State of New Jersey
THE PINELANDS COMMISSION
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NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, November 13, 2026- 9:30 a.m.
This meeting will be held in-person and virtually.
Richard J. Sullivan Center for Environmental Policy and Education
Terrence D. Moore Conference Room
15C Springfield Road
New Lisbon, New Jersey
Watch the meeting on the Pinelands Commission YouTube channel via the following link:
https://www.youtube.com/watch?v=KTjM-X08O58
To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 839 9731 7172

1. Call to Order

   - Open Public Meetings Act Statement
   - Roll Call
   - Pledge Allegiance to the Flag

2. Adoption of Minutes

   - October 9, 2026

3. Committee Chairs' and Executive Director's Reports

4. Matters for Commission Consideration ***Where the Record is Closed***

   A. Permitting Matters

   - Office of Administrative Law
     - None
   - Review of Local Approvals
     - None
   - Public Development Projects and Waivers of Strict Compliance:

   Resolution Approving With Conditions (1) Application for Public Development:

- Application No. 1987-0065.039 - Borough of Woodbine
  Demolition of two airplane hangars, 50 years old or older, and construction of a 2,750 square foot terminal building and two airplane hangars at the Woodbine Municipal Airport
  Woodbine Borough

Resolution Approving With Conditions (1) Application for Public Development:

- Application No. 1987-1058.089 - South Jersey Transportation Authority
  Construction of a 900 foot long taxiway and two taxiway fillets at the Atlantic City International Airport
  Egg Harbor Township

Resolution Approving With Conditions (2) Applications for Public Development:

- Application No. 1982-2683.004 - Stafford Township
  Construction of a 2,000 square foot building addition at the Nautilus Drive Fire Station
  Stafford Township

- Application No. 2024-0139.001 - Galloway Township
  Installation of a sanitary sewer pump station and sanitary sewer mains within the Ash, Chestnut, Beech, Roosevelt, McKinley, Damson, Hayes, Garfield, Ebony Tree, Genista & Fir Avenue rights-of-way
  Galloway Township

B. Planning Matters

- Municipal Master Plans and Ordinances
  - None
- Other Resolutions
  - None
- CMP Amendments
  - None

5. Public Comment on Public Development Applications and Waivers of Strict Compliance ***Where the Record is Not Closed***

A. Public Development Projects

- None

B. Waivers of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

   - Bass River Township Ordinance 2026-4
   - Corbin City Ordinance 4-2026
   - Dennis Township Ordinances 2026-11, 2026-12
   - Estell Manor City Ordinance 4-2026
   - Galloway Township Ordinance 2172-2026
   - Lacey Township Ordinances 2026-15, 2026-18
   - Manchester Township 2025 Master Plan Reexamination Report
   - Manchester Township Ordinances 26-44, 26-46, 26-48
   - Pemberton Township Ordinances 19-2024, 24-2026, 25-2026
   - Shamong Township Ordinances 2026-3, 2026-22
   - Stafford Township Ordinance 2026-25
   - Upper Township Ordinance 015-2026
   - Waterford Township Ordinances 2026-20, 2026-21
   - Winslow Township Ordinance O-2026-029

7. Other Resolutions

   - To Revise and Adopt the Pinelands Commission Personnel Policies

8. General Public Comment

9. Resolution to Retire into Closed Session (if needed) – Personnel, Litigation and Acquisition Matters. *(The Commission reserves the right to reconvene into public session to take action on closed session items.)*

10. Adjournment

Upcoming Meetings

Fri., November 20, 2026	Policy & Implementation Committee Meeting (9:30 a.m.)
Fri., December 11, 2026	Pinelands Commission Meeting (9:30 a.m.)

To ensure adequate time for all members of the public to comment, we will respectfully limit comments to **three minutes**. Questions raised during this period may not be responded to at this time but where feasible, will be followed up by the Commission and its staff.

Pinelands Commission and Committee meeting agendas are posted on the Commission's Website and can be viewed at www.nj.gov/pinelands/ for more information on agenda details, e-mail the Public Programs Office at Info@pinelands.nj.gov.

PINELANDS COMMISSION MEETING

MINUTES
October 9, 2026

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: https://www.youtube.com/live/pTdBy-7d9KI

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Deborah Buzby-Cope, Jerome H. Irick, Mark Lohbauer, Gaetano Matro, Mark Mauriello, Jonathan Meade, William Pikolycky, Jessica Rittler Sanchez, Ryck Signor, Douglas Wallner and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Michael Eleneski.

Commissioners Absent

Theresa Lettman.

Call to Order

Chair Matos called the meeting to order at 9:33 a.m.

DAG Stypinski read the Open Public Meetings Act Statement (OPMA).

Executive Director (ED) Grogan called the roll and announced the presence of a quorum. Thirteen Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's September 11, 2026 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Buzby-Cope seconded the motion.

The minutes from the September 11, 2026 Commission meeting were adopted by a vote of 12 to 0. Commissioner Meade was not present for the vote.

Committee Reports

Chair Matos provided a summary of the September 25, 2026 Policy and Implementation (P&I) Committee meeting:

The Committee approved the minutes of the August 28, 2026 meeting.

The Committee heard a presentation from Tanya Rohrbach of the Sustainability Institute at The College of New Jersey on piloting New Jersey's model Climate Change-Related Hazard Vulnerability Assessments (CCRHVA) across three Pinelands municipalities case studies, including Egg Harbor City, Evesham Township and Woodbine Borough. The Committee received feedback and insights on the CCRHVA plan process and strategies from municipal representatives of Evesham Township and Woodbine Borough.

Staff provided an overview of Climate Change-Related Hazard Vulnerability Assessments in the context of local conformance and Commission review for consistency with the Pinelands CMP.

Executive Director's Report

ED Grogan provided information on the following matters:

- Work continues to stabilize the Fenwick Manor foundation. The exterior painting of the building is taking longer than expected and the project will be delayed. Some of the windows that were removed and refinished are being reinstalled.

- The Personnel and Budget Committee is scheduled to meet virtually on Tuesday, October 20th. Staff will review the revised Personnel Policies, which have not been updated since 2010.

- The October 30th P&I Committee will be cancelled, and the Committee will meet next on November 20th.

- Staff received multiple inquiries related to Requests for Proposals for loans using the Pinelands Infrastructure Trust Fund. The deadline is January 11, 2027. The projects must be located in a Regional Growth Area and must be for wastewater or water supply.

