



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

WATER

IN THE MATTER OF THE PETITION OF SUEZ WATER)
NEW JERSEY INC. FOR THE APPROVAL OF) ORDER
MUNICIPAL CONSENT TO OWN AND OPERATE)
WATER AND SEWER SYSTEMS IN THE TOWNSHIP)
OF WEST MILFORD AND APPROVAL OF THE)
ISSUANCE OF REVISED TARIFF SHEETS SETTING)
FORTH SUEZ WATER NEW JERSEY INC.'S)
EXPANDED SERVICE AREA RELATED TO THE)
TRANSFER OF WATER AND SEWER ASSETS FROM)
THE TOWNSHIP OF WEST MILFORD TO SUEZ)
WATER NEW JERSEY INC.) DOCKET NO. WE17111189

Parties of Record:

Kelly K. Ruggiero, Esq., SUEZ Water New Jersey Inc.
Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:¹

In this matter, the Board of Public Utilities ("Board") considers a petition filed by SUEZ Water New Jersey Inc. ("SWNJ" or "Company" or "Petitioner") for Board approval of a municipal consent granted by the Township of West Milford ("Township") and the merger of the West Milford Municipal Utilities Authority ("WMMUA" or "West Milford Systems" or "Seller") water and sewer systems into SWNJ.

BACKGROUND

On November 8, 2017 SWNJ filed a petition with the Board, pursuant to N.J.S.A. 48:2-14 and N.J.A.C. 14:1-5.5 and 14:1-5.11, seeking approval of the following: (1) a municipal consent, Ordinance No. 2017-014 ("Ordinance"), adopted December 20, 2017, by the Township to allow Petitioner to provide water and sewer service to the customers in the WMMUA; (2) the expansion of SWNJ service territory to include customers in the WMMUA; (3) the merger of

¹ Commissioner Robert M. Gordon recused himself due to a potential conflict of interest and as such took no part in the discussion of this matter.

the WMMUA into SWNJ and purchase the water and sewer system assets of the WMMUA; and (4) the filing of revised tariff sheets.

The WMMUA is a public body corporate and politic in Passaic County and is not subject to the jurisdiction of the Board. The WMMUA is composed of 10 separate water systems and provides water services to 1,727 homes through approximately 25 wells, eight storage tanks and a series of related distribution systems. The WMMUA provides sewer services to approximately 1,496 homes through a series of collection systems within six separate sewer systems. The WMMUA serves approximately 20% of the Township of West Milford. The remainder of the Township's residents obtain water from private wells and these residents dispose of their wastes through on-lot disposal systems.

SWNJ is a public utility organized and operating under the laws of the State of New Jersey. SWNJ is engaged in the business of collecting, treating and distributing water for retail service to customers located in the northern and western portions of the State. SWNJ serves approximately 200,000 customers located in portions of Bergen, Hudson, Passaic, Morris, Hunterdon and Sussex Counties. SUEZ also supplies water service to municipalities, including the Township of Saddle Brook, the Boroughs of Fairlawn, Saddle River, Allendale, Mahwah and Ramsey and the Village of Ridgewood. The Petitioner is a wholly-owned subsidiary of SUEZ Water Resources Inc., a Delaware corporation.

SWNJ also provides water service to 509 homes in the Bald Eagle Commons subdivision where SUEZ Water West Milford Sewer, Inc. provides wastewater service.

THE PROPOSED TRANSFER AND FRANCHISE AREA EXPANSION

On September 6, 2017, SWNJ entered into an Agreement of Sale ("Agreement") with the Township, which provides for SWNJ to purchase the Seller's water and sewer system assets serving the customers of the WMMUA. The purchase price for the assets of the WMMUA is a negotiated amount of \$11,300,000, which is a reduction from the bid price of \$12,500,000. In addition, the Company has agreed to pay up to \$250,000 in seller transaction costs. The WMMUA has not maintained its books and records according to the Uniform System of Accounts. Therefore, the Company has agreed to develop an asset valuation study to make a complete comparison of the purchase price to the value of the assets being acquired. The valuation study is expected to be completed by May 2019.

Petitioner has obtained consent from the Township to lay, maintain and relay its water pipes, mains and wastewater collection mains to provide water and sewer service to the WMMUA. The Township passed the Ordinance providing consent on December 20, 2017.

Petitioner represents that it intends to merge the WMMUA into SWNJ. The WMMUA will be served by SWNJ's operations office in Passaic County, New Jersey.

The petition indicates that, given its proximity to the sewer system of SWNJ's affiliate, the West Milford Systems can easily be included in the existing daily rounds of SWNJ maintenance personnel to SWNJ systems and can quickly be reached by SWNJ staff in the event of any emergency.

IMPACT ON SUEZ WATER NEW JERSEY, INC.

