organization is exempt from registration, but may still choose to register. The registration fee for charities with gross contributions between \$0 and \$25,000 is \$30, whether the fee is for an initial or renewal registration.

1. This statement is an Initial or Renewal Registration: **Renewal**
- 1b. This statement contains the facts and financial information for the fiscal year ending: **12/31/2017**
2. Federal ID Number: **[REDACTED]** 2a. N.J. Charities Registration Number: **[REDACTED]**
3. Full legal name of the registering organization: **NJ MUSEUM OF TRANSPORTATION**
In care of: **Idella Lubrant**
4. Mailing Address: **PO BOX 622 ALLAIRE STATE PARK, FARMINGDALE, NJ 07727**
5. Physical Address: **Idella Lubrant PO BOX 622 ALLAIRE STATE PARK**

FARMINGDALE, NJ 07727

Same as Mailing Address: Yes

6. If the street address listed above is not where the organization's official records are kept, or if the organization does not maintain an office in New Jersey, indicate the name, full address, phone and fax number of the person having custody of the organization's records, and to whom correspondence should be addressed.

Address: **PO BOX 622 ALLAIRE STATE PARK, FARMINGDALE NJ 07727**

7. Organization's contact information:

Telephone: **732-938-5524**

Fax:

Email: **ihl1954@aol.com**

Website: **http://www.njmt.org**

IRS501C: **501 (c) (3)**

Tax Status: **Exempt**

IRS Ruling Year: 1963

Date of Entity Formation: 05/15/1963

NTEE Code:

Charity type: Educational

State Entity:

Type of Entity:

D.B.A.:

OLD D.B.A.:

Charity Formerly Known As:

Old Corporate Name:

8. a) Were all of the organization's functions, including fund-raising, conducted by volunteers, members, officers or persons who are not compensated for soliciting contributions? **Yes**
- b) Is the organization a fraternal, patriotic, social or alumni organization, historical society or similar organization organized under the provisions of Title 15 of the New Jersey Revised Statutes or Title 15A of the New Jersey Statutes, and solicitation of contributions is confined to the organization's membership and performed by members of the organization? **No**
- c) Does the organization solicit on behalf of a specified individual, and are all contributions, without any deductions what so ever, turned over to this beneficiary? **No**
- d) Is the organization a local post, camp, chapter or similarly designated element or county unit, of a bona fide veterans' organization which issues charters to the local elements throughout New Jersey or to any veterans' organization chartered under federal law or a service foundation of such an organization recognized in the organization's by-laws? **No**
- e) Is the organization a private foundation that raised less than \$25,000 in public contributions? **No**
9. Is the organization a chapter or local unit of a parent organization? **No**
- Parent Charity Name
- NJ Charity # of the Parent Organization
10. If not tax exempt, has the organization made application to the IRS? **No**
11. Has the organization's IRS tax-exempt status been revoked, changed or refused by the IRS during the fiscal year end being reported? **No**
12. Was the organization's legal name changed, or were any alternate names added or deleted during the fiscal year end being

reported? **No**

13. Have there been changes in the organization's name, address, Internal Revenue Service (I.R.S.) status, etc. since the date of your last reporting? **No**

14. What is the charitable purpose or purposes for which the organization was formed: **Operation of Pine Creek Railroad as exhibit for public education. Membership activities consisting of newsletter and meetings featuring presentations on railroad history.**

14a. Does the organization solicit or intend to solicit contributions from the general public in the State of New Jersey (including through the sale of merchandise)? **No**

If "Yes," explain the purpose for which solicited funds are being raised:

14b. Does the organization solicit funds under any other name(s)? **No**

If "Yes," please attach to this registration a list of all other names used.

15. Does the organization have any offices in New Jersey in addition to the ones listed above?

16. Has the organization used a commercial co-venture? **No**

16a. Please describe the purpose for which the funds are being raised.

16b. Please enter the names of all PFR's and Commercial co-ventures.

PFR OR Conventure	Business Name

17. Does the organization register or solicit in other states? **No**

State Name

17a. Has the organization ever been enjoined in any jurisdiction from soliciting contributions or has it been found to have engaged in unlawful practices in the solicitation of contributions or the administration of charitable assets? **No**

17b. Has the organization's charity registration been denied, suspended or revoked by any jurisdiction or state?
No

17c. Has the organization voluntarily entered into an assurance of voluntary compliance agreement or any similar order or legal agreement with any jurisdiction, state or federal agency or officer? No

Enter the name, title, street address, telephone number and salary of each officer, director and trustee.

Name	Business Address	Telephone Number	Title	Salary
Idella Lubrant	Box 622	(732) 938-5524	Treasurer	\$0.00

18. Do you have any compensated employees? No

Five most-highly compensated employees in the organization

Name	Title	Street Address	Telephone	Salary
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19. Has any person listed in the response to question 16 been adjudged liable in any administrative or civil action, or been convicted in a criminal action involving theft, fraud or deceptive business practices?
No

CRI-200 Short-Form Registration Verification Financial Statement

A. Revenue

Line A1. Contributions & Donations: Includes but is not limited to individual and corporate contributions, donations, legacies, bequests and gross receipts from fundraising:

A1a. Gross Direct Public Support [REDACTED]

A1b. Gross Indirect Public Support (including donations from other charities). \$0.00

A1c. Gross Fund Raising and Gaming Income \$0.00

A1d. Gross Contributions (add lines 1a, 1b and 1c) [REDACTED]

Line A2 Government Grants \$0.00

A3a. Program service revenue [REDACTED]

A3b. Other Support \$0.00

Line A4. Total Gross Revenue (add lines A1c, A2 and A3) [REDACTED]

B. Expenses

Line B1. Program Expenses [REDACTED]
Line B2. Management Expenses [REDACTED]
Line B3. Fund-raising Expenses \$0.00
Line B4. Affiliate Expenses \$0.00
Line B5. Total Expenses (add lines B1, B2, B3 and B4) [REDACTED]

C. Net Assets

Line C1. Net Assets [REDACTED]

- Did you use a Professional Fund Raiser? **No**
- Have Bylaws changed since last registration? **No**
- Has IRS filing status changed since last reg? **No**
- Has Charity Have Articles of inc. changed since last reg? **No**
- Has Charity changed their name since last reg? **No**