



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-12- 23

TITLE: Expressing the Commission's appreciation to Richard L. Harris for His Service as a Member between January 2011 and July 2012

Commissioner Haas moves and Commissioner McGlinchey seconds the motion that:

WHEREAS, Mr. Harris brought a substantial amount of expertise in land conservation and natural resource management to the Commission; and

WHEREAS, Mr. Harris served as the Associate Regional Director of Natural Resources and Science for the Northeast Region of the National Parks Service (NPS) during his tenure as a Commission member; and

WHEREAS, Mr. Harris began his federal career in Wilderness Management with the U.S. Forest Service in 1976, and he joined the NPS in 1983 as a vegetation restoration team leader at Mount Rainier National Park. He has held resource management positions at numerous national parks in the western U.S. and was the recipient of the U.S. Department of the Interior's Superior Service Award in 2006. Harris joined the NPS' Northeast Region in 2008; and

WHEREAS, Mr. Harris served on the Commission's Policy & Implementation Committee and Plan Review Committee during his tenure on the Commission; and

WHEREAS, Mr. Harris displayed in his service a commitment to the work of the Commission to preserve, protect and enhance the resources of the Pinelands National Reserve; and

WHEREAS, the members of the Commission want to recognize Mr. Harris's significant contributions and express their gratitude for the service that he performed; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that the members of the Pinelands Commission, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 13th day of July, 2012, do hereby express our appreciation to our colleague and friend, Richard L. Harris, for his service on the Commission between January 2011 and July 2012.

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Haas	X			Prickett	X		
Brown		X		Harris	X			Quinn			X
Earlen	X			Jackson	X			Rohan Green	X		
Ficcaglia	X			Lloyd		X		Witt	X		
Galletta		X		McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: July 13, 2012

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Mark S. Lohbauer
Mark S. Lohbauer
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-12- 24

TITLE: Approving With Conditions an Application for a Public Development (Application Number 1991-0820.085)

Commissioner Ashmun moves and Commissioner Jackson seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for a Public Development be approved with conditions:

1991-0820.085 **PEMBERTON TOWNSHIP BOARD OF EDUCATION**, Pemberton Township, Military and Federal Installation Area in the Preservation Area, construction of a 7,759 square foot addition to the existing 47,009 square foot Fort Dix Elementary School (Date of Report: June 22, 2012).

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received; and

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for Public Development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed.

NOW, THEREFORE BE IT RESOLVED that the following application for Public Development is hereby approved subject to the conditions recommended by the Executive Director.

1991-0820.085 **PEMBERTON TOWNSHIP BOARD OF EDUCATION**, Pemberton Township, Military and Federal Installation Area in the Preservation Area, construction of a 7,759 square foot addition to the existing 47,009 square foot Fort Dix Elementary School (Date of Report: June 22, 2012).

Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Haas	X				Prickett				X
Brown			X		Harris	X				Quinn			X	
Earlen	X				Jackson	X				Rohan Green	X			
Ficcaglia	X				Lloyd			X		Witt	X			
Galletta			X		McGlinchey	X				Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

Date: July 13, 2012

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Mark S. Lohbauer
Mark S. Lohbauer
Chairman



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894 7300
 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

General Information: Info@njpinelands.state.nj.us
 Application Specific Information: AppInfo@njpinelands.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

**REPORT ON AN APPLICATION FOR
 MAJOR PUBLIC DEVELOPMENT**

June 22, 2012

Patricia Austin, Business Administrator
 Pemberton Township Board of Education
 PO Box 228
 1 Egbert St.
 Pemberton, NJ 08068

Re: Application #: 1991-0820.085
 Block 943, Lot 1
 Juliustown Road
 Pemberton Township

Dear Ms. Austin:

The Commission staff has completed its review of the above referenced application. Based upon the facts and conclusions contained in this Report, on behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 13, 2012 meeting.

FINDINGS OF FACT

This application is for the construction of a 7,759 square foot addition to the existing 47,009 square foot Fort Dix Elementary School on the above referenced 709.56 acre lot. The application also proposes the relocation of an existing 6,000 square foot playground. The proposed development is located in a Military and Federal Installation Area in the Preservation Area.

The proposed development will be located within existing paved areas, forested areas (~3,000 sf) and maintained grass areas. The proposed clearing and soil disturbance appears to be limited to that which is necessary to accommodate the proposed the proposed development. The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to use grasses that meet this recommendation.

The school is served by public sanitary sewer.

There are wetlands located within 300 feet of the lot. All proposed development will be located at least 300 feet from wetlands.



The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant proposes to expand an existing stormwater management basin.

Based upon the proposed limits of disturbance, the location of existing development and a review of information available to the Commission staff, it was determined that a survey for the presence of threatened or endangered species of plants and wildlife was not required.

A review of the Pinelands Commission's cultural resource inventories did not provide sufficient evidence of a significant historic or prehistoric presence to require a full cultural resource survey.

PUBLIC COMMENT

This applicant provided the requisite newspaper public notice. Newspaper public notice was completed for the application on May 12, 2012. The application was designated as complete on the Commission's website on May 29, 2012. The Commission's public comment period closed on June 8, 2012. The Pinelands Commission has not received any public comments regarding the application.

CONCLUSION

The proposed classroom addition is a permitted use in a Military and Federal Installation Area (N.J.A.C. 7:50-5.29(a)). If the following conditions are imposed, the proposed development will be consistent with the management standards contained in Subchapters 5 and 6 of the CMP and Pemberton Township's certified master plan and land use ordinance.

1. Except as modified by the below conditions, the proposed development shall adhere to the plans, consisting of ten sheets, prepared by Dante Guzzi Engineering Associates and dated as follows:

Sheets 1-7, 9 & 10 - March 13, 2012; last revised May 9, 2012
Sheet 8 - March 14, 2012; last revised May 29, 2012.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. All proposed development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.
4. The proposed development shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
5. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.

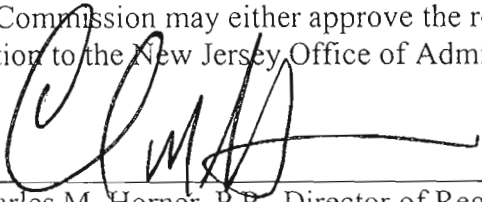
APPEAL

The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this Report and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: _____


Charles M. Horner, P.P., Director of Regulatory Programs

RLW/ED/KY/CMH

c: Secretary, Pemberton Township Planning Board
Pemberton Township Environmental Commission
Burlington County Planning Board
Dante Guzzi



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-12- 25

TITLE: Issuing an Order to Certify Berlin Township Ordinance 2012-1, Amending Chapter 129 (Zoning) of the Code of Berlin Township

Commissioner McGinchee moves and Commissioner Ficcaplica seconds the motion that:

WHEREAS, on June 3, 1983, the Pinelands Commission fully certified the Land Use Procedures and Zoning Ordinance of Berlin Township, now codified as Chapters 77 (Land Use and Development) and 129 (Zoning) of the Township's Code, respectively; and

WHEREAS, Resolution #PC4-83-51 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-83-51 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

WHEREAS, on March 14, 2012, the Berlin Township Council adopted Ordinance 2012-1, which amends Chapter 129 (Zoning) of the Township's Code by adopting a revised Zoning Map that adjusts the boundaries of existing zoning districts and designates lands presently within the Township's Rural Development Area as Regional Growth Area; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2012-1 on May 23, 2012; and

WHEREAS, by letter dated May 30, 2012, the Executive Director notified the Township that Ordinance 2012-1 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Ordinance 2012-1 was duly advertised, noticed and held on June 13, 2012 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, the Executive Director has found that Ordinance 2012-1 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Ordinance 2012-1, amending Chapter 129 (Zoning) of the Code of Berlin Township, is in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission's CMP Policy and Implementation Committee has reviewed the Executive Director's report and has recommended that Ordinance 2012-1 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2012-1 and has reviewed the Executive Director's report; and