April Field, Director of Regulatory Programs, provided information on the following regulatory matters:

- Staff recently issued a letter indicating permits can take effect for a 13-lot residential subdivision in Tabernacle Township and the development of 11 single family dwellings. Each house will utilize an alternate design septic system. An application for a new

municipal complex was previously proposed on the parcel, but the application was not completed.

- Staff has been working with the Town of Hammonton to resolve a violation where a property owner in the Agricultural Production Area has created three commercial uses and wetlands buffers were disturbed. The property owner pled guilty in municipal court, paid a fine and has 60 days to restore the property.

- Bethany Williams, an Environmental Specialist in the Regulatory Programs office, participated in a U.S. Fish and Wildlife training seminar for surveying bat species on transportation structures (bridges).

- Gina Fernandes, who is the newest Environmental Specialist to join the Regulatory Programs office, is in the process of completing Rutgers Wetland Certificate Program training.

Stacey Roth, Chief, Legal and Legislative Affairs, provided the following litigation updates:

- For the last few months, staff have been providing updates on the Hexa Builders matter. On September 21, 2026, Hexa filed a Petition for Certification and a Motion for Leave to File an Interlocutory appeal to the New Jersey Supreme Court. There were some procedural issues related to the filing of the petition for certification, because Hexa's attorney did not file a notice of petition before they filed the petition. The Commission's response, in the form of an opposition brief, is due October 22nd.

- The Commission was named in a Tort Claims Act matter involving a personal injury that occurred at the Lake Oswego dam. The Plaintiff's claims against the Commission stem from a 1995 Memorandum of Agreement (MOA) between the Commission and the New Jersey Department of Environmental Protection (NJDEP) that allows certain development to occur through a different process. Under the exemption of the Tort Claims Act, there is no Tort against any agency that is only issuing a permitting decision. The Attorney General's office made a motion for summary judgment because the Commission does not have the authority to hold or own property. The judge denied our request because discovery has not yet begun.

- The Artistic Materials trial commenced on September 22nd. The case began with the NJDEP providing its solid waste expert and evidence with regard to the recycling operation that has been occurring on the site. Susan Grogan testified on behalf of the Commission with regard to what is permitted under the Comprehensive Management Plan, specifically in the Agricultural Production Area, including the Pinelands Development Credit (PDC) deed restriction imposed on the property in 1998. Former Regulatory Programs Director Chuck Horner testified about the regulatory history of the property. Unfortunately, a number of people involved with the case then had personal emergencies, and the trial was put on hold. A case management conference has been scheduled for late October to discuss rescheduling the trial.

- Annual ethics training must be completed by Friday, November 13, 2026.

Brad Lanute, Chief Planner, provided an update related to Jackson Township:

- The Commission has received and is responding to several Open Public Records Act (OPRA) requests related to the Township's fourth round affordable housing plan and associated zoning overlay ordinances that are pending staff's review. The matter continues to generate significant public interest. To date, the Township has requested and received three extensions to allow additional time to address concerns that the Commission has raised with the Township regarding its affordable housing sites. The current extension runs through November 15, 2026. It's anticipated that another extension request may be necessary.

Paul Leakan, Communications Officer, provided the following updates:

- The World Water Monitoring Challenge is scheduled for October 23rd at Batsto Lake, where approximately 100 students will learn about the importance of water quality in the Pinelands.

- The Commission had a record month on its social media sites, which include X, Instagram, Bluesky and YouTube. The Commission's posts, including photos and videos, generated a record of 560,000 views on Instagram while adding 2,400 followers, including 950 followers in one day. This was fueled by a video of a northern pine snake climbing up a tree.

- The Pinelands native seed mix working group held its second meeting at Pinelands Nursery in Columbus on October 8th. The group identified seed mix types and categories that we want to develop. Next the group will create and collaborate on a document that lists native Pinelands seed mixes for the following purposes: roadside vegetation; soil stabilization; pollinator gardens; grass lawn alternatives; stormwater management best management practices such as rain gardens, vegetative conveyance swales, and bio retention basins; wildlife management areas; state forests and parks; traffic circle plantings; and native mixes for special purposes such as solar panels and landfills.

Commissioner Meade joined the meeting at 9:56 a.m.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution for the construction of a 475 linear foot paved taxiway connector at the Woodbine Municipal Airport.

Commissioner Pikolycky said he would be recusing from voting on this matter. He left the meeting room.

Ms. Roth said because Commissioner Pikolycky is the Mayor of Woodbine, he must recuse from Woodbine's application.

Commissioner Buzby-Cope made a motion Approving With Conditions an Application for Public Development (Application Number 1987-0065.037) (See Resolution # PC4-26-25). Commissioner Avery seconded the motion.

An aerial of the Woodbine Municipal Airport was displayed. The project area is outlined in red (see attached).

Mr. Ernest Deman, Supervising Environmental Specialist, said this application is for the installation of a new taxiway that will be approximately 475 feet in length. The new taxiway will allow aircrafts to take a right-hand turn and enter the runway at the terminal end, which is preferred by the Federal Aviation Administration. He said there are no wetlands in the proximity of the project area. The applicant has demonstrated consistency with the CMP's stormwater management standards and threatened and endangered species standards.

The resolution was adopted by a vote of 12 to 0.

Commissioner Pikolycky returned to the meeting room.

Chair Matos introduced a resolution approving the construction of a 150-foot-high local communication tower in Stafford Township.

ED Grogan said she is friends with the consultant for the project and said it was best that she is not in the room while the Commission considers the communication tower application. She left the room.

Commissioner Avery made a motion Approving With Conditions an Application for Public Development (Application Number 2007-0300.003) (See Resolution # PC4-26-26). Commissioner Matro seconded the motion.

Mr. Deman said this application proposes the placement of a 150-foot-high communication tower on an existing water tower. An aerial was displayed (see attached), with the project area outlined in red. The application proposes the development of a 2,482 square foot equipment compound and a 129 linear foot access road.

The resolution was adopted by a vote of 13 to 0.

ED Grogan returned to the meeting.

Chair Matos introduced a resolution for NJDEP's application for forestry management and cedar regeneration at Wharton State Forest.

Commissioner Avery made a motion Approving With Conditions an Application for Public Development (Application Number 1994-0288.002) (See Resolution # PC4-26-27). Commissioner Pikolycky seconded the motion.

Chair Matos said public notice for the proposed project was first provided by NJDEP via newspaper on May 29, 2026 and again on July 15th and August 13th. Public notice to property owners within 200 feet of the project site was provided on July 17, 2026. Notice of the project was provided on NJDEP's website as well as the Commission's website dating back to May. The Commission accepted public comment at its September 11th meeting. Notice of the agenda item was provided over a week in advance. Chair Matos reminded Commissioners that decisions need to be based on the standards outlined in the CMP. She said the CMP dictates our responsibilities and how we approach things. She urged Commissioners to keep that in mind.

