



Board of Chosen Freeholders

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MEDIA RELEASE

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Hunterdon Freeholders Oppose Penn East Eminent Domain Abuse In Federal Court

Hunterdon County filed in Federal Court on March 22nd its Answer and Opposition papers to fight Penn East's Condemnation Complaints on seventeen properties in Hunterdon County where the County holds either farmland easements or road right of way easements, Freeholder Suzanne Lagay, the Board's Deputy Director, has announced.

The Hunterdon County Freeholders have retained Timothy Duggan, of Stark and Stark, to represent the County in opposition to Penn East's attempt to use Eminent Domain to take property rights on numerous County farms in order to site the company's planned natural gas pipeline.

Freeholder Lagay said, "As I stated when the Board acted to retain Mr. Duggan, the County has over 20 farmland properties that are impacted, where public funds were used to purchase development easements. It is, in my opinion, in the best interest of the County's taxpayers and residents to oppose Penn East's application for eminent domain."

The County's papers filed by Mr. Duggan in opposition to Penn East, stated, "Penn East threatens decades of the State of New Jersey's and non-profit land trusts' work and resources spent protecting the very lands it seeks to condemn.

Penn East does not hold a final FERC Certificate of Public Convenience and Necessity upon which it could ask this Court to determine that it possesses a right to condemn."

Freeholder Director Matt Holt stated, "The Freeholder Board has previously taken a position in opposition to the Penn East's abuse of the eminent domain process that violates farmland easements and pre-empts County open space policy. We will continue to fight the abuse of eminent domain in court."

Freeholder Lagay added, "Mr. Duggan will be filing opposition in the coming weeks to the Complaints filed by Penn East for the remaining properties where Hunterdon County has been named as a defendant, to protect other farmland easements under threat of condemnation."

Oral arguments before the Court on the initial filings are scheduled for April 5th.