WHEREAS, the Pinelands Commission accepts the recommendation of the Executive Director; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5H, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to

expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

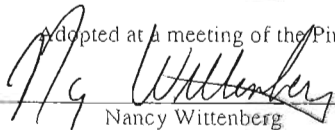
1. An Order is hereby issued to certify that Ordinance 2012-1, amending Chapter 129 (Zoning) of the Code of Berlin Township, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Berlin Township's certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

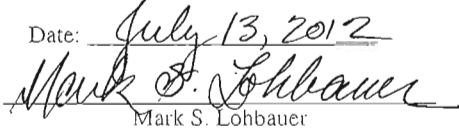
Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS					
Ashmun	X				Haas	X				Prickett	X		
Brown			X		Harris	X				Quinn			X
Earlen	X				Jackson	X				Rohan Green	X		
Ficcaglia	X				Lloyd			X		Witt	X		
Galletta			X		McGlinchey	X				Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: July 13, 2012


 Nancy Wittenberg
 Executive Director


 Mark S. Lohbauer
 Chairman



Chris Christie
Governor
Kim Guadagno
Lt. Governor

State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
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General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us



Mark S. Lobbauer
Chairman
Nancy Wittenberg
Executive Director

REPORT ON BERLIN TOWNSHIP ORDINANCE 2012-1, AMENDING CHAPTER 129 (ZONING) OF THE CODE OF BERLIN TOWNSHIP

June 29, 2012

Berlin Township
135 Route 73 South
West Berlin, NJ 08091-3794

FINDINGS OF FACT

I. Background

The Township of Berlin is located in the western section of the Pinelands Area in Camden County. Pinelands municipalities that abut Berlin Township's Pinelands Area include Berlin Borough and Waterford Township in Camden County, and Evesham Township in Burlington County.

On June 3, 1983, the Pinelands Commission fully certified the Land Use Procedures and Zoning Ordinance of Berlin Township, now codified as Chapters 77 (Land Use and Development) and 129 (Zoning) of the Township's Code, respectively.

On May 14, 2012, the Berlin Township Council adopted Ordinance 2012-1, amending Chapter 129 ("Zoning") of the Township's Code by adopting a revised Zoning Map, which adjusts the boundaries of existing zoning districts, adjusts the boundaries of existing overlay zoning districts, and designates lands presently within the Township's Rural Development Area as Regional Growth Area. Ordinance 2012-1 also repeals two earlier Township ordinances, Ordinances 2010-6 and 2011-12, whose purposes were similar to Ordinance 2012-1. The Pinelands Commission received a certified copy of Ordinance 2012-1 on May 23, 2012.

By letter dated May 30, 2012, the Executive Director notified the Township that Ordinance 2012-1 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following documents have been submitted to the Pinelands Commission for certification:

- * Ordinance 2012-1, amending Chapter 129 (Zoning) of the Code of Berlin Township, including a revised Zoning Map dated June 2010, adopted by the Township Council on May 14, 2012.

These documents have been reviewed to determine whether they conform to the standards for certification of municipal master plans and land use ordinances as set out in N.J.A.C. 7:50-3.39 of the Pinelands Comprehensive Management Plan. The findings from this review are presented below. The numbers used to designate the respective items correspond to the numbers used to identify the standards in N.J.A.C. 7:50-3.39.

1. Natural Resource Inventory

Not applicable.

2. Required Provisions of Land Use Ordinances Relating to Development Standards

Pinelands Management Area Changes

Ordinance 2012-1 adopts Berlin Township's revised Zoning Map. The zoning changes include the rezoning of 25 acres from the C-2RD Commercial Zoning District to the C-3 Commercial Zoning District; the rezoning of 21 acres from I-1 Industrial Zoning District to the C-3 Commercial Zoning District; the rezoning of 2 acres from the C-2RD Commercial Zoning District to the C-3 Commercial Zoning District; and, the rezoning of 2 acres from the R-1 Residential Zoning District to the C-2RD Commercial Zoning District¹. With the exception of this last two-acre zoning change², the above-described rezonings all constitute changes in Pinelands management area designations. The map attached as Exhibit #1 depicts the locations of the Township's rezonings.

The first management area change implemented by Ordinance 2012-1 involves the redesignation of 46 acres from the Rural Development Area to the Regional Growth Area. Twenty-five of the 46 acres in question are located on the northern side of Edgewood Avenue between Route 73 South and Cooper Road (see "Area 1" on the attached map, Exhibit #1). This 25-acre area, which borders the Township's existing Regional Growth Area to the North and West, includes the existing business park located along Allied Parkway and consists entirely of commercially developed land. Virtually no Pinelands habitat exists within these 25 acres and that which does exist is considered to be low-integrity habitat. The remaining 21 acres in question are located on the southern side of Edgewood Avenue between Route 73 South and Cooper Road (see "Area 2" on the attached map, Exhibit #1). This 21-acre area borders the Township's existing Regional Growth Area

¹ A fifth rezoning is included in Ordinance 2012-1, i.e., a rezoning of a 5-acre portion of a single lot from the C-2RD Commercial Zoning District to the C-3 Commercial Zoning District. This zoning change would constitute a Pinelands management area change. However, according to the Commission's records, this 5-acre area is already within the Township's C-3 Commercial Zoning District and, thus, also already within the Township's Regional Growth Area. As such, this portion of the Township's ordinance was not analyzed for purposes of this report.

² See "Area 4" on the attached map, Exhibit #1.

to the North, West, and South. Approximately half of these 21 acres consists of the Township's Public Works garage and facilities, which is fully developed, virtually entirely cleared, and includes no Pinelands habitat. The remainder of the southern rezoning consists of a Township-owned parcel, on which active recreational fields are located. A portion of this latter parcel is wooded, low-integrity Pinelands habitat, which includes some wetlands. Minimal, if any, additional clearing would be permitted on this parcel due to the presence of wetlands and wetlands buffers. Thus, any value this native habitat may provide will not be diminished by the parcel's rezoning. There have been no known occurrences of threatened or endangered plant or animal species anywhere within this 46-acre area.

A second management area change implemented by Ordinance 2012-1 involves the redesignation of 2 acres from the Rural Development Area to the Regional Growth Area. This two-acre area consists of a portion of a lot with frontage along the northern side of Collings Avenue between Route 73 South and Hopewell Road (see "Area 3" on the attached map, Exhibit #1). The rear portion of the lot will remain unchanged. These two acres border the Township's existing Regional Growth Area to the West and the South. An existing single-family detached dwelling, which was erroneously connected to the Township's sanitary sewer system in 1998, is located on these two acres. There have been no known occurrences of threatened or endangered plant or animal species on this parcel.

The Township's proposed expansion of its Regional Growth Area recognizes existing development; is located in close proximity to intense commercial and industrial development; and, is adjacent to one of the area's most heavily traveled commercial corridors. The proposed Regional Growth Area expansion would include a property already served by public sanitary sewer service and several others that will readily be connected therewith. These new sanitary sewer service connections in the immediate vicinity of the headwaters of the Mullica River may, in fact, improve water quality therein by eliminating potential sources of groundwater contamination. Moreover, since the Township's proposed 48-acre management area change from Rural Development Area to Regional Growth Area includes only lands that are already developed, the expansion is not expected to encourage sprawl; to create any additional development; or, to upset the existing balance between the area's commercial and industrial uses and the area's residential uses. Thus, no offsetting management area change is required. The management area changes implemented by Ordinance 2012-1 are consistent with both the land use and development standards of the Pinelands Comprehensive Management Plan as well as with sound ecological planning principles.