Chair Matos introduced Todd Wyckoff, State Forester, and Bill Zipse, Supervising Forester, who will be presenting their application and answering questions from the Commission. She reminded everyone that the public comment period has ended.

Mr. Wyckoff said he would provide information on NJDEP's application for restoring Atlantic white cedar (AWC), one of the most iconic and ecologically important forest types in the Pinelands. He said the New Jersey Forest Service (NJFS) is proud of this application and excited to contribute to the effort to bring this beloved forest type back to the landscape. He said Atlantic white cedar has shaped the ecology and character of this region for centuries, but today it stands at a critical point. Due to decades of neglect and compounding pressures from climate change, saltwater intrusion, and flooding caused by beavers, Atlantic white cedar forests have dwindled to just 25,000 acres statewide. He said the NJFS has research, experience, funding, and tools to restore Atlantic white cedar. He said this project is crucial to the cedar population.

Mr. Zipse said he has spent 26 years with the New Jersey Forest Service and was involved in the first cedar management plan back in 1997. He said as a field forester, the NJFS has tested different techniques to restore Atlantic white cedars to the landscape. These activities took place at Bass River State Forest and Brendan T. Byrne State Forest, and it was a test to determine the types of sites where cedar restoration could be successful. Remote sensing analysis is key in selecting landscapes for cedar restoration. The following threats are also considered when choosing a site: climate change, storm surge and saltwater intrusion. Modeling activities are completed to determine where cedar is most likely to survive. He noted that restoring cedar in old cranberry bogs is expensive, difficult and consumes a lot of resources. The population of Atlantic white cedars has declined to about 25,000 acres statewide from its historic high of approximately 115,000 acres. He clarified that means 25,000 acres of functioning cedar forest, not where individual cedar trees may be found. He said having cedar on the site is vital because the goal is for regeneration to occur using the existing seed source. He said the trees should be doing the work. He noted that this forestry project is fully funded and there is no reliance on revenue from the sale of timber.

He said it's important to note the forest type in the area to be regenerated, which is a forest dominated by cedar that can perpetuate itself. He said shade from other cedars and the seed bin are factors that are studied when selecting a viable regeneration site. He said the forestry plan will cover a 10-year period, and it includes staging areas and other things (stream crossing or log landings) that may be necessary to have a success. He said an inventory of the trees was conducted by measuring trees, analyzing growing space and evaluating the current site conditions. He noted that it was a hard site to characterize and includes some cedars that date

back to the 1930's but it is not considered an old growth cedar forest. He said there are currently 74 Atlantic white cedars per acre on the site.

The presentation categorized Commissioner's questions (see attached presentation slides). He reviewed the methodology of the plan. He said NJDEP botanists and biologists were consulted during the creation of the forestry plan and adjustments were made to protect threatened and endangered plants and animals. He said boundaries of the forestry plan were moved and adjusted based on the presence of known breeding pools for Pine Barrens treefrogs. He said the plan does not include streamside management zones, noting that the CMP and Cedar Best Management Practices assume that work is occurring in wetlands. He said specialized equipment and techniques, including the use of corduroy roads, will be utilized to protect these zones. He then explained the rationale for removing some cedar trees from the stand. He said it is based on a forestry mathematical equation which determines how much vegetation can be on a landscape versus the size of the vegetation. He said the open areas receive the most treatment, and the trees are left behind because the seed source is crucial for the regeneration. He said keeping wind-firm cedar is very important. He provided information on a cedar regeneration project at Double Trouble State Park that has been very successful. An image in the presentation displayed the cedar growing up through the corduroy road. He said that is what is meant to happen. He also noted that deer fencing was not used at the Double Trouble cedar regeneration site. He said deer fencing is not immediately proposed in the plan because the Forest Service wants to see if the trees germinate and begin to grow. The Forest Service will then monitor growth and look for damage from the deer. He said fencing is expensive and difficult to install. He also noted that fencing and herbiciding are two separate issues.

Commissioner Wallner said it sounds like the Forest Service is saying that fencing is bad, but the plan calls for fencing if it's necessary.

Mr. Zipse said he hopes that deer fencing is not necessary, and he was providing information on why it isn't installed automatically.

Commissioner Wallner asked if herbicide would be applied initially, and if after monitoring, would another application be necessary if germination has failed.

Mr. Zipse said herbicide and mechanical clearing are both approaches to germination. If germination fails, another treatment of herbicide may be necessary. He said the plan has a limit on herbicide, with a maximum of three treatments over 10-years and with at least one growing season in between. He noted that state foresters will be monitoring the site and the Forest Service wants the plan to be successful and needs to have tools authorized in the permit to be able to handle different scenarios that may arise from deer pressure or low regeneration numbers. He reiterated that the site was chosen based on the genetics, seed source, soil type and presence of sphagnum moss. He said the hope is that this site has the same AWC germination success as the Double Trouble site. He said because of the strong genetics at the site, they are not inclined to plant seedlings unless necessary. He said he wants the trees to do the work, because using the seed source can regenerate at a much high rate than planting.

Mr. Zipse then provided information regarding the use of herbicides, as proposed in the plan. He said the NJ Forest Service does not have the equipment to spray herbicide from the air, so it is done by hiring a helicopter or drone. He said the herbicide (Imazapyr) would be used at a rate of 14 ounces per acre. Because of advancements in GPS coordinates and wind sensors on the helicopter, the application of herbicides on the area needing treatment is very precise.

He said mechanical clearing will most likely be necessary in the eastern area of the site where there are a mix of trees, including maple. He said Imazapyr is an ALS inhibitor that targets plant growth. He said it's very effective to spray over the cedars in the autumn, before the leaves turn, and it's very selective as well. He said the plan also calls for using glyphosate on a limited basis because it kills seeds, so it needs to be handled carefully. Glyphosate is also recognized as a human carcinogen, and it needs to be handled properly and carefully. He said Commissioner Lohbauer shared a study related to glyphosate application in sandy soils in Florida's citrus groves. He said Glyphosate is water soluble but it is not motile, meaning it doesn't remain biologically active. He noted a University of Iowa study about Glysophate. He said part of the reason it's a useful herbicide is that it doesn't remain motile in the soil.

