



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

STATE OF NEW JERSEY
WATERSHED PROPERTY REVIEW BOARD

CATHERINE R. McCABE
Commissioner
Department of
Environmental Protection

JOSEPH L. FIORDALISO
President, Board of Public
Utilities

SHEILA Y. OLIVER
Commissioner
Department of Community
Affairs

MINUTES OF REGULAR MEETING OF WATERSHED PROPERTY REVIEW BOARD

A regular meeting of the Watershed Property Review Board ("WPRB" or "Board") was held on April 21, 2020, via teleconference call pursuant to the Board's amended notice.

Public notice was given pursuant to N.J.S.A. 10:4-18 by posting notice of the meeting on the WPRB, Green Acres, Department of Community Affairs ("DCA") and Board of Public Utilities ("BPU") websites. Notice was also delivered to the Department of State and the following newspapers circulated in the State of New Jersey:

The Bergen Record
The Star Ledger

The following members of the Board were present:

President Joseph Fiordaliso, BPU
Assistant Commissioner Ray Bukowski, DEP
Chief Regulatory Officer, Donald Palombi, DCA

Deputy Attorney General ("DAG") Gersten opened the meeting with a reading of the Open Public Meetings Act ("OPMA") statement indicating that adequate public notice of the meeting was given including posting notice on the WPRB, Green Acres, DCA and BPU websites. Notice was also delivered to the Department of State, the Bergen Record and the Star Ledger.

DAG Gersten took roll call and welcomed the members of the Board. Hearing no opening comments from the members of the Board, DAG Gersten began with the first item on the agenda.

Watershed Property Review Board request for an exemption by the Township of Long Hill, Morris County and New Jersey American Water Company, Inc. – The joint application of the Township of Long Hill and New Jersey American Water Company, Inc. for an exemption to the Watershed Protection and Moratorium Act in connection with the proposed conveyance of the Township of Long Hill's wastewater assets (including real property) to New Jersey American Water Company, Inc.

The Township of Long Hill ("Township") and New Jersey American Water Company, Inc. ("NJAWC") (as "Co-Applicants") submitted a request to the Board seeking an exemption to convey its municipal wastewater system to NJAWC. The conveyance will allow NJAWC to provide wastewater utility service within the Township. The Township believes that NJAWC's significant resources will assure more efficient service and provide additional system reliability to the Township. Voters approved the proposed \$12.7 million sale via a Township referendum in November 2019. There is one parcel of land included in this sale, which will be transferred in fee, and eight easements across private and public properties. In addition to these properties, the Township's utility rights within certain road rights-of-way will also be transferred to NJAWC.

The Township is seeking an exemption to allow it to convey its interest in the Property, ROWs and easements to NJAWC on the basis that the sale is consistent with the purposes of the Act. The Property and easement interests will continue to be subject to the Act since they will be conveyed from one regulated entity to another. If in the future NJAWC decides to convey any interest in these properties to a third party, NJAWC has committed to contact the Board for a jurisdictional determination on each property proposed for sale as would be required under the Act.

DAG Gersten asked if there were any final comments, hearing none, asked for a motion on this item. President Fiordaliso motioned and Chief Regulatory Officer Palombi seconded. All three members of the Board voted to approve the request.

Update on the activities of the WPRB staff since previous Board meeting in October 2019

DAG Gersten provided an update on Board Staff activities since the previous Board meeting in October 2019. Updates included a discussion of Staff attending a quarterly meeting with SUEZ where several road and utility projects are in the planning stages. Staff will continue to work with the applicant. It is anticipated that SUEZ and Bergen County will request that these projects be presented at the next scheduled Board meeting in October 2020.

DAG Gersten also indicated that Staff completed a jurisdictional determination for NJAWC in Cherry Hill Township. Staff has one outstanding matter in Mansfield Township which Staff received before the stay at home order was put into effect. Therefore, a site visit has not been completed for this additional NJAWC request.

There were no comments from the members of the Board on this agenda item.

DAG Gersten indicated that due to the stay at home order, Staff was not able to provide meeting minutes from the October 2019 Board meeting for approval at today's meeting. In order to make the minutes available to the public as soon as possible, DAG Gersten recommended that the Board authorize one member of the Board preliminarily approve the minutes when available. All three members of the Board agreed with this recommendation and Chief Regulatory Officer Palombi was selected to be the designee. DAG Gersten asked if there were any final comments, hearing none, asked for a motion on this item. President Fiordaliso motioned and Assistant Commissioner Bukowski seconded. All three members of the Board voted to approve Chief Regulatory Officer Palombi as the designee to approve meeting minutes moving forward.

There being no further business before the Board, the meeting was adjourned at 1:21 pm.



Jessica Patterson Board Staff

Dated: April 21, 2020