3. Requirement for Certificate of Filing and Content of Development Applications

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

Ordinance 2012-1 provides for no increase in the amount of residentially zoned land in the Township's Regional Growth Area. Rather, all 48 acres of new Regional Growth Area are included within the Township's C-3 Commercial Zoning District. Forty-six of these 48 acres are already developed nonresidentially and, thus, may be excluded from developable land for purposes of calculating the Township's residential zoning and Pinelands Development Credit obligations. While the remaining 2 acres are not developed commercially or industrially, they are located along a portion of Collings Avenue which is exclusively developed as such. Thus, these two acres form part of a reasonable balance between industrially and commercially zoned properties and residential zoned properties, and, they too may be excluded from developable land for purposes of determining residential zoning and PDC obligations in the expanded Regional Growth Area. Therefore, the zoning changes adopted by Ordinance 2012-1 carry with them no obligation for the provision of opportunities for the use of Pinelands Development Credits in association with residential development.

Nevertheless, it is worth noting that Berlin Township's C-3 Commercial Zoning District includes a relatively novel provision that allows for the use of Pinelands Development Credits to increase the maximum permitted floor area ratio of nonresidential properties from as little as 1.8% up to as much as 36%. Thus, any redevelopment that might take place within the new portions of the Township's expanded Regional Growth Area could result in the use of Pinelands Development Credits. The Executive Director believes that, given the foregoing, Ordinance 2012-1's impact on opportunities for the use of Pinelands Development Credits should be viewed as being consistent with Comprehensive Management Plan standards.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

Berlin Township's Ordinance 2012-1, amending Chapter 129 (Zoning) of the Code of Berlin Township, complies with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Berlin Township's Ordinance 2012-1, amending Chapter 129 (Zoning) of the Code of Berlin Township, complies with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. This standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

None of the management area changes adopted by Ordinance 2012-1 involve lands which are adjacent to any other municipalities. Therefore, intermunicipal conflicts are not anticipated and this standard for certification is met.

PUBLIC HEARING

A public hearing to receive testimony concerning Berlin Township's application for certification of Ordinance 2012-1 was duly advertised, noticed and held on June 13, 2012 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing, at which the following testimony was received:

Charles J. Riebel, Jr., Municipal Engineer for Berlin Township, stated that Ordinance 2012-1 will clean up some minor discrepancies in zoning and Pinelands management area boundaries. He indicated that the rezonings adopted by Ordinance 2012-1 also recognize existing development, such as the public works complex and an office/warehouse complex on Edgewood Avenue, as well as existing sewer service. The zoning changes will allow the Township to provide sewer service to properties along Edgewood Avenue.

CherylLynn Walters, Esq., representing Marrazzo & Platt, Berlin Township's Solicitor, stated that the Township had worked closely with Commission staff to determine appropriate boundaries for the areas being rezoned. She stated that the Township wanted to be sure that the proposal was both acceptable from a planning standpoint and consistent with the Comprehensive Management Plan.

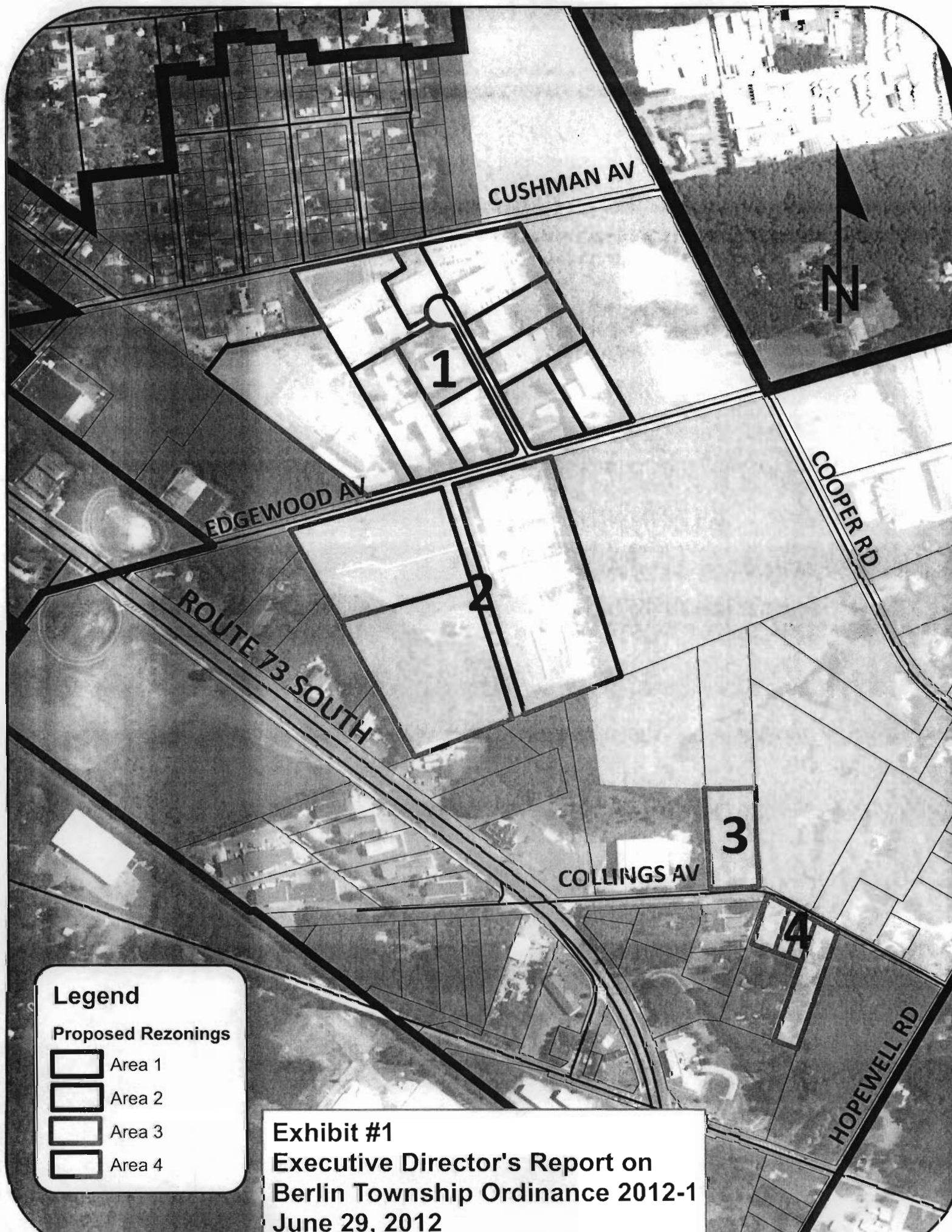
There being no further testimony, the hearing was concluded at 9:50 a.m.

Written comments on Ordinance 2012-1 were accepted through June 15, 2012; however, no comments were received.

CONCLUSION

Based on the Findings of Fact cited above, the Executive Director has concluded that Ordinance 2012-1 is consistent with Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Berlin Township's Ordinance 2012-1.