Mr. Zipse said questions were raised about Imazapyr causing birth defects on amphibian embryos. He said the study placed the embyros in a solution of Imazapyr that were at a high concentration of the herbicide for a 96-hour period. He said those rates do not match the plan's rates for the use of Imazapyr. He said Imazapyr is the best material that will work with the objectives of the plan and again will only be used as a last resort.

Lastly, Mr. Zipse described the measures of success of the AWC regeneration plan. The Forest Service would like to see 800 to 1,000 AWCs per acre. He said after two years, the AWC should begin growing through the corduroy road. After four years, the trees should be well above the corduroy roads and logs should be much less visible. At six years, the trees should be growing tall. At eight years, the trees should be taller than a human of average height. So, the long-term metric of success is restoring the forest type, not the tree. The Forest Service will conduct monitoring and surveying to ensure that the trees per acre target is met. He said NJDEP's Office of Natural Lands Management will also do survey work at the site because rare plants might begin to grow.

Mr. Zipse said a Commissioner asked about the use of the herbicide named Stalker. He said he read the label and that herbicide is mixed with oil rather than water and will not be used.

He said a question was raised about Hessel's hairstreak butterfly, which is a Species of Concern in New Jersey. He said it was considered in the strategic plan and NJDEP's biologists will be responsible for monitoring its population.

Commissioner Rittler Sanchez said AWC naturally shade out competition, but the plan proposes to open up the canopy.

NJFS members said that cedar crowds out its competition by taking the site very aggressively and quickly. But in order to do so, it needs sunlight to germinate. The maple trees exist because

germination is not occurring. Cedar trees will remain in the canopy but the site will be opened to allow cedars growing space.

Commissioner Rittler Sanchez said the proposal doesn't include a map of which trees will be protected.

NJFS members said crossroads are marked on the plan where mature cedar stands exist and are actively excluded from the plan. Determining what cedar trees are kept and which must be cut is operational decision making. The deciding factor will come down to promoting the regeneration of cedar.

Commissioner Rittler Sanchez said she visited the site and is not comfortable allowing the NJFS full discretion on which trees get removed on the 160 acres.

Mr. Zipse said the reason the forestry plan covers 160 acres is because rather than experimenting with AWC, the Forest Service is trying to restore cedars on the landscape. He said that is the goal of the plan and certain things must occur, including removing some cedar trees.

Commissioner Lohbauer said he submitted 11 questions to staff but they were paraphrased and submitted in a memo to the NJFS. He asked if NJSF staff had received the photographs he had taken of the site.

ED Grogan reminded Commissioner Lohbauer of their recent discussion, during which she told him that the photographs he took would not be provided to NJFS staff based on advice from the Attorney General's office. She reiterated that staff did not share the photographs with anyone, including other Commissioners. She said this is because the record is closed.

Ms. Roth said this is a quasi-judicial decision by the Commissioners, which means the decision must be made on the record that was developed before the record closed. She said no new information can be provided at this point.

Commissioner Lohbauer said he understands why the photographs would not be shared with other Commissioners. He said the applicant should have received the photographs so they could respond to his questions about them. Chair Matos said the photos were taken and submitted after the record was closed and cannot be shared.

Commissioner Lohbauer said the Commission is honoring the letter of the law but not honoring the spirit of the law. He said it's unfortunate that the public has not had more time to comment on the application, that Commissioners did not have more time to compose their questions, and that the pictures he took of the site cannot be shared.

He asked if there is a portion of the 171 acre site that already meets the plan's goal of 800 to 1,000 AWCs per acre.

NJFS staff said there are portions of the site that are stocked with AWCs and would not be treated. The 800-1,000 trees are associated with AWC regeneration targets, which in the future will lead to fewer trees but bigger, more mature AWC trees.

Commissioner Lohbauer said a 2024 study was conducted by foresters and professors that used satellite imagery to identify types of trees in the Pinelands and the study referenced AWCs. He was curious about the analysis that was used to document the tree inventory.

Mr. Zipse said his background is in biometrics and he would not be comfortable using satellite estimates because seedlings in the understory would be missed.

NJFS staff added that an AWC strategic planning document has been on the NJDEP's website since 2020, and the document details the remote sensing work that was undertaken to identify existing cedar resources in the state. A stakeholder process was included as part of the process.

Commissioner Lohbauer said he is not comfortable providing blanket authority for forestry activities to occur on all 171 acres.

Commissioner Lohbauer said that based on earlier comments, Mr. Zipse seems comfortable using glyphosate despite its carcinogenic properties.

Mr. Zipse said that, as stated earlier, the Forest Service hopes that it does not have to use glyphosate. He said it may be a secondary option and will only be used to control competing vegetation.

Commissioner Lohbauer said he is against applying glyphosate in the Pinelands. He said he provided a link to a study that found Imazapyr to be a thyroid disruptor in bullfrogs and other amphibians and based on that fact, it is of great concern that it that it could harm Pine Barrens treefrogs.

Mr. Zipse said the study used very high concentrations of the herbicide, many orders of magnitude higher than what is proposed in the forestry plan. Therefore, the results are not comparable.

Commissioner Lohbauer asked if monitoring of surrounding vernal ponds and other waterways would be taking place to ensure that herbicides do not migrate into the ponds. He said the NJFS is dismissing that this could happen but not providing any reassurance.

Mr. Zipse said the rules call for providing a buffer to these areas and with this plan, the Forest Service doubled the required buffer. He said there will be a lot of monitoring at the site by numerous offices at the NJDEP.

Mr. Lohbauer said that's reassuring but not reassuring enough. He said he doesn't understand why the vernal ponds cannot have specific monitoring.

Mr. Zipse said he understands the point, but he noted that as an applicant he is being responsive to the requirements of the CMP.

Commissioner Lohbauer temporarily left the meeting because his phone battery died.

Commissioner Irick said he appreciated the information that has been shared about the forestry plan. He said he would really like to see the construction of an eight-foot fence to keep deer out of the AWC regeneration area because deer can jump over a six-foot fence. However, he will trust the NJFS expertise on the matter of deer fencing.

Commissioner Lohbauer rejoined the meeting and said he had one last question that is related to the threatened and endangered (T&E) plant study conducted for the project site. He said the results of the plant survey were not shared with Commissioners.

Mr. Wyckoff said the NJFS worked closely with both the Office of Natural Lands Management (ONLM) and the Endangered and Nongame Species Program (ENSP) to develop a strategy that meets the requirement of the CMP. Both offices will help implement this plan.

Commissioner Lohbauer asked NJFS staff if they were familiar with a study: Botanical Inventories for Western Wharton Atlantic White Cedar Wetland Ecosystem Restoration Phase 2 final report dated January 11, 2022. He said the study contradicts what the NJFS has presented related to T&E species.