The Company represents that the expansion of its service territory will not impose any negative impacts on current SWNJ customers or its ability to provide safe and adequate service. SWNJ

claims it has successfully owned and operated water systems in New Jersey for many years. This franchise expansion and transfer will allow SWNJ, a company with extensive resources, to use its knowledge, expertise and access to capital to operate the Seller's system in a way that will ensure safe and dependable service to its customers and moderate future rate impacts. It will also result in operational and administrative efficiencies and enable SWNJ to maintain economies of scale as the Seller's former customers and assets are integrated into SWNJ's system.

IMPACT ON THE WEST MILFORD SYSTEM CUSTOMERS

SWNJ is requesting that the West Milford Systems be merged into SWNJ. The Petitioner proposes that it charge the WMMUA customers the currently rates of the WMMUA until the next rate proceeding, not the currently pending rate case, I/M/O The Joint Petition for Approval of an Increase in Rates For Water and Wastewater Service and Other Tariff Changes for Suez Water New Jersey Inc., Suez Water Toms River Inc. Suez Water Arlington Hills Inc., Suez Water West Milford Inc., Suez Water Princeton Meadows Inc., and Suez Water Matchaponix Inc., BPU Docket No. WR18050593. The Petitioner also proposes to modify the billing frequency from the quarterly billing cycle used by the WMMUA to a monthly billing cycle. At the conclusion of the next rate case, SWNJ proposes to move the West Milford Systems' customers to SWNJ's approved rates for water and wastewater service.

The Company represents that the WMMUA, specifically the sewer systems, are in need of significant capital improvements. The Company anticipates, subject to additional due diligence, capital improvements of approximately of \$31.3 million over the next five years, with \$5.4 million associated with the water systems and \$25.9 million on the sewer systems. The ongoing noncompliance of the sewer systems are currently the subject of an Administrative Consent Order ("ACO") that the Township is negotiating with the New Jersey Department of Environmental Protection ("NJDEP"). It is anticipated that SWNJ will inherit these terms for a short period after the sale closes, while it negotiates its own ACO with the NJDEP as the new owner of the West Milford Systems.

SPECIFIC BENEFITS TO CUSTOMERS OF THE WEST MILFORD SYSTEMS

The Petitioner states that the proposed Agreement will promote the public interest and result in the following positive benefits:

1. The need to comply with increasingly stringent water quality and environmental standards has created substantial demands for capital investment for water and wastewater utilities. The financial resources and backing of SWNJ will be a benefit to WMMUA customers in the replacement of infrastructure and compliance with the Safe Drinking Water Act.
2. SWNJ's size and scale enable the Company to address the water and wastewater needs of the WMMUA customers well into the future.
3. The customers of the WMMUA will benefit from becoming part of SWNJ, a substantially larger utility regulated by the Board. These customers will receive the benefits of industry standard best practices in the areas of planning, research, environmental compliance, water quality, customer service, finance, risk management, operations and service delivery and management.

4. After the approval of the proposed Agreement, the WMMUA customers will have access to SWNJ's customer service call center to resolve any customer service issues that may arise.

THE MUNICIPAL CONSENT

SWNJ intends to operate the assets of the WMMUA pursuant to the existing municipal consent granted under the Ordinance. The municipal consent, adopted on December 20, 2017 by the Township, will allow Petitioner to lay, maintain and relay its water pipes, mains, connections and to provide water and wastewater service to the West Milford Systems. The effective date of the ordinance was January 9, 2018.

On May 2, 2018, a duly noticed municipal consent hearing on the Company's petition was held at the Board's Trenton office. William Agee, Esq., Legal Specialist, presided over the hearing at which representatives of the Company, Rate Counsel and Staff appeared. No members of the public appeared at the hearing or filed written comments.

THE WATERSHED PROPERTY REVIEW BOARD

The Watershed Property Review Board ("WPRB") consists of the President of the Board of Public Utilities, the Commissioner of the NJDEP and the Commissioner of the New Jersey Department of Community Affairs ("NJDCA").

The Township seeks to sell its assets, including certain property containing its water and sewer systems located in the Township of West Milford, Passaic County, to SWNJ. The Seller and SWNJ, by way of written request dated June 5, 2018, requested an exemption from the WPRB to allow this sale to proceed. Without the exemption, conveyance of the property may be prohibited by the Watershed Protection and Moratorium Act, P.L. 1998, c. 163, as amended by P.L. 1990, c. 19.

The WPRB Staff thoroughly investigated the West Milford System property for sale. On September 10, 2018, the WPRB issued the attached Order Granting Exemption.

THE NEW JERSEY DIVISION OF RATE COUNSEL ("RATE COUNSEL") COMMENTS

By letter dated June 6, 2018, the New Jersey Division of Rate Counsel ("Rate Counsel") submitted its comments to the petition and stated that, subject to certain conditions, it is not opposed to the proposed acquisition of the WMMUA or the proposed merger of the acquired assets into the Petitioner.