PWT/SRG/CBT
Attachments



CUSHMAN AV



1

EDGEWOOD AV

COOPER RD

ROUTE 73 SOUTH

2

3

COLLINGS AV

4

HOPEWELL RD

Legend

Proposed Rezoning





-  Area 1
-  Area 2
-  Area 3
-  Area 4

Exhibit #1
Executive Director's Report on
Berlin Township Ordinance 2012-1
June 29, 2012



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-12- 20

TITLE: To Adopt the Pinelands Commission's Fiscal Year 2013 Budgets for the Operating Fund, the Kirkwood Cohansey Aquifer Assessment Study Fund, the Pinelands Conservation Fund and the Pinelands Development Credit Purchase Program Fund

Commissioner Haas moves and Commissioner Richard Green seconds the motion that:

WHEREAS, pursuant to the Pinelands Protection Act, the Pinelands Commission is charged with the continuing implementation and monitoring of the Pinelands Comprehensive Management Plan; and

WHEREAS, the State of New Jersey has appropriated \$2,469,000 to support the Commission's operations during Fiscal Year 2013; and

WHEREAS, the Department of the Treasury informed the Commission that \$687,000 of budgeted health benefits and pension costs will be covered through the State's interdepartmental accounts in FY2013; and

WHEREAS, the Commission anticipates that additional funding sources of \$975,600 will be available to further support the Commission's operations; and

WHEREAS, the FY 2013 Operating Budget anticipates a \$220,500 draw from the Commission's unreserved, undesignated fund balance; and

WHEREAS, the Commission is adopting an Operating Budget for FY2013 totaling \$4,352,100; and

WHEREAS, the remaining unreserved, undesignated fund balance amount is sufficient to cover unforeseen or emergency expenditures in the near future; and

WHEREAS, the Kirkwood Cohansey Aquifer Assessment Study Fund budget for FY2013 recommends expenditures of \$118,000, the majority of which will be drawn from the Fund Balance for this project; and

WHEREAS, a financial plan for the Pinelands Conservation Fund (PCF), which designated three programs (Land Acquisition, Conservation Planning and Research, and Community Planning and Design) within the Fund, was approved by the Commission in April 2005, and revised in August 2009; and

WHEREAS, during FY2013, the budget for the Land Acquisition program totals \$3,908,810; and

WHEREAS, the FY2013 budget for the Conservation Planning and Research program totals \$249,150; and

WHEREAS, the FY2013 budget for the Community Planning and Design program totals \$174,440; and

WHEREAS, the total budget for the Pinelands Conservation Fund during FY2013 totals \$4,332,400; and

WHEREAS, the FY2013 Pinelands Development Credit Purchase Program Budget anticipates interest income of \$700 which offsets administrative costs; and

WHEREAS, the Personnel and Budget Committee has reviewed and recommends Commission approval of the Operating Budget, the Kirkwood Cohansey Aquifer Assessment Study Fund Budget, the Pinelands Conservation Fund Budget and the Pinelands Development Credit Purchase Program Budget, all dated June 22, 2012 and attached hereto; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

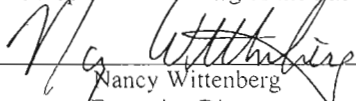
NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission hereby adopts the attached Fiscal Year 2013 Budgets for the Operating Fund totaling \$4,352,100; the Kirkwood Cohansey Aquifer Assessment Study Fund totaling \$118,000; the Pinelands Conservation Fund totaling \$4,332,400; and the Pinelands Development Credit Purchase Program totaling \$700.

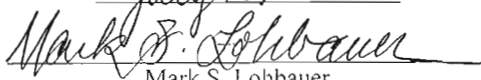
Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Haas	X				Prickett	X			
Brown			X		Harris	X				Quinn			X	
Earlen	X				Jackson		X	X		Rohan Green	X			
Ficcaglia	X				Lloyd			X		Witt	X			
Galletta			X		McGlinchey		X	X		Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

Date: July 13, 2012


 Nancy Wittenberg
 Executive Director


 Mark S. Lohbauer
 Chairman

**PINELANDS COMMISSION
OPERATING BUDGET REVENUES
FISCAL YEAR 2013**

Revenue Source	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
State Appropriation	2,493,000	2,169,000	2,319,000	2,319,000	2,469,000	1
State Supplemental Funding (Salary Prog./Empl. Relations)	0	150,000	0	150,000	0	2
State Supplemental Funding (PDC Purchase Prog. Admin.)	6,087	3,527	3,000	700	700	3
State Supplemental Funding (Fringe Benefits)	687,000	687,000	687,000	687,000	687,000	4
Miscellaneous Income	2,683	792	500	1,000	500	5
Insurance Claim Reimbursements	8,260	2,193	0	0	0	
Interest Income	7,897	4,732	5,000		1,000	6
Interest Income - Snake Study Escrow	47	27	0	10	0	
Interest Income - Fence Escrow	74	43	0	10	0	
MTMUA Hydrologic Monitoring	3,550	3,690	3,840	3,840	4,000	7
CCMUA Hydrologic Monitoring	5,850	5,960	6,080	6,080	6,200	7
EPA Buffer Grant	43,013	30,787	39,500	20,000	46,000	8
NPS - Long Term Environmental Monitoring	201,744	204,972	162,100	165,000	170,000	9
NPS - Long Term Economic Monitoring	100,106	60,467	115,000	50,000	87,000	9
NPS - Pinelands Information and Research Center Grant	0	16,367	24,640	24,640	0	10
Federal Highway Administration Scenic By-way Grant	10,970	0	0	0	0	10
NJDOT Scenic By-way Grant	3,997	0	0	0	0	10
NJDOT - ISTE A #1 Grant	3,742	0	0	0	0	10
William Penn Foundation Grant #2	33,785	0	0	0	0	10
T-Mobile Cell Tower Review Escrow	0	0	26,459	26,790	0	10
Sanctuary Settlement	111	3,663	0	0	0	
PDC Bank - Services	5,000	1,000	0	0	0	11
Commuter Reimbursement	520	285	0	0	0	
Cancellation Prior Year Encumbrance	15,293	11,271	0	0	0	
Vehicle Auction Proceeds	0	3,240	0	0	0	
Wetlands Permitting	4,080	7,080	3,500	6,000	3,500	12
Pinelands Application Fees	471,774	440,805	425,000	460,000	425,000	13
Utility Companies ROW Program	29,600	59,200	59,200	59,200	59,200	14
Stafford Township MOA	5,187	24,140	2,000	2,000	2,000	15
TOTAL REVENUE	4,143,370	3,890,241	3,881,819	3,981,270	3,961,100	
Microfilm Reserve Anticipated	1,465	1,894	3,700	1,000	6,500	16
Degree Assistance Reserve Anticipated	5,873	4,225	6,130	4,000	0	17
Computer Reserve Anticipated	6,055	0	35,960	28,500	104,000	18
Parcel Data Reserve Anticipated	0	1,950	1,875	1,875	0	19
Administrative Assessment (Pnlds. Conserv. Fund)	60,000	60,000	60,000	60,000	60,000	20
Undesignated Fund Balance Anticipated	359,499	39,996	392,916	77,855	220,500	21
TOTAL OTHER INCREASES	432,892	108,065	500,581	173,230	391,000	
TOTAL REVENUE AND OTHER INCREASES	4,576,262	3,998,306	4,382,400	4,154,500	4,352,100	