Mr. Zipse said the agencies that track these species were involved in this plan and found that there will be no irreversible, adverse impacts to the species.

Commissioner Mauriello thanked the NJFS for answering questions today. He said after reading the forestry plan and the staff's public development report he had questions. He said the NJFS are the experts on forestry, and he has confidence in its staff and believes the forestry plan will succeed. He said he hopes future forestry plans can address some of the questions raised today in the hopes that they will be easier to understand. He said as the Chair said earlier, our decision-making is not based on personal feelings or whether a Commissioner likes or dislikes an application; the decision is based on the standards of the CMP. He said he trusts Commission staff and ED Grogan's review of the application. He said if the forestry rules in the CMP need to be updated, the Commission can do that through the rule-making process. He said his only suggestion is that in the future when the next forestry application is filed, a discussion begins earlier in the process.

Mr. Wyckoff said demonstrating the NJFS intentions in a forestry plan in a regulatory setting is not an easy task. He said he believes communication about this type of forest management is best shared by an example from the field. He said this is the first time that the NJFS has brought a forestry plan of this size to the Commission. He said it's been a learning experience for everyone.

Commissioner Rittler Sanchez asked how long the AWC seed stock stays in the soil.

Mr. Zipse said the seeds stay in the soil for seven years.

Commissioner Avery said he appreciates the Commission staff's review and the Forest Service's in-depth description of the forestry plan. He asked if NJDEP will monitor the endangered plant and animal species that come about as a result of the cedar regeneration.

Mr. Zipse said that the ONLM and ENSP will continue to monitor the project area.

Commissioner Buzby-Cope thanked the NJSF for the dialogue and education on the forestry plan. She said the Pinelands need the regeneration of AWC. She said she hopes the transparency will continue.

Director Field thanked the NJFS for attending today's meeting and explaining the forestry plan. She also thanked Branwen Ellis, Environmental Specialist, for her work to review the application. She said what is not conveyed in the public development report are the months of back and forth between the staff and the applicant. She said Ms. Ellis posed many of the same questions to the applicant that were raised today. She said she thinks she has a better perspective as to what types of questions that the Commissioners are interested in. She said Commission staff conducted a thorough review of this application and said she feels confident that this application is consistent with the CMP and with past review procedures for forestry applications.

The resolution was adopted by a vote of 11 to 2. Commissioner Lohbauer and Commissioner Rittler Sanchez voted no.

Chair Matos thanked NJSF for answering the questions today and said she appreciated the thorough review and care Commission staff dedicated to this application.

The Commission took a brief break.

Public Comment on Development Applications and Items Where the Record is Open

Chair Matos said four public development applications are available to comment on:

- Construction of an addition to a fire station in Stafford Township
- Demolition of two airplane hangers, the construction of a terminal building and two airplane hangars at the Woodbine Municipal Airport
- Construction of a taxiway and two taxiway fillets at the Atlantic City International Airport
- Construction of a sanitary sewer pump station and the installation of a sanitary sewer mains in Galloway Township

No one provided comment on the applications.

Ordinances Not Requiring Commission Action

Chief Planner Lanute said staff reviewed seven municipal ordinances in the past month. He said two were related to affordable housing similar to those that staff has been reviewing this past year. Several were related to data center bans, which again, we have seen a number of in recent months.

Presentation: Permanent Land Protection Annual Update

Amber Mallm, Planning Specialist, said a total of 690 acres were preserved during Fiscal Year 2026 in the Pinelands Area. During the Fiscal Year, there was an increase in land preservation through the Farmland Preservation Program and Pinelands programs, but there was a decrease in land preserved through the Pinelands Development Credit (PDC) severance process. She noted that the decrease in PDC deed restricted land is due to the fact that the Pine Island Cranberry Company completed a large severance in Fiscal Year 2025. Ms. Mallm said that no land was preserved in the Section 502 Acquisition Areas in FY 2026. She said 66% of the land in Section 502 areas has been preserved. In FY 2026, 155 acres were preserved in the 21 Planning Areas, for a total of 42% of preserved land. A total of 488,700 acres of the Pinelands Area are preserved as of June 30, 2026. See attached presentation slides.

Presentation: Pinelands Development Credit Bank (PDC) Annual Update

Chief Planner Lanute said the data that will be reviewed in today's presentation is derived from the PDC Annual Report that was shared with Commissioners in late August. The report is posted on the Commission's website. He said Amber Mallm does the majority of the data analysis that goes into the PDC Bank Annual Report. He said an allocation of PDCs is determined when a property owner has land in the Pinelands Preservation Area District, Agricultural Production Area or the Special Agricultural Area and applies for a Letter of Interpretation (LOI). He said a total of 20 LOIs were issued in FY2026. He said that is an increase compared to FY 2025 but there was a decrease in PDC's allocated in FY 2026. Severance applications were also down in FY 2026, which led to a decrease in acres preserved. He said 62,425 acres have been preserved though the PDC Program to date, and the majority of that land is located in the Preservation Area District. He said the number of PDCs sold decreased in FY 2026, however the average sales price per right increased by 8%. He said the number of redemptions that were processed by the PDC Bank increased in FY2026 but the number of rights redeemed decreased. The PDC redemptions were mostly for the development of single family dwellings followed by mixed use development. He closed by explaining the existing and projected supply of PDCs and the current and future demand for which applicants will need PDCs. See attached presentation slides.

General Public Comment

Bernard Isaacson said the Commissioners' vote today was a major step in addressing ecological concerns on the landscape. He said Atlantic white cedar has been purposefully regenerated on hundreds of acres of New Jersey forest in recent decades. He said expert foresters like Bill Zipse have tested out how to regenerate cedar amidst differing site and stand conditions. He said the young cedar stand at Double Trouble State Park is thriving. However, challenges remain. The Forest Service has stated in both the state Forest Action Plan and the Atlantic white cedar

strategy that they intend to conduct forestry activities on 10,000 acres. This application today represents only the first 1.6%. See attached comments.

Colin McGlaughlin, Advanced Forestry Solutions, thanked the Commission for voting in favor of NJDEP's AWC regeneration application. He said he was pleased to see a Commission staff member at recent field site visit. He said you don't log for the money. He said he would be happy to host a site visit of an active forestry site.