Rate Counsel also stated it does not object to the proposed initial tariff or the proposal to move customers from the quarterly billing cycle to a monthly billing cycle.

Rate Counsel indicated that it does not object to the Petitioner's request for approval of the municipal consent, subject to the recommendation that the Board modify both the term of the consent to serve and the consent to street access to 50 years from the date of the grant of the consent. Rate Counsel recommended that the Board condition its approval on limitation of the municipal consent to a reasonable period not exceeding 50 years, which is the maximum period allowed for the right to use the streets in the municipality under N.J.S.A. 48:3-15.

Rate Counsel recommended that the Board condition its approval on the petition to specify that transaction costs cannot be recovered in rates.

Rate Counsel believes that the WMMUA depreciated the value of the assets. Therefore, the Company has indicated it will develop an asset valuation study by May 2019.

Rate Counsel further stated that the sewer system represents a significant financial liability for the Company and its existing ratepayers. The WMMUA sewer system is operating under the ACO from the NJDEP. The ACO details numerous monitoring and discharge violations in the wastewater operations resulting from malfunctioning wastewater plants in the WMMUA. The Company indicated that it will invest \$31.3 million in the water and sewer systems within five years. Rate Counsel believes that the present rate revenues from the WMMUA are inadequate to support the acquisition price, the cost of operations and maintenance and the improvements required to satisfy the ACO.

Rate Counsel believes that the acquisition will have no impact on competition in the water sector. Rate Counsel believes that the customers of WMMUA will be better served by the Company, which has a significantly better record of compliance with the DEP rules and regulations for both water and wastewater services. Rate Counsel asserts that SWNJ has the technical, managerial and financial capacity to properly manage the WMMUA systems in a way that will better serve the customers.

Rate Counsel also objects to any recovery in rates for transaction costs. Rate Counsel also objects to employment severance packages for the three employees of the WMMUA as there are no benefits to the ratepayers and should be considered as part of the Company's transactions costs. Rate Counsel states that per Board policy, transaction costs are not eligible for rate recovery.

DISCUSSION AND FINDINGS

The Ordinance provides the Petitioner with the consent to provide water and wastewater service to certain sections of the Township and for the laying of pipes and the installation of other utility facilities as may be necessary. (Ordinance at 1.) N.J.S.A. 48:2-14 provides in part:

No privilege or franchise granted after May first, one thousand nine hundred and eleven, to any public utility by a political subdivision of this state shall be valid until approved by the board. Such approval shall be given when, after hearing, the board determines that the privilege or franchise is necessary and proper for the public convenience and properly conserves the public interests. In granting its approval the board may impose such conditions as to construction, equipment, maintenance, service or operation as the public convenience and interests may reasonably require.

Although the Ordinance does not specify a period for the use of the streets, a municipality may consent to the use of its streets or surfaces, but only for a period not exceeding 50 years. N.J.S.A. 48:3-15. However, N.J.S.A. 48:2-14 sets no limit for the duration of the municipal consent or franchise for the provision of service.

SWNJ will continue to charge the WMMUA customers existing rates until at least SWNJ's next base rate case.

The Agreement will cause no material changes in the balance sheet or financial position of SWNJ. The need to comply with increasingly stringent water quality and environmental standards, while also rehabilitating and replacing aging water and wastewater infrastructure, has created substantial demands for capital investments by water utilities. The financial resources and backing of SWNJ will be a benefit to the WMMUA customers in the replacement of infrastructure and compliance with the Safe Drinking Water Act. After the completion of the proposed Agreement, customers of the WMMUA will have access to the SWNJ customer service call center to resolve customer service issues.

The Board, having reviewed the Petition and the entire record, **FINDS** that the municipal consent is necessary and proper for the public convenience and properly serves the public interests.

Accordingly, the Board **HEREBY APPROVES** the municipal consent, Ordinance No. 2017-014, adopted December 20, 2017, granted to SWNJ by the Township. The Board **HEREBY APPROVES** an initial tariff for the West Milford System customers to be incorporated into the SWNJ tariff. The Board **HEREBY APPROVES** the continuation of the current WMMUA rates and the Company's request to bill customers on a monthly basis.

The Board **HEREBY APPROVES** the proposed merger of the WMMUA into SWNJ as more fully described in the petition. Having considered the magnitude of the transaction, the Board **HEREBY FINDS** that the proposed acquisition is in the public interest subject to the following conditions.