June 22, 2012

PINELANDS COMMISSION
OPERATING BUDGET EXPENDITURES
FISCAL YEAR 2013

Expenditure Account	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
PERSONNEL						
Salaries & Wages	3,089,689	2,505,946	2,554,500	2,475,000	2,483,000	22
Fringe Benefits	1,140,485	1,202,167	1,343,800	1,250,000	1,299,300	23, 44
TOTAL PERSONNEL	4,230,174	3,708,113	3,898,300	3,725,000	3,782,300	
SUPPLIES						
Printing & Office Supplies	20,250	10,102	19,400	12,000	29,500	24
Vehicular Supplies	7,219	7,260	7,000	6,500	6,800	25
Household Supplies	3,966	4,279	5,200	5,000	8,000	26
Fuel & Utilities	45,379	40,830	45,000	38,000	42,000	27
Other Supplies	3,912	1,383	5,400	5,000	11,600	28
TOTAL SUPPLIES	80,726	63,854	82,000	66,500	97,900	
SERVICES						
Travel	7,321	5,435	9,700	7,000	7,000	29
Telephone	24,166	26,209	28,000	26,000	26,000	30
Postage	12,074	8,057	11,600	8,500	8,500	31
Insurance	41,460	37,800	42,500	39,000	42,000	32
Information Processing	36,106	30,154	80,600	33,000	43,000	33
Household Services	2,822	2,240	2,500	2,500	2,500	34
Professional Services	88,166	81,252	134,200	160,000	149,000	35, 44
Other Services	14,645	7,172	24,500	14,000	14,900	36
TOTAL SERVICES	226,760	198,319	333,600	290,000	292,900	
MAINTENANCE & RENT						
Maintenance - Buildings & Grounds	2,888	1,745	13,600	18,500	45,000	37
Maintenance - Equipment	9,640	7,806	8,400	7,000	9,000	38
Maintenance - Vehicular	1,327	3,884	3,800	3,000	3,800	39
Rent - Other	12,886	12,325	11,300	10,500	9,000	40
TOTAL MAINTENANCE & RENT	26,741	25,760	37,100	39,000	66,800	
IMPROVEMENTS & ACQUISITIONS						
Improvements - Buildings & Grounds	0	0	0	0	0	
Acquisitions - Vehicles	0	0	0	0	0	
Acquisitions - Equipment	0	2,260	5,000	0	23,200	41
Acquisitions - Information Processing Equipment	11,861	0	26,400	34,000	89,000	42
TOTAL IMPROVEMENTS & ACQUISITIONS	11,861	2,260	31,400	34,000	112,200	
TOTAL EXPENDITURES	4,576,262	3,998,306	4,382,400	4,154,500	4,352,100	43

June 22, 2012

**PINELANDS COMMISSION
OPERATING BUDGET
FISCAL YEAR 2013 NOTES**

June 22, 2012

1. The Governor's budget includes a FY2013 State Appropriation to the Commission in the amount of \$2,469,000. This amount is \$150,000 higher than the FY2012 State Appropriation because it includes the mandatory growth salary program funding provided by the Office of Management and Budget (OMB) during FY2012. Although increased for FY2013, the Commission's appropriation is still \$779,000 less than the FY2008 State Appropriation.
2. As mentioned above, Supplemental Funding for Salary Program of \$150,000 is projected for FY2012. At the conclusion of the upcoming union negotiations, a request to OMB will be made to cover any salary increases from the Interdepartmental Account.
3. The revenue anticipated to be received for the Administration of the Special Pinelands Development Credit Purchase Program is limited to the projected interest earnings on the monies remaining in the program (\$1,759,200). OMB has approved the use of interest earned to subsidize the administration of the program. The drop in interest rates has resulted in lower estimated interest earnings over the last several years.
4. State Supplemental Funding (Fringe Benefits) totaling \$687,000 helps to offset the Commission's health and pension costs. Since FY2004, the Department of the Treasury has agreed to help the Commission finance its escalating health benefits premiums through an Interdepartmental Account. Beginning in FY2009, the amount of assistance was calculated using projected health and pension costs not funded through other sources. Using this calculation, the Commission requested \$888,740 in FY2011, \$838,218 in FY2012, and \$837,927 in FY2013 but was only approved to receive \$687,000.
5. Because of the change limiting the amount that can be charged for a public record, Miscellaneous Income revenue, the majority of which is from the sale of Commission reports, maps, and other copied documents, was greatly reduced beginning in FY2011 and is anticipated to be minimal this fiscal year.
6. Interest Income is earned in the cash management fund designated for general use as well as the Commission's two checking accounts (Payroll and Operations). Interest income for the Special PDC Purchase Program, the Kirkwood Cohansey Aquifer Study and the Pinelands Conservation Fund is reflected in the budgets for those programs. As mentioned above, interest rates have sharply declined over recent years. This decline, combined with lower cash balances resulting from reduced appropriations, greatly affected interest income over the several years and will continue to do so in FY2013.

7. Monitoring for the Monroe Township MUA and the Camden County MUA hydrologic projects will continue into FY2013. Anticipated revenue is calculated using the amount to be paid to the USGS for this monitoring.
8. In March 2008, the Commission accepted a grant from the U.S. Environmental Protection Agency to conduct a study titled “The Effectiveness of Upland Buffer Zones in Mitigating the Impact of Suburbanization on the Integrity of Wetland Communities”. Revenue is based upon grant-related expenditures and is reimbursed at the 75% level.
9. The Commission is entering its 19th year of the Environmental and Economic Long Term Monitoring programs. This anticipated revenue from the National Park Service is based upon that program's projected expenses during the fiscal year, which are reimbursed in full. Although the scope of work supporting the Economic Long Term Monitoring program was scaled back during the past two years, work on this program is expected to increase in FY2013.
10. The activities supported by these grants or special funding have been completed in prior years and therefore, no revenue is anticipated during FY2013.
11. In FY2012, the administrative functions of Pinelands Development Credit Bank were performed by the Pinelands Commission staff. In past years, the Commission received funding from the Pinelands Development Credit Bank to provide assistance to applicants regarding the PDC program. Currently, no financial resources are available for reimbursement to the Commission.
12. The anticipated revenue from the NJDEP Wetlands Permitting program that the Commission helps to administer reflects the estimated permit fees to be received and is authorized through language in the Appropriations Act.
13. Application Fees of \$425,000 are anticipated to be received during FY2013. This important component of the Commission’s Operating Budget fluctuates tremendously from month to month. This funding source will be closely monitored throughout the fiscal year.
14. In October 2009, the Commission adopted the New Jersey Pinelands Electric Transmission Right-of-Way Maintenance Plan that authorizes the Utility Companies to maintain electric transmission rights-of-way without applying to the Commission. According to the Memorandum of Agreement, the companies pay an annual fee to cover the Commission’s inspection and monitoring expenses.
15. In July 2006, the Commission approved a Memorandum of Agreement with Stafford Township and Ocean County Regarding Landfill Closure and Redevelopment of the Stafford Business Park. This MOA provides for the reimbursement of Commission costs associated with the creation and implementation of the agreement. It is estimated that these costs will total \$2,000 during FY2013.

16. The \$6,500 anticipated revenue from the Microfilm Reserve equals the amount being recommended in the expenditure accounts for items relating to permanent record storage, including microfilming and document imaging. The remaining balance in the Microfilm Reserve account will be held in reserve to sustain the future costs of the long term records management project.

17. In FY2009, a degree assistance agreement was entered into with an employee. This agreement came to an end during FY2012. No revenues or expenditures are anticipated from the Degree Assistance Reserve in FY2013.

18. The anticipated revenue from the Computer Reserve is estimated at \$104,000 and equals the amount being recommended in the expenditure accounts for technology related items. These items include a new e-mail system (Exchange) supported by the State's Office of Technology, replacement of 15 computers, a file server and five network switches, RAM upgrades for 24 computers and a digital camera. After these purchases, the remaining balance in the Computer Reserve, estimated at \$91,300, will be held in reserve to sustain future technology related costs.

19. The balance of the Parcel Data Reserve was exhausted during FY2012.

20. In April 2005, the Commission adopted a financial plan for the Pinelands Conservation Fund. Included in the plan is an annual assessment of \$20,000 from each of the three programs (see Pinelands Conservation Fund budget note #5). This \$60,000 administrative assessment will finance costs associated with cash management activities, accounting services, procurement services and centralized support services.