Russell Juelg of the New Jersey Conservation Foundation (NJCF) spoke on behalf of the Partnerships for NJ Plant Coalition. He said Brian Szura of the Commission's staff participates in those meetings, and the group appreciate his participation. He said Bernard Isaacson led a tour a number of years ago to show AWC restoration. Mr. Juelg said a timber rattlesnake was discovered on the site of a development project in Evesham Township and part of the development proposal had already received final approvals. The developer's consultant had stated that there were records of rattlesnakes in the area. Suitable habitat for the rattlesnakes was present, but no rattlesnakes were discovered during the course of surveys. Commission staff at that time interpreted that to mean the rattlesnake population was historic and no longer existed there. Looking back now, that was a mistake. The NJSF is making a different assertion for its AWC regeneration project. The applicant said that the New Jersey Office of Natural Lands Management has documented three species of plants that the Commission is obligated to protect, but that the surveys indicate that no habitat for those species occurs on the site. He said if a plant has been documented as occurring at a place, it simply cannot be true that no habitat for that plant occurs there unless the habitat has changed. He said he hopes we're not engaging in a project reminiscent of the Sanctuary development in Evesham Township. He added that the New Jersey Natural Heritage Program reports are not a definitive statement as to what exists at a site. Two separate written comments were submitted (see attached).

Jason Howell of the Pinelands Alliance said he agrees that cedar restoration and protection are extremely important. He said he has concerns about the process. He said the public was not permitted to be involved in a substantial way. He said the NJFS didn't share the application. He said all we have to go on is a closed record and an inability to add new information. However, the applicant was able to add new information. He questioned why the NJFS did not do rare plant surveys on the site. He said surveys were conducted all around the site. They found rare species all around the site. He encouraged Commissioners to visit the regeneration site, because if you go in the field, you're going to be able to understand what it is they're actually proposing to do. He said he thinks the Commission has been doing great work.

Margo Pellegrino of Medford Lakes said she was surprised that the NJFS hadn't heard of the 2022 study that Commissioner Lohbauer referenced. She said she hopes the Commission has plenty of time to see how this AWC project progresses before approving any additional forestry projects. She said she has been in a forest that has died and you can hear the difference because it is silent. She said she hopes the Commission follows the progress of this project.

Emile DeVito of the NJCF said he has had many conversations with the NJFS about the AWC project. He hopes that they will keep the big cedars like they have stated. He said he doesn't understand why the Clark's Branch was not studied for rare species, but the surrounding streams

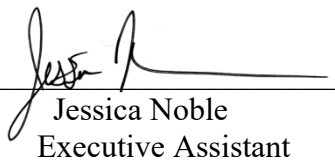
were surveyed. He said that he hopes there is no damage to rare species from this project. He said something is not adding up, noting the money is available to conduct the studies. He said several years ago a rare species survey was conducted for plants at a wildlife management area outside the Pinelands, and they said they didn't find anything. He said he took his then 12-year-old daughter to the site and within 15 minutes she found one of the best populations of New Jersey's rarest plant. He said rare species could be at risk with the AWC regeneration.

Tina Cooper said the existing forest where the AWC regeneration is proposed is a magical place. She raised concern about the wildlife that are in the area and are preparing for winter and won't have a home. She said the NJFS said this is a pilot program and they don't even know if the project will be successful. She said the applicant was able to add new information and questioned why new information can't be presented by Commissioners or interested members of the public.

Adjournment

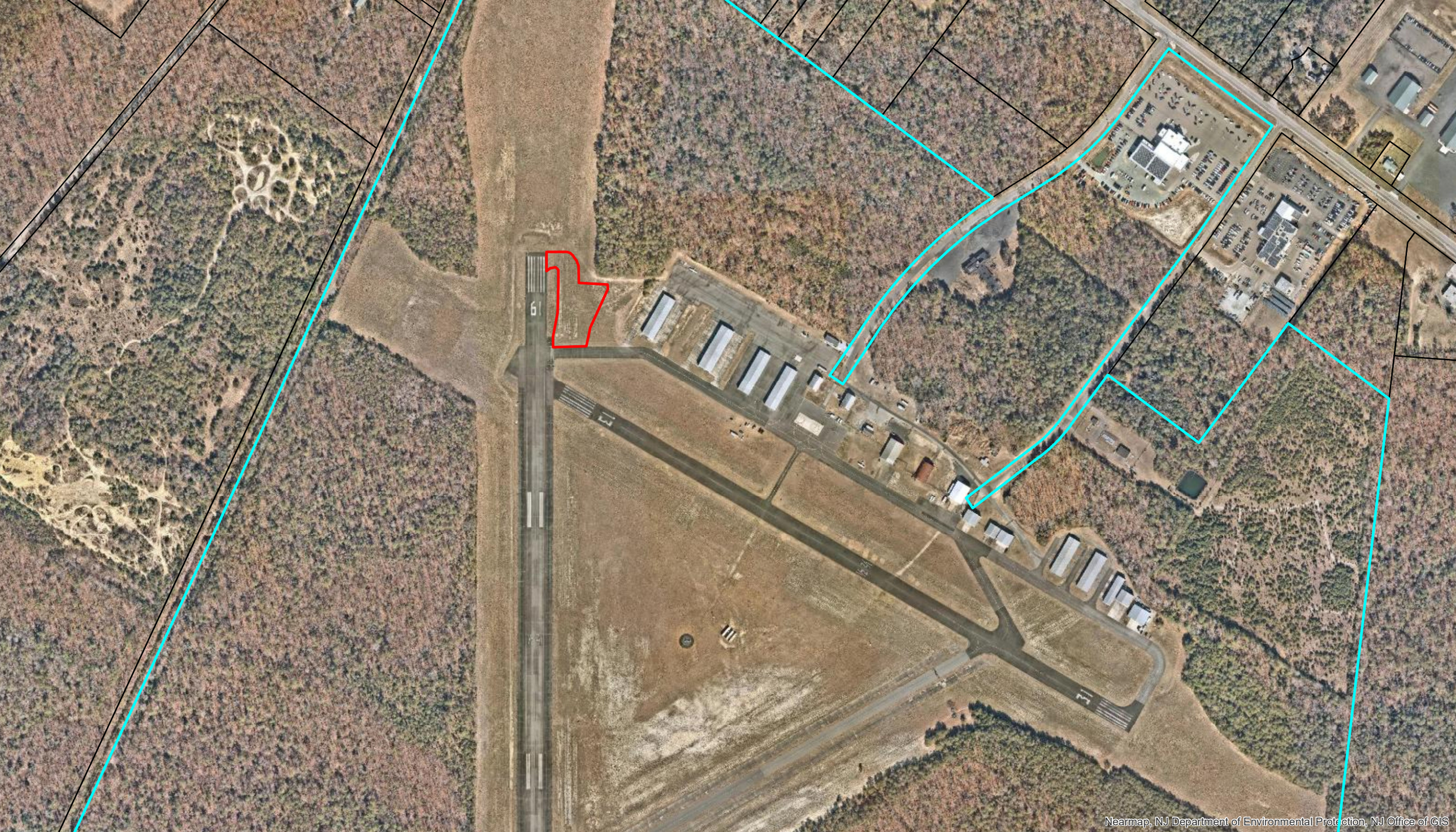
Commissioner Pikolycky moved to adjourn the meeting. Commissioner Mauriello seconded the motion. The Commission agreed to adjourn at 1:18 p.m.