1. This Order is based upon the specific and particular facts of the Agreement and shall not have precedential value in future transactions that may come before the Board and shall not be relied on as such.
2. This Order shall not affect or in any way limit the exercise of the authority of the Board, or of the State, in any future petition, or in any proceeding with respect to rates, franchises, service, financing, accounting, capitalization, depreciation or in any matters affecting the Company.
3. This Order shall not be construed as directly or indirectly fixing for any purposes whatsoever any value of any tangible or intangible assets or liabilities now owned or hereafter to be owned by SWNJ.
4. The Petitioner shall not depreciate any portion of the water or wastewater system expansion that is funded by Contributions in Aid of Construction.
5. The Company shall conduct an asset valuation study by May 1, 2019, and shall provide copies of the valuation study to the Board and Rate Counsel.
6. As required by N.J.S.A. 48:3-15, the municipal consent for the use of streets is limited to a term of 50 years.
7. Approval of this municipal consent does not constitute approval by the Board of any costs or expenses associated with this petition. Any determination as to the appropriateness or reasonableness of the costs and expenses related to the franchise, including, but not limited to, cost of construction, contributions in aid of construction, depreciation of contributed plant, the cost of connection or any related

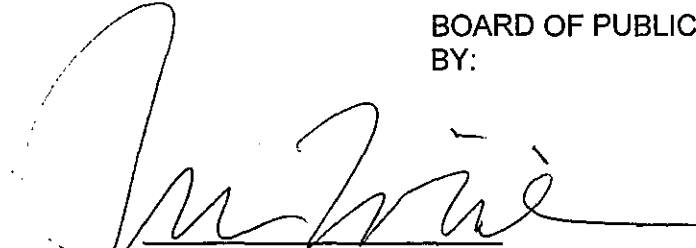
capital improvements, and the allocation of such costs and expenses, shall be made in an appropriate subsequent proceeding.

8. Approval of this municipal consent does not constitute approval of any specific main extension or plan for service. In extending service, SWNJ must comply with all applicable laws.
9. Within 30 days of the date of the closing, the Petitioner shall file with the Board proof of the closing, net transaction costs, and final journal entries along with a detailed calculation of all expenses related to the proposed Agreement.
10. Within 10 days of the date of the closing, SWNJ shall submit any revised tariff pages that may be necessary as a result of the proposed Agreement.
11. Board Staff is authorized to approve, subject to comments filed by Rate Counsel, any written request by the Petitioner for additional time to comply with items 5, 9, and 10 above.

The Order shall be effective on October 29, 2018.

DATE: 10/29/18

BOARD OF PUBLIC UTILITIES
BY:




JOSEPH L. FIORDALISO
PRESIDENT



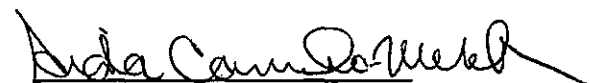
MARY ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 
AIDA CAMACHO-WELCH
SECRETARY

IN THE MATTER OF THE PETITION OF SUEZ WATER NEW JERSEY INC. FOR THE APPROVAL OF MUNICIPAL CONSENT TO OWN AND OPERATE WATER AND SEWER SYSTEMS IN THE TOWNSHIP OF WEST MILFORD AND APPROVAL OF THE ISSUANCE OF REVISED TARIFF SHEETS SETTING FORTH SUEZ WATER NEW JERSEY INC.'S EXPANDED SERVICE AREA RELATED TO THE TRANSFER OF WATER AND SEWER ASSETS FROM THE TOWNSHIP OF WEST MILFORD TO SUEZ WATER NEW JERSEY INC.

DOCKET NO. WE17111189

SERVICE LIST

Kelly K. Ruggiero, Esq.
Senior Corporate Attorney
Suez Water
461 From Road, Suite 400
Paramus, NJ -7652
kelly.ruggiero@suez-na.com

Stefanie A. Brand, Esq., Director
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-0003
sbrand@rpa.nj.gov

Aida Camacho-Welch
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
aida.camacho@bpu.nj.gov

Maria L. Moran, Director
Division of Water
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Maria.moran@bpu.nj.gov

Alex Moreau, Esq.
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Alex.moreau@law.njoag.gov



PHILIP D. MURPHY
Governor

STATE OF NEW JERSEY
WATERSHED PROPERTY REVIEW BOARD

CATHERINE R. McCABE
Commissioner
Department of
Environmental Protection

SHEILA Y. OLIVER
Lt. Governor

JOSEPH L. FIORDALISO
President, Board of Public
Utilities

SHEILA Y. OLIVER
Commissioner
Department of Community
Affairs

WATERSHED PROPERTY REVIEW BOARD REQUEST)
FOR AN EXEMPTION BY THE TOWNSHIP OF WEST)
MILFORD AND SUEZ WATER NEW JERSEY)
)

ORDER GRANTING
EXEMPTION

(SERVICE LIST ATTACHED)

BY THE WATERSHED PROPERTY REVIEW BOARD:

Introduction

The Township of West Milford, Passaic County ("Township") has made an application before the Watershed Property Review Board ("Board") to sell its assets, including certain property containing its water and wastewater systems located in the Township of West Milford, Passaic County, to SUEZ Water New Jersey, Inc. ("SWNJ"). The Township, by way of written request dated June 5, 2018, is seeking an exemption from the Watershed Property Review Board ("Board") to allow this sale to proceed. Without the exemption, conveyance of the property may be prohibited by the Watershed Protection and Moratorium Act, P.L. 1988, c. 163, as amended by P.L. 1990, c. 19 ("Act"). This Order adopts Board Staff's recommendation to grant the requested exemption.