21. Largely due to the reduction in the Commission's State Appropriation over the last few years (see note #1), the FY2013 operating budget estimated expenditures exceed the estimated revenues. The projected amount needed from the Undesignated Fund Balance to balance the FY2013 budget deficit is \$220,500. Traditionally, the actual amount drawn from the fund balance at the fiscal year end is lower than anticipated. The amount in the Commission's fund balance is sufficient to cover the \$220,500 while leaving enough money to fund unforeseen expenses, emergencies and a similar budget deficit in the next few years.

22. Since FY2007, the budgets (Operating, Kirkwood Cohansey Study and Pinelands Conservation Fund) authorized a staffing level of 66 full time equivalent positions (FTEs). By agreement with OMB, 3.5 authorized FTEs were unfilled in FY2007. During the next three years (FY2008, FY2009, FY2010), 11 additional FTEs became vacant and were not replaced for a total of 14.5 unfilled FTEs. In FY2011, four employees retired, one employee resigned and one full time employee was authorized for a part time schedule. Additionally, through a reduction-in-force, financing for five additional FTEs was eliminated. Of these 10.5 FTEs during FY2011, one position, the Executive Director, was replaced and one employee was recalled for a total of 8.5 unfilled FTEs. Early in FY2012, an employee resigned and was not replaced. Later in FY2012, the Commission was approved to hire a Research Technician to support our grant funded scientific studies. During

FY2013, unfilled full time equivalent positions will total 23, or more than 35% of the authorized staffing level of 66 full time equivalent positions.

The FY2013 salaries and wages budgets (Operating, Kirkwood Cohansey Study and Pinelands Conservation Fund) finance only 43 of the 66 authorized full time equivalent positions. The salaries and wages budget finances these positions at the current salary. No increases or furlough days have been budgeted at this time. A new agreement between the Commission and the Communications Workers of America, Local 1040 is expected to be negotiated in the near future. It is possible that the upcoming negotiations may have a budgetary impact, at which time revisions to the FY2013 operating budget will be presented to the Commission.

\$210,300, or 8.5 %, of the Operating Budget's salary expense is reimbursable by special revenue sources. In addition, the salary expenses budgeted in the Kirkwood Cohansey Study and the Pinelands Conservation Fund totaling \$370,000 are fully financed by those funds.

23. The fringe benefits budget includes expenditures for the employer's share of Social Security (\$176,000), Medicare (\$41,300), disability insurance (\$1,800) and miscellaneous administrative charges (\$650). The pension employer annual liability is estimated at \$336,500. The Commission's escalating health benefit premiums for active and retired employees are estimated at \$932,800 with a \$60,000 reduction for coinsurance payments from staff members. Also included is \$6,500 for dental insurance premiums and \$650 for participation in the Employee Advisory Service. Lastly, \$136,900 of the fringe benefits budget is projected to be funded by the Kirkwood Cohansey Study and Pinelands Conservation Fund.

Upon Commission approval of the FY2013 Operating Budget, the Executive Director will be authorized to pay the employer share of Social Security and Medicare at an amount not to exceed the budgeted funding of \$217,300.

24. The printing and office supplies budget includes expenditures for printing; office, computer, mailing, copying, and meeting supplies; office and computer equipment with an item cost of less than \$1,000; reference materials; scientific report printing/publication; and service awards. Grant-related expenses account for \$9,500 of this budget. One time expenditures of \$6,000 for RAM upgrades will be funded from the Computer Reserve and \$2,800 for shelving for permanent records will be funded from the Microfilm Reserve.

25. The majority of the vehicular supplies budget is gasoline for Commission vehicles. Other costs budgeted in this account include replacement tires, supplies used for routine vehicular maintenance and other miscellaneous supplies such as keys, mats, scrapers and first aid kits. Late in FY2010, the Commission's fleet was reduced from seven to five vehicles. However, high gasoline prices have offset some of the savings of a smaller fleet.

26. The household supplies budget provides for the purchase of materials to perform minor buildings and grounds maintenance, cleaning supplies, household paper products, basic kitchen supplies, household equipment costing less than \$1,000 and other operating supplies. Over the last several years, many minor maintenance items estimated at \$3,000 have been deferred and are included this year.

27. The fuel and utilities budget covers expenditures for heating gas, electricity, water and sewer. During the latter part of FY2011, the Commission was accepted into the State's cooperative purchasing for electricity usage charges. Due to the mild winter last year, the FY2012 projected expenditures are lower than in past years.

28. The other supplies budget covers expenditures for supplies and equipment (less than \$1,000) supporting map-making, scientific research, fieldwork, and photographic needs. Grant-related expenditures are a significant portion (over 57 %) of this account, totaling \$6,665 for FY2013. A one time expenditure to purchase a digital camera estimated at \$3,500 financed by the Computer Reserve is also included.

29. The travel budget covers reimbursements to the staff for business mileage on their personal vehicles, tolls and parking, and meal allowances. The majority of the travel budget is used to reimburse Commissioners for business mileage and tolls.

30. The telephone budget includes basic service, toll charges, the service cost of a data circuit, conference calls, and cellular phone service and toll charges. In FY2010, a faster data line was installed causing an increase to the service cost of the data circuit. Two upgraded cell phones with data plans were added late in FY2011.

31. The postage budget finances general postage fees, parcel delivery charges and post office box rental charges. Last year the expenditures decreased because the Pinelander was emailed instead of mailed. Over the last several years, this account has decreased as more correspondence is sent electronically.

32. The insurance budget covers estimated premiums for automobiles, general liability, fire, theft, workers' compensation, surety bond, volunteers and the umbrella liability policy. Through the years, the Commission has realized premium savings by participating in the State's Tort Claims Fund and by including the Commission's buildings under the State's property insurance. In FY2011, the automobile insurance premium was lower because of two less vehicles. In FY2012, changes to coverages helped to offset premium increases. Although no claims have been filed, a slight premium increase has been included in FY2013.

Upon Commission approval of the FY2013 Operating Budget, the Executive Director will be authorized to pay the State's insurance broker an amount not to exceed the budgeted funding of \$42,000 to cover the Commission's insurance premiums.

33. The FY2013 budget for information processing includes two new expenditures, one of which will be funded through the computer reserve. A new e-mail system (Exchange) supported by the State's Office of Technology estimated at \$5,500 is budgeted from the computer reserve. The other new expenditure is seven licenses of ArcGIS on-line estimated at \$3,500. The remaining budget funds items of a more routine nature consisting of \$19,520 for software maintenance agreements, \$4,900 for software and data purchases, \$4,480 for payroll processing, \$2,000 for database

administration services, \$1,100 for on-line legal services and \$2,000 for hardware maintenance. Over \$13,070 of this budget is reimbursable through grants or special revenue including the computer reserve (see note #18).

34. The household services budget covers trash removal, alarm (security and fire) monitoring, and exterminating services. As a cost saving measure, trash removal services were changed to bi-weekly in FY2011.

35. The professional services account covers expenditures for legal fees, technical and consulting services, and other miscellaneous services. Estimated costs include \$50,000 for legal fees associated with DAG services, \$60,000 for labor counsel during this negotiation year, \$3,000 for the Office of Administrative Law assessment and \$1,000 for other legal fees. Grant related technical services totaling \$19,190 are budgeted. Also included is \$15,000 for accounting services including an internal controls audit and a small amount for temporary services.

36. Expenditures in the other services budget include annual subscriptions (\$640), required memberships (\$1,150), meeting expenses (\$1,600), advertising (\$2,800), scientific permit fees (\$210), training (\$6,500) and microfilming services (\$2,000) that will be financed by the Microfilm Reserve.

37. The maintenance - buildings and grounds budget for FY2013 includes one major maintenance project estimated at an amount not to exceed \$40,000 to prepare and paint all or part of the exterior of the Fenwick Manor building. The remaining \$5,000 is available for minor maintenance services (tree trimming, plumbing, electrical, HVAC, etc.).