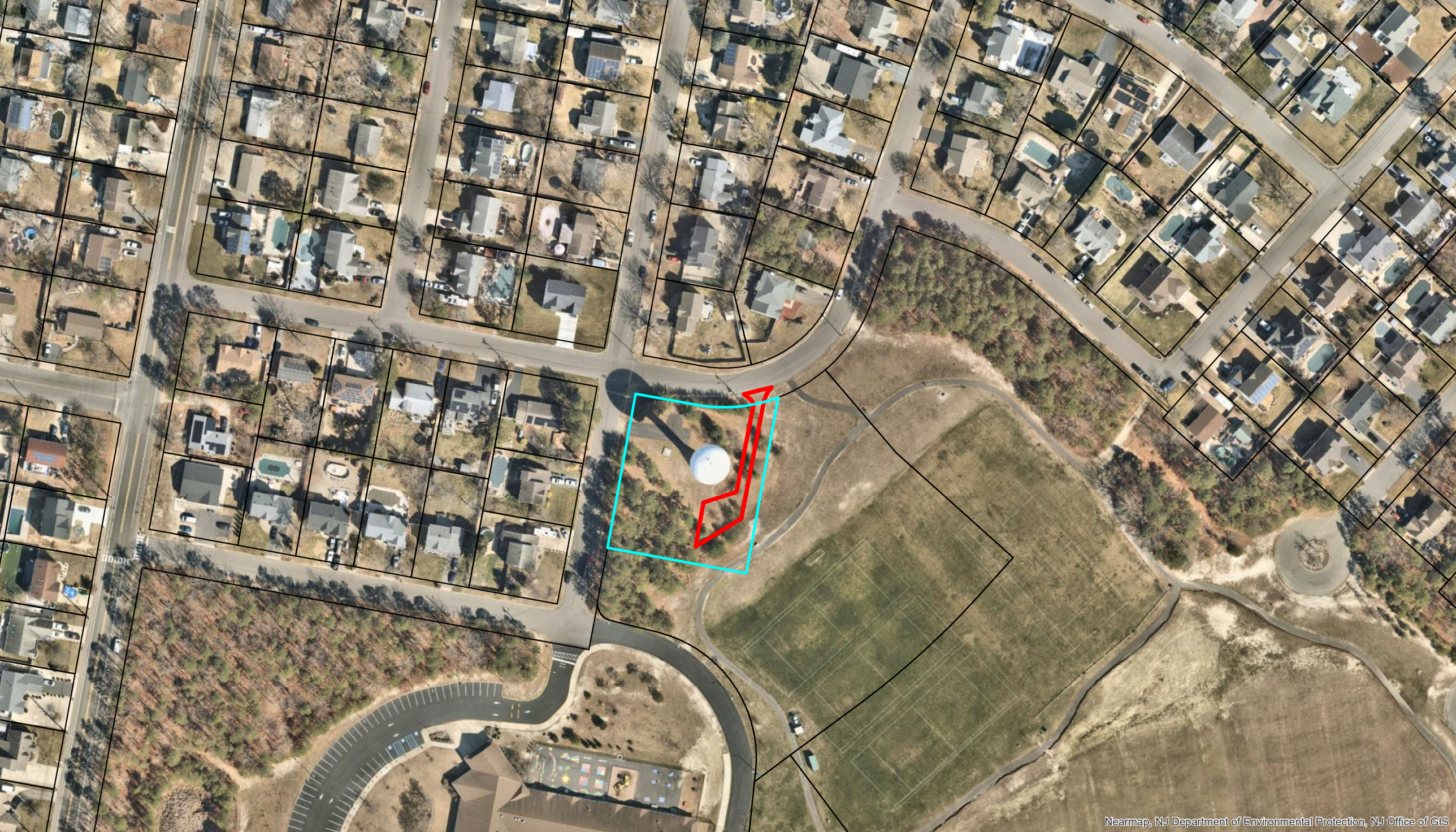
Certified as true and correct:



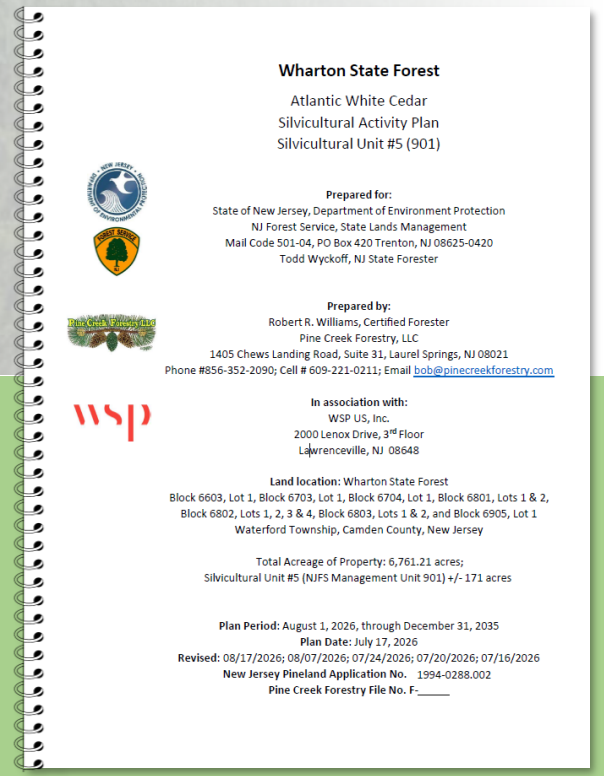
Jessica Noble
Executive Assistant

Date: October 21, 2026


19
Nearmap, NJ Department of Environmental Protection, NJ Office of GIS


Nearmap, NJ Department of Environmental Protection, NJ Office of GIS





Wharton State Forest

Atlantic White Cedar
Silvicultural Activity Plan
Silvicultural Unit #5 (901)