Background

In 1964, the Township created a municipal utilities authority ("MUA") to provide water and sewer service to its residents. Currently, the MUA provides water and sewer service to approximately 1,700 homes and businesses in the Township. Water and sewer service is provided to the Awosting, Bald Eagle Village, Birch Hill, Crescent Park, Highview and Olde Milford Estates communities. The MUA also provides water service

to the Greenbrook Estates, Parkway and Greenwood-Lake Beach communities. The MUA operates and maintains nine separate water systems (totaling 16 groundwater wells) and six sewer treatment plants in its service area. The MUA is solely funded by its ratepayers and does not receive tax dollars to operate and maintain its facilities.

The MUA is no longer able to continue operating its systems due to severe deterioration of its infrastructure, a smaller customer base and mounting operation and maintenance costs, which have resulted in violations of the Safe Drinking Water Act and Water Pollution Control Act and penalties exceeding \$5 million. Therefore, the Township is seeking to convey its system to SWNJ. Voters approved the proposed \$12.5 million sale via a Township referendum in November 2017. The Township subsequently amended the resolution reflecting a new selling price of \$11.3 million. There are 29 parcels ("the Properties") included in this sale, which will be transferred in fee, as inventoried in Exhibit 1. In addition to these properties, the MUA's utility rights within certain road right-of-way ("ROW") and 37 easements across private and public properties will also be transferred to SWNJ.

Approximately 25 properties are located in the headwaters area of Monksville and Wanaque Reservoirs and 4 properties are located within the Pequannock watershed. The MUA's water system relies entirely on groundwater resources (16 wells); none of its supply is generated by surface water. Board Staff has conducted a preliminary review of the Properties and easement locations conducted site visits for the Properties. Other than the MUA's facilities (which include sewage treatment plants, wellhouses, water storage tanks, booster stations, lift stations, and associated access driveways and fencing), these properties are undeveloped.

Discussion

The Act prohibits any "municipality, municipal utility authority, or public utility" from conveying "any land utilized for the purpose of the protection of a public water supply." Section 1 of P.L. 1988, c. 163. In other words, the Act places a moratorium on all conveyances of watershed property. The Act permits the Board to grant an exemption from the moratorium under three circumstances. Section 2(a) of P.L. 1988, c. 163. The Board may permit the conveyance of watershed property if it finds: "(1) that there is a compelling public need for the conveyance of the property, (2) the denial of the exemption would result in extraordinary hardship, or (3) the sale or development of the watershed property is otherwise consistent with the purposes of this Act" (which are generally to protect water quality and encourage open space preservation).

The Township is seeking an exemption which will allow it to convey its interest in the Properties, ROWs and easements to SWNJ on the basis that the sale is consistent with the purposes of the Act. Board Staff concur that the Properties and easement interests will continue to be subject to the Act since they will be conveyed from one regulated entity to another. The sale would further allow SWNJ to improve the systems to meet current New Jersey Department of Environmental Protection ("DEP") standards and help resolve the ongoing enforcement matter. As a condition of the sale, SWNJ has

agreed to substantial upgrades and repairs to these systems over the next 20 years. If in the future SWNJ decides to convey any interest in these Properties to a third party, SWNJ has committed to contact the Board for a jurisdictional determination on each property proposed for sale, as would be required under the Act

Conclusion

Based on the foregoing discussion, the Board **HEREBY FINDS** that the proposed conveyance of the Properties by the Township to SWNJ is consistent with the purposes of the Act, which includes the protection of water quality and encourage open space preservation. The Board **FINDS** that the Properties will continue to be subject to the Act, and any future conveyance of property interests in the Properties would require the Board Staff to conduct a detailed jurisdictional determination for each property interest proposed for conveyance and/or an exemption from the Board. The Board **HEREBY ORDERS** any future sale of the Properties would require the Board Staff to conduct a detailed jurisdictional determination for each property proposed for sale. The Board **FURTHER ORDERS** to the extent that the Township and SWNJ identify additional property interests that will transfer to SWNJ at closing, the Township and/or SWNJ must report these properties to Board Staff within 30 days of closing, via an updated Exhibit 1 inventory. The Board **FURTHER ORDERS** the Township and SWNJ must work with DEP staff to resolve purported easement interests on DEP held properties at Block 3802, Lot 2 (Greenwood Lake State Park) and Block 4502, Lot 2 (Long Pond Ironworks State Park) for which written easement documents have not been located.