38. The maintenance - equipment budget provides for the inspection, maintenance and repair of certain building systems and other equipment. Included is \$1,900 for office equipment, \$5,600 for the buildings' systems (fire equipment, elevator, security, and access), \$1,000 for scientific equipment and \$500 for maintenance equipment.

39. The maintenance - vehicular budget finances routine maintenance, vehicular fees, and repairs, including any needed body work, not performed by the Commission's Maintenance Technician.

40. The rent - other budget continues to be decreased in FY2013. During FY2012, the rental of two copiers was not renewed leaving only two office wide copiers. In FY2011 a smaller postage machine was rented saving thousands in acquisition, rental and maintenance expenses. Included in the FY2013 budget is \$300 for the postage meter, \$8,300 for two copiers, \$200 for the safe deposit box and \$200 to rent a sander for a maintenance project.

41. The acquisitions - equipment budget contains \$10,000 for scientific equipment supporting the long term environmental monitoring program funded by the National Park Service, \$10,000 for a new sound system in the Commission's main conference room, \$2,000 to purchase a defibrillator and \$1,200 to replace the broken pull cart for grounds maintenance work.

42. The acquisitions - information processing equipment budget contains the replacement of 15 computers, a file server and five network switches. The replacement computers totaling \$36,000 include three standard computers with dual core processors, 11 standard “plus” computers with faster processors, additional RAM and dual monitors, and one high end computer with a 64 bit processor. The file server being replaced is estimated to cost \$40,000. This server hosts all non-GIS mission critical software programs run by the Commission. Lastly, five network switches costing approximately \$2,600 each are scheduled to be replaced. All of these items will be financed by the Computer Reserve (see note #18).

43. The total estimated Operating Budget expenditures for FY2013 equals \$4,352,100. During the fiscal year, certain unforeseen and/or emergency expenditures may become necessary. The Personnel and Budget Committee has discussed this issue and recommends that the Executive Director be authorized to exceed the budget of an expenditure category (personnel, supplies, services, maintenance/rent, improvements/acquisitions) by no more than 10 % provided that funds are available in other expenditure categories to ensure that the total Operating Budget is not exceeded and provided further that the combined salary budgets for the Operating Fund, Kirkwood-Cohansey Study and the Pinelands Conservation Fund do not exceed \$2,853,000.

44. Several expenditure account budgets include funding for various services and benefits which are reimbursed to the State of New Jersey and are over the Executive Director's authorized contracting limit of \$36,000. These consist of employee health benefits, the employer liability assessed by the Division of Pensions and the Commission's attorney (DAG) fees.

Upon Commission approval of the FY2013 Operating Budget, the Executive Director will be authorized to pay the State of New Jersey for the aforementioned items in an amount not to exceed the budgeted funding.

KIRKWOOD COHANSEY AQUIFER ASSESSMENT STUDY
FISCAL YEAR 2013

	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
REVENUE PROJECTIONS						
State Approp.- Kirkwood Cohanseay Aquifer Study	0	0	0	0	0	
Interest Income	6,161	2,735	1,500	350	350	1
Total Revenue	6,161	2,735	1,500	350	350	
Reserve for K/C Study Anticipated	286,804	669,473	5,220	11,272	0	2
K/C Study Fund Balance Anticipated	0	0	420,680	383,858	117,650	3
Total Revenue/Reserve Anticipated	292,965	672,208	427,400	395,480	118,000	

Expenditure Account	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
PERSONNEL						
Salaries & Wages	184,148	125,596	95,000	75,000	80,000	4
Fringe Benefits	64,176	44,147	33,250	28,500	29,600	5
TOTAL PERSONNEL	248,324	169,743	128,250	103,500	109,600	
SUPPLIES						
Printing & Office Supplies	186	3,999	8,000	0	8,000	6
Vehicular Supplies	60	0	0	0	0	
TOTAL SUPPLIES	246	3,999	8,000	0	8,000	
SERVICES						
Travel	1,160	71	200	150	100	
Telephone	116	0	0	0	0	
Information Processing	1,717	360	370	850	300	
Professional Services	40,631	496,962	290,480	290,980	0	
Other Services	124	1,073	100	0	0	
TOTAL SERVICES	43,748	498,466	291,150	291,980	400	
MAINTENANCE & RENT						
Maintenance - Equipment	0	0	0	0	0	
Maintenance - Vehicular	647	0	0	0	0	
Rent - Other	0	0	0	0	0	
TOTAL MAINTENANCE & RENT	647	0	0	0	0	
IMPROVEMENTS & ACQUISITIONS						
Acquisitions - Vehicles	0	0	0	0	0	
Acquisitions - Equipment	0	0	0	0	0	
Acquisitions - Information Processing Equip	0	0	0	0	0	
TOTAL IMPROVEMENTS & ACQUISITIONS	0	0	0	0	0	
Total Expenditures	292,965	672,208	427,400	395,480	118,000	

	end of FY 2010	FY 2011	FY 2012	FY 2013	
Balance of Reserve (Deferred Revenue) Account	683,480	11,272	0	0	2
Fund Balance (Interest Earnings, cumulative)	761,417	764,152	380,644	262,994	3
Available Funding - Kirkwood Cohanseay Study	1,444,897	775,424	380,644	262,994	

**PINELANDS COMMISSION
KIRKWOOD COHANSEY AQUIFER ASSESSMENT FUND
FISCAL YEAR 2013 BUDGET NOTES**

June 22, 2012

1. The funds provided from the Water Supply Fund to prepare the Kirkwood Cohansey Aquifer Assessment and Report are kept in a separate cash account. The interest income estimated at \$350 stays within the program and is available to help fund the project. This amount is lower than in past years because of the decline in interest rates and a lower cash balance as the program nears completion. The cumulative interest earnings are accounted for as Fund Balance.
2. Early in FY 2012, the balance of funds provided from the Water Supply Fund in the Reserve (Deferred Revenue) account was exhausted.
3. In FY2012, it is projected that over \$380,000 will need to be drawn from the Fund Balance. In FY2013, it is anticipated that an additional \$117,650 will be needed from the Fund Balance to fund the staff's preparation and the printing of the final report. It is likely that any remaining Fund Balance existing at the end of the fiscal year will be used to support the Commission's development of water supply policies and/or regulations.
4. The FY2013 salaries and wages budget finances salary expenses of employees who spend time working on this project and are estimated at \$80,000. Most of this time will be spent preparing the final report.
5. The fringe benefits budget represents the chargeable benefits calculated using the OMB issued "Employee Benefit" reimbursement rates for FY2013.
6. The printing and office supplies budget of \$8,000 represents the estimated cost to print and publish the final report.

