



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

STATE OF NEW JERSEY
WATERSHED PROPERTY REVIEW BOARD

SHAWN M. LATOURETTE
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 October 27, 2022, via teleconference call pursuant to the Board's public notice and posted agenda.

Public notice was given pursuant to the Open Public Meetings Act ("OPMA") at N.J.S.A. 10:4-18 by posting notice of the meeting on the WPRB, Department of Environmental Protection ("DEP") Office of Transactions and Public Land Administration, Department of Community Affairs ("DCA") and Board of Public Utilities ("BPU") websites. Notice was also given in the DEP Bulletin and 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
Deputy Commissioner Sean Moriarty, DEP
Chief Regulatory Officer, Donald Palombi, DCA

Deputy Attorney General ("DAG") Gersten opened the meeting with a reading of the OPMA statement indicating that adequate public notice of the meeting was given including posting notice on the WPRB, DEP Office of Transactions and Public Land Administration, DCA and BPU websites. Notice was also posted in the DEP Bulletin and 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.

II. Exemption Request by City of Jersey City for the Boonton Reservoir Protection and Trail Project Located in the Town of Boonton and the Township of Parsippany-Troy Hills, Morris County

The City of Jersey City filed an application with the Board for an exemption from the Act. Specifically, the City seeks an exemption for the Recreational Trail Lease Agreement it entered with the Morris County Parks Commission on February 14, 2019, for the purpose of developing, maintaining and managing a 7.7-mile perimeter public access loop trail around the Boonton Reservoir while providing extensive security upgrades and water quality improvements which will enhance the property and the water supply for the City's residents. The Agreement was conditioned upon the City and the Commission adopting a Property Management Plan and the Board approving the Agreement. There will be no permanent conveyance of property resulting from this exemption request.

The City is the owner of the 1,300-acre Boonton Reservoir (also known as the Jersey City Reservoir), located in the Rockaway River Watershed. The reservoir was constructed by the City in 1902. Currently, there is a public-private contract between the City and Veolia North America, formerly SUEZ, for the operation and maintenance of the City's water system.

The non-motorized recreational and educational trail will be constructed in four phases and will be no greater than eight (8) feet in width and made of pervious material. At this time, the permitted uses on the trail will include only passive activities such as walking, running and cross-country skiing, birding and nature study; with no pets allowed, and fishing, boating and swimming in the reservoir prohibited. The trail surface will be adequate for use by emergency vehicles (including rescue vehicles, ATVs and horses) and no structures other than parking, trailheads, kiosks, benches and interpretive signage will be permitted. The trail will be accessible from three parking lots located in Parsippany-Troy Hills Township (Greenbank Drive North and South Parking Areas totaling 47 parking spaces and Parsippany Boulevard Parking Area with 34 parking spaces) and from the existing Washington Street Bridge trailhead in the Town of Boonton. These three gravel parking areas will be secured with lockable gates and removable bollards and will include bioswales to capture surface runoff and naturally filter pollution and silt. The parking areas will also be ADA compliant, with ADA spaces constructed with pervious pavers or pervious asphalt.

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

III. Jurisdictional Determinations

DAG Gersten informed the Board that Staff recently conducted one jurisdictional determination for New Jersey American Water Co. ("NJAWC") in the Borough of Kenilworth, Union County City. Staff determined that the Board did not have jurisdiction over the property and is looking to send a letter to NJAWC confirming it's determination. Board members did not have any comments on this agenda item. President Fiordaliso moved to approve Board Staff sending this jurisdictional determination letter and Deputy Commissioner Moriarty seconded. All three members of the Board voted to approve this item.

IV. Update on the Activities of the WPRB Staff Since the Previous Board Meeting in February 2022

DAG Gersten provided an update on Board Staff activities since the previous Board meeting in February 2022. Updates included Staff continuing discussions on an affordable housing project in Millburn, the Route 23 DOT project in West Milford, a land swap between the Borough of Butler and Our Lady of Magnificat in Butler, and the sale of a municipal water system in Allendale to Veolia. Staff will continue to work with these applicants and will bring forth any requests it receives at the next Board meeting. There were no comments from the members of the Board on this agenda item.

DAG Gersten asked if there were any final comments or question for Staff, hearing none, asked for a motion to adjourn the meeting. President Fiordaliso moved and Chief Regulatory Officer Palombi seconded.

There being no further business before the Board, the meeting was adjourned at 1:16 PM.



Jessica Patterson, Board Staff

Dated: October 27, 2022