Therefore, the Board **HEREBY ORDERS** that the application for the sale of the Properties, ROWs and easements be granted an exemption by the Watershed Property Review Board, pursuant to Section 2(a) of P.L. 1988, c. 163, as amended, shall be and hereby is **APPROVED** subject to the conditions recited above.

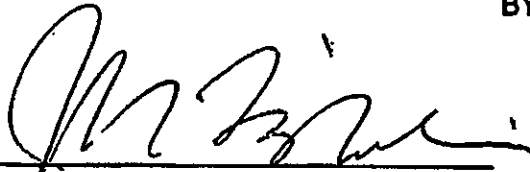
This Order addresses consideration of an exemption from the Act and does not relieve SWNJ, the Township and the MUA of any other obligations that may be required pursuant to any statute or regulation. This order is contingent on the applicant obtaining approvals pursuant to any other statute or regulation.

This Order confirms the vote on this matter taken at the duly noticed open public meeting of the Watershed Property Review Board on September 10, 2018.

DATED: 9/10/18

WATERSHED PROPERTY REVIEW BOARD

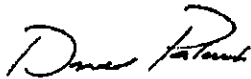
BY:



Joseph L. Fiordaliso
President
Board of Public Utilities



Ray Bukowski, Assistant Commissioner
As designee of
Catherine R. McCabe
Commissioner
Department of Environmental Protection
Pursuant to delegation order dated August 23, 2018



Donald Palombi, Administrative Practice Officer
As designee of *Chief Regulatory Officer*
Lt. Governor Sheila Y. Oliver
Commissioner
Department of Community Affairs
Pursuant to delegation letter dated August 15, 2018

EXHIBIT 1

PROPERTY INVENTORY LIST

Township of West Milford Water and Wastewater Systems

All properties are located in West Milford Township, Passaic County, New Jersey

5/8 List	Survey File	Description	Fee/ Esmt	Address	Tax Block	Tax Lot	Source	Grantee
Bald Eagle Village								
1	2234-A	Sewer Treatment Plant	Fee	Beacon Hill Road	7801	65	DB F-116 pg 262 Tract 1	WM Municipal Utilities Authority
2	2234-B	North Field	Fee	Black Walnut Lane	7801	66	DB F-116 pg 262 Tract 2	WM Municipal Utilities Authority
3	2234-C	South Field	Fee	Concord Road	7801	67	DB F-116 pg 262 Tract 3	WM Municipal Utilities Authority
4	2234-D	Well 3 with Wellhouse	Fee	Concord Road	7801	68	DB F-116 pg 262 Tract 4	WM Municipal Utilities Authority
5	2234-E	Well 2 with Wellhouse	Fee	Quincy Lane	7801	69	DB F-116 pg 262 Tract 5	WM Municipal Utilities Authority
6	2234-F	Water Storage Tank	Fee	Bunker Hill Road	7801	70	DB F-116 pg 262 Tract 6	WM Municipal Utilities Authority
6.1	2234 A-F	Easement, general	Esmt	Bald Eagle Vil. Commons	7801	71	DB F-116, page 269	WM Municipal Utilities Authority
Olde Milford Estates								
7	2235-A	Sewer Treatment Plant	Fee	Camelot Drive	8901	16 & 17	DB I-107, pg 517, Tract 2	WM Municipal Utility Authority
7.1	2235-A	Easement: utility & future R.O.W.	Esmt	WM Twp. Open Space	8002	1	Map 2418	not specified
7.2	2235-A	Easement: poles and guys	Esmt	WM Twp. Open Space	8002	1	DB M-85, page 444	NU Bell & Rockland Electric
8	2235-B	Well House Site	Fee	King Arthur Court	8903	1	DB E-100, page 88	Municipal Utilities Authority of WM
8.1	2235-B	Esmt: drainage, utility & future R.O.W.	Esmt	WM Twp. Open Space	8002	1	Map 2411 & Map 2418	not specified
9	2235-C	Booster Station	Esmt	29 Continental Road	8601	24	DB O-138, page 456	WM Municipal Utilities Authority
10	2235-D	Water Tank & Wellhouse	Fee	Ridge Road	8602	22	DB O-138, page 461	WM Municipal Utilities Authority
10.2	2235-D	Easement: utility	Esmt	37 & 39 Orleans Lane	8602	25&26	DB O-138 pg 461; Map 3273	WM Municipal Utilities Authority
10.1	2235-D	Easement for water system	Esmt	37 Orleans Lane	8602	25	DB O-138, page 466	WM Municipal Utilities Authority
11	2235-E	Lift Station	Esmt	49 Bradrick Rd	8801	1	Map 2444	not specified
12	2235-F	Wellhouse	Fee	88 Rolling Ridge Rd	8902	3	DB I-107, page 517, Tract 1	WM Municipal Utility Authority
32	2235-G	Wellhouse No. 2	Fee	28 Eagle Rock Road	8802	40	DB I-107 page 514	WM Municipal Utility Authority
13	2235-H	Water Storage Tank & Wellhouse	Fee	22 Rolling Ridge Rd	8903	34	DB I-107 page 521	WM Municipal Utility Authority
13.1	2235-H	Easement for water system	Esmt	28 Rolling Ridge Rd	8903	33	Map 2781	not specified
13.2	2235-H	Esmt: fence and well house	Esmt	28 Rolling Ridge Rd	8903	33	DB I-107, page 521	WM Municipal Utility Authority
Crescent Park								
14	2236-A	Sewer Treatment Plant	Fee	Morris Avenue	9711	17	DB X-98, page 195	WM Municipal Utilities Authority
15	2236-B	Wellhouse	Fee	Morris Avenue	9711	21	DB X-98, page 195	WM Municipal Utilities Authority
16	2236-C	Lift Station	Esmt	25 Morris Avenue	9713	9	DB X-87, page 122	Municipal Sewrage Authority &/or Twp.
35	2236-D	Wellhouse, containing Well 13	Fee	Terminus of Sussex Dr.	9901	8	DB V-96, page 81	WM Municipal Utilities Authority
	2236-D	Easement & Right-of-Way	Esmt	WM Twp. Open Space	9901	10	DB V-96, page 81	WM Municipal Utilities Authority
96	2236-E	Water Storage Tank and Wellhouse	Fee	Terminus of Sussex Dr.	9901	9	DB T-81, page 160	n/f Wady Inc. (title into Twp. not found)
	2236-E	Easement, utility (assumed access)	Esmt	WM Twp. Open Space	9901	10	DB T-81, page 160	n/f Wady Inc. (title into Twp. not found)