PINELANDS CONSERVATION FUND
FISCAL YEAR 2013 BUDGET

Revenue Source	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
Town of Hammonton	1,000	0	0	0	0	
CMCMUA 2006 Landfill Amendments	5,393,151	0	0	0	0	
Stafford Township (Existing Landfills Assessment)	0	0	152,900	152,900	0	1
EPA Grant - Intermittent Ponds	0	0	37,500	26,000	61,500	2
Interest Income - Land Acquisition	26,011	13,164	14,000	2,200	1,000	3
Interest Income - Conservation Planning & Research	15,706	10,637	11,000	2,400	2,500	3
Interest Income - Community Planning & Design	14,899	9,060	10,000	1,900	1,700	3
Total Revenue	5,450,767	32,861	225,400	185,400	66,700	
Cancellation of Prior Year Encumbrances	0	0	0	83,400	0	
Reserves for Pinelands Conservation Activities	0	1,035,765	4,563,100	1,418,400	4,265,700	4
Total Revenue/Other Sources Anticipated	5,450,767	1,068,626	4,788,500	1,687,200	4,332,400	

Expenditure Account	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
<u>Land Acquisition</u>						
Salaries & Wages	0	31,467	24,000	65,000	36,000	
Fringe Benefits	0	11,061	8,400	24,700	13,300	
Information Processing	0	650	700	450	1,010	
Professional Services	86,936	73,752	107,900	15,000	121,500	
Land Acquisition	3,197,154	675,792	4,045,000	1,137,150	3,717,000	
Administrative Assessment	20,000	20,000	20,000	20,000	20,000	5
Total Land Acquisition Expenditures	3,304,090	812,722	4,206,000	1,262,300	3,908,810	6

Conservation Planning and Research

Salaries & Wages	116,676	60,414	132,600	90,000	144,000	
Fringe Benefits	40,662	21,235	46,400	34,100	53,300	
Printing & Office Supplies	557	0	750	300	0	
Household Supplies (clothing)	0	0	300	0	0	
Other Supplies	0	0	2,700	100	600	
Travel	98	132	1,250	200	350	
Information Processing	1,090	1,770	12,700	2,100	1,900	
Professional Services	3,000	0	152,900	160,000	20,000	
Other Services	915	0	2,500	0	1,500	
Rent - Other	469	0	0	0	0	
State Aid and Grants	0	0	3,500	0	0	
Acquisitions - Equipment	0	0	0	0	7,500	
Acquisitions - Information Processing Equipment	5,805	0	5,500	5,500	0	
Administrative Assessment	20,000	20,000	20,000	20,000	20,000	5
Total Conservation Planning/Research Expenditures	189,272	103,551	381,100	312,300	249,150	7

Community Planning and Design

Salaries & Wages	14,062	97,438	132,000	66,000	110,000	
Fringe Benefits	4,900	34,250	46,200	25,000	40,700	
Printing & Office Supplies	0	0	0	250	0	
Travel	0	73	380	250	370	
Postage	0	0	0	100	250	
Information Processing	30	360	120	500	1,020	
Professional Services	20,841	0	0	0	0	
Other Services	0	232	2,700	500	2,100	
Special Purpose	100,000	0	0	0	0	
State Aid and Grants	300,000	0	0	0	0	
Administrative Assessment	20,000	20,000	20,000	20,000	20,000	5
Total Community Planning/Design Expenditures	459,833	152,353	201,400	112,600	174,440	8

Total Expenditures	3,953,195	1,068,626	4,788,500	1,687,200	4,332,400	
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**PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2013 BUDGET NOTES**

June 22, 2012

1. During FY2011, the Commission entered into an amendment to the June 28, 2006 Memorandum of Agreement with Stafford Township. Through this amendment, Stafford has obligated its redeveloper to make a monetary contribution of \$152,900 to the Commission to undertake an assessment of the existing landfills located in the Pinelands (see note # 7). The Commission received the full amount in FY2012.
2. In November 2011, the Commission accepted a multi-year grant from the U.S. Environmental Protection Agency to conduct a study titled "Assessing the Ecological Integrity of Intermittent Ponds and Their Vulnerability to Land-use Impacts". Revenue is based upon grant-related expenditures and is reimbursed at the 75% level.
3. The funds provided from Atlantic City Electric (formerly Conectiv) and other related revenue sources are kept in three separate cash accounts, one for each program of the Fund. The FY2013 estimated interest income totals \$5,200 and is comprised of interest income from the three cash accounts. All interest income stays within the particular program and is available to help fund the various projects.
4. The difference between the revenues and expenditures for the year, estimated at \$4,265,700, is financed from the Reserves for Pinelands Conservation Activities. Each of the three programs (Land Acquisition, Conservation Planning and Research, and Community Planning and Design) has its own reserve account. During FY2010, the reserve accounts for the CMCMUA landfill expansion and Hammonton wastewater projects were closed upon completion. By resolution, the revenue realized from the CMCMUA landfill expansion project was transferred into the reserve accounts for the three programs.
5. The financial plan that designated these three programs within the Fund was approved by the Commission in April 2005 and includes a \$20,000 assessment from each of the three programs to cover administrative expenses as described in Operating Budget note # 22.
6. The Land Acquisition program budget for FY2013 totals \$3,908,810. Personnel costs (salaries/wages and fringe benefits) are estimated at \$49,300 in support of the land acquisition and permanent land protections initiatives. Land acquisitions could total up to \$3,717,000 with consultant fees to facilitate the land purchases up to \$105,500. Also budgeted is \$16,000 for NJDEP to assist with administration of the Limited Practical Use program. Software maintenance supporting the land acquisition program are anticipated to be \$1,010. Rounding out the budget is the \$20,000 administrative assessment mentioned above.

7. The Conservation Planning and Research program budget for FY2013 totals \$249,150. Personnel costs (salaries/wages and fringe benefits) are estimated at \$197,300 to support the following initiatives and special projects: analysis of landfill capping alternatives, the forest characterization study, a comprehensive Hammonton wastewater management/water supply policy, implementation of the alternate septic system pilot program / septic system management, the roadside plants management project, management of threatened and endangered species data, the EPA intermittent ponds research and an assessment of the existing Pinelands landfills. Also included in this year's budget is \$20,000 for consultants associated with the Hammonton wastewater management/water supply policy and miscellaneous expenses (software, banking charges, travel, scientific supplies and equipment) supporting the conservation planning and research program equal \$11,850. Rounding out the budget is the \$20,000 administrative assessment mentioned above.

8. The Community Planning and Design program budget for FY2013 totals \$174,440. Personnel costs (salaries/wages and fringe benefits) are estimated at \$150,700 to support the following initiatives and special projects: implementation of the clustering ordinances, the Pinelands Development Credit and density rules, administrative responsibilities supporting the Pinelands Development Credit Bank, wastewater management in Pinelands village communities, the creation of a new lot status layer for the geographic information system and to investigate expediting permits in non-residential sewer service areas. Miscellaneous expenses (software, postage, banking charges, travel and legal advertisements) supporting the program equal \$3,740. Rounding out the budget is the \$20,000 administrative assessment mentioned above.

**PINELANDS DEVELOPMENT CREDIT PURCHASE PROGRAM
FISCAL YEAR 2013**

	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
REVENUE PROJECTIONS						
State Appropriation - PDC Purchases	0	0	0	0	0	1
Interest Income	6,087	3,527	3,000	700	700	2
Total Revenue	6,087	3,527	3,000	700	700	
Reserve for PDC Purchases Anticipated			0		0	
Total Revenue/Reserve Anticipated	6,087	3,527	3,000	700	700	

	FY2010 Audited	FY2011 Audited	FY2012		FY2013 Anticipated	Notes
			Budget	Projected		
EXPENSE PROJECTIONS						
Pinelands Development Credit Purchases	0	0	0	0	0	3
Administrative Costs	6,087	3,527	3,000	700	700	4
Total Expense Projections	6,087	3,527	3,000	700	700	

	end of FY2010	FY2011	FY2012	FY2013
Reserve for PDC Purchases				
Balance of Reserve Account	1,759,200	1,759,200	1,759,200	1,759,200

PINELANDS DEVELOPMENT CREDIT PURCHASE PROGRAM NOTES

1. Since FY 2001, the State's budget has not included an appropriation for this program.
2. FY 2013 interest on the balance of the PDC Purchase cash account (\$1,759,200) is projected to be \$700 due to the steadily declining interest rates.
3. Although \$1,717,600 remains on the commitment made through a Memorandum of Agreement with the State Agriculture Development Committee (SADC) and \$41,600 is available for other PDC purchases, no purchases are being anticipated this year.
4. As stated in Operating Budget note # 3, the revenue to be received for the administration of this program is limited to the anticipated interest earning (see above - note #2).