Township of West Milford Water and Wastewater Systems

All properties are located in West Milford Township, Passaic County, New Jersey

S/B List	Survey File	Description	Fee/ Esmt	Address	Tax Block	Tax Lot	Source	Grantee
Birch Hill								
17	2237-A	Sewer Treatment Plant	Fee	Marshall Hill Road	6203	17	DB N-93, page 35, Schedule 1	Township of West Milford
18	2237-A	Esmt for sewer and access	Esmt	184 Marshall Hill Road	6203	13	Not found in title search	
19	2237-A	Additional driveway esmt parcels	Esmt	184 Marshall Hill Road	6203	13	1-114, page 161	Township of West Milford
34	2237-B	Wellhouse Site	Fee	Moore Road	6201	29	DB N-93, page 35, Schedule 3	Township of West Milford
	2237-C	Water Storage Tank Site	Fee	Moore Road	6204	1	DB N-93, page 35, Schedule 2	Township of West Milford
	2237-C	Esmt: Utility & access per tax map	Esmt	12 & 16 Grant Ave.	6204	8.01& 8.02	Not found in title search	
31	2237-D	Wells and Water Treatment Plant	Esmt	15 Lincoln Avenue	6401	6.02	DB 259 pg 233; DB 259 pg 242	WM Twp Municipal Utilities Authority
	2237-D	Sanitary Pump Station and Force Main	Esmt	15 Lincoln Avenue	6401	6.02	Not found in title search	
Highview								
20	2238-A	Sewer Treatment Plant	Fee	1290 Macopin Road	10202	4	DB V-110, page 378	WM Municipal Utilities Authority
	2238-A	Esmt: sewer and access	Esmt	1288 Macopin Road	10202	5.02	DB L-137, page 255	"to sewer treatment plant"
	2238-A	Esmt for existing drive and utilities	Esmt	46 Highlander Drive	10202	9	Not found in title search; draft description in municipal records	
	2238-A	Esmt for existing drive and utilities	Esmt		10202	Deed Gore	Not found in title search; draft description in municipal records	
21	2238-B	Water Storage Tank & Well Site	Fee	Reida Avenue	9401	2	DB B-97, page 42	WM Municipal Utility Authority
	2238-B	Esmt to the north	Esmt	11 Reida Avenue	9401	25	Map 2484	not specified
	2238-B	(a) Esmt east, (b) Existing access and pole line	Esmt	7 Reida Avenue	9401	1	(a) Map 2484 (b) not found	(a) not specified
22	2238-C	Lift Station	Fee	1058 Macopin Road	10204	5.05	DB 684, page 163	WM Twp Municipal Utilities Authority
	2238-C	Easement: access	Esmt	1062 & 1060 Macopin Rd.	10204	5.06 & 5.07	Map 3228	not specified
33	2238-D	Well Site	Fee	29 Wesley Drive	9406	22	DB I-104, page 161	WM Municipal Utility Authority
	2238-E	Sewerage Pump Station	Esmt	53 Bisset Dr.	9501	40	DB N-105 pg 81; DB O-115 pg 118	WM Twp Municipal Utilities Authority
Awosting								
23	2239-A	Sewer Treatment Plant	Fee	Long Pond Road	3802	3	DB T-81, page 659, Article 1	WM Township Muni. Utilities Authority
	2239-A	Limited esmt (15') for existing sanitary sewer	Esmt	Awosting Road	3802	2	DB T-81, page 659, Article 2	WM Township Muni. Utilities Authority
	2239-A	Esmt for existing drive on NJDEP property	Esmt	Awosting Road	3802	2	Not found in title search	
	2239-A	Access easement	Esmt	Awosting Road	3802	4.01	DB T-81, page 659, Article 1	WM Township Muni. Utilities Authority
		Sewer esmt on HOA recreation lot	Esmt	35 Long Pond Road	4105	1	DB 472, page 48	WM Twp Muni. Utilities Authority
24	2239-B	Wells and Reservoir Site	Fee	Awosting Road	4501	1	DB T-81, page 659, Article 6	WM Township Muni. Utilities Authority
30	2239-C	Sanitary Line Easement	Esmt	300 Awosting Road	4501	2	DB T-96, page 71, "subject to"	Awosting Sewer
	2239-C	Limited esmt for sanitary sewer & original STP	Esmt	East Shore Road	4501	3	DB T-81, page 659, Article 4 & 5	WM Township Muni. Utilities Authority

Township of West Milford Water and Wastewater Systems

All properties are located in West Milford Township, Passaic County, New Jersey

S/S List	Survey File	Description	Fee/ Esmt	Address	Tax Block	Tax Lot	Source	Grantee
Greenwood Lake								
25	2240-A	Wellhouse	Fee	Lake Park Terrace	4302	13	DB O-84, page 464	WM Twp Muni. Utilities Authority
26	2240-B	Water Storage Tanks	Fee	East Shore Road	4502	1	DB D-84, page 423	WM Twp Muni. Utilities Authority
	2240-B	Esmt for existing drive & tanks on DEP property	Esmt	East Shore Road	4502	2	Not found in title search	
Greenbrook								
27	2241-A	Tank and Well House Site	Esmt	Reidy Place	3503	18.02	DB B-123, page 325	Township of West Milford
	2241-A	Assets outside of esmt; water esmt on tax map	Esmt	Reidy Place	3503	18.02	Not found in title search	
	2241-A	Esmt for Well 1 which is outside of esmt area	Esmt	Lakeside Road	3401	1	Not found in title search	
	2241-A	Esmt for existing driveway	Esmt	73 Reidy Place	3401	6	Not found in title search	
28	2241-B	Esmt for Well 3	Esmt	Green Brook Drive	6702	1	DB K-132, page 448	WM Municipal Utilities Authority
Parlway								
29	2242-A	Wellhouse	Fee	Ridge Road	5503	1	DB Z-112, page 31	WM Municipal Utilities Authority

IN THE MATTER OF THE WATERSHED PROPERTY REVIEW BOARD
REQUEST FOR AN EXEMPTION BY THE TOWNSHIP OF WEST MILFORD
AND SUEZ WATER NEW JERSEY

SERVICE LIST

Joseph L. Fiordaliso, President
Board of Public Utilities
44 South Clinton Avenue, 7th Floor
Trenton, NJ 08625-0350
Joseph.fiordaliso@bpu.nj.gov

Jessica Patterson
Bureau of Legal Services and Stewardship
NJDEP, Green Acres Program
501 East State Street
Mail Code 501-01 PO Box 420
Trenton, NJ 08625-0420
Jessica.Patterson@dep.nj.gov

Catherine R. McCabe, Commissioner
Department of
Environmental Protection
401 East State Street, 7th Floor
P.O. Box 402
Trenton, NJ 08625
Catherine.mccabe@dep.nj.gov

Yanina Lepore
Board of Public Utilities
Division of Water
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Yanina.Lepore@bpu.nj.gov

Donald Palombi
New Jersey Department of
Community Affairs
101 South Broad Street
P.O. Box 800
Trenton, NJ 08625
Donald.palombi@dca.nj.gov

Fred Semrau, Esq.
Township of West Milford Attorney
Dorsey & Semrau
714 Main Street
P.O. Box 228
Boonton, NJ 07005

Jane Engel
Deputy Advisor to the Commissioner
Department of Environmental Protection
401 E. State Street, 7th Floor
P.O. Box 402
Trenton, New Jersey 08625-0402
Jane.Engel@dep.nj.gov

Kelly Ruggiero
Senior Corporation Attorney-
SUEZ Water New Jersey
461 From Road, Suite 400
Paramus, NJ 07652
Kelly.ruggiero@suez-na.com

Geoffrey Gersten
Division of Law
Dept. of Law and Public Safety
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, NJ 07101
Geoffrey.Gersten@lps.nj.gov