Prepared for:
State of New Jersey, Department of Environment Protection
NJ Forest Service, State Lands Management
Mail Code 501-04, PO Box 420 Trenton, NJ 08625-0420
Todd Wyckoff, NJ State Forester

Prepared by:
Robert R. Williams, Certified Forester
Pine Creek Forestry, LLC
1405 Chews Landing Road, Suite 31, Laurel Springs, NJ 08021
Phone #856-352-2090; Cell # 609-221-0211; Email bob@pinecreekforestry.com

In association with:
WSP US, Inc.
2000 Lenox Drive, 3rd Floor
Lawrenceville, NJ 08648

Land location: Wharton State Forest
Block 6603, Lot 1, Block 6703, Lot 1, Block 6704, Lot 1, Block 6801, Lots 1 & 2, Block 6802, Lots 1, 2, 3 & 4, Block 6803, Lots 1 & 2, and Block 6905, Lot 1
Waterford Township, Camden County, New Jersey

Total Acreage of Property: 6,761.21 acres;
Silvicultural Unit #5 (NJFS Management Unit 901) +/- 171 acres

Plan Period: August 1, 2026, through December 31, 2035
Plan Date: July 17, 2026
Revised: 08/17/2026; 08/07/2026; 07/24/2026; 07/20/2026; 07/16/2026
New Jersey Pineland Application No. 1994-0288.002
Pine Creek Forestry File No. F-_____

Pinelands Application #1994-0288.002

response to **Pinelands Commissioner Comments**

Supervising Forester – Bill Zipse
State Forester – Todd Wyckoff

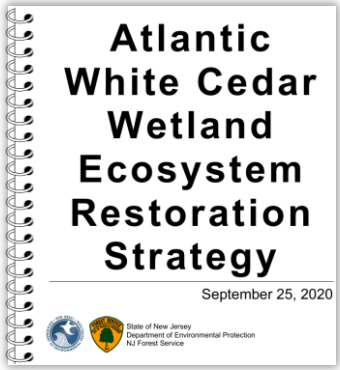
October 9, 2026

New Jersey Department of Environmental Protection

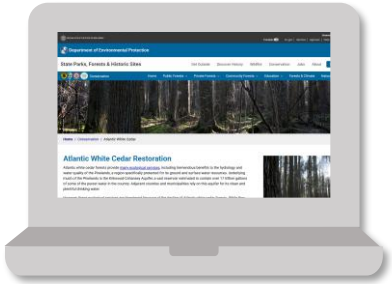
- Sites are selected based on rigorous and extensive survey and mapping (see strategy document) in tandem with in-depth stakeholdering
- This restoration effort is already fully funded and therefore silvicultural treatments are NOT economically motivated
- NJDEP is committed to ecologically sound, transparent, and successful restoration which will be maintained in perpetuity



Atlantic white-cedar strategy document detailing site selection



Atlantic white-cedar website with FAQs and additional information



PROJECT OVERVIEW



Our goal is
to restore
Atlantic white-cedar
ecosystems



PROJECT OVERVIEW

Project Overview

Application Acreage

171 acres

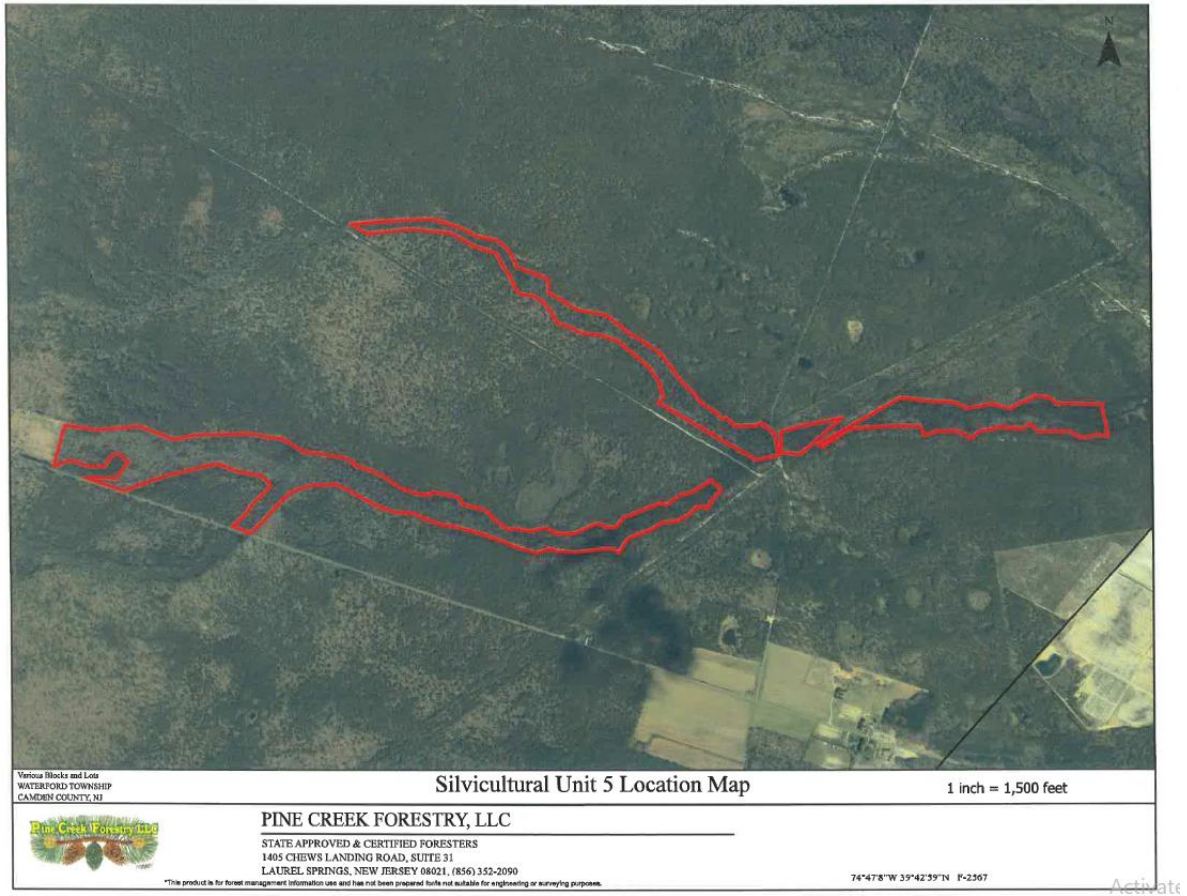
Time Period

10 Years

Broader Scope

unit 1 of a 12-unit plan

(~ 2,300 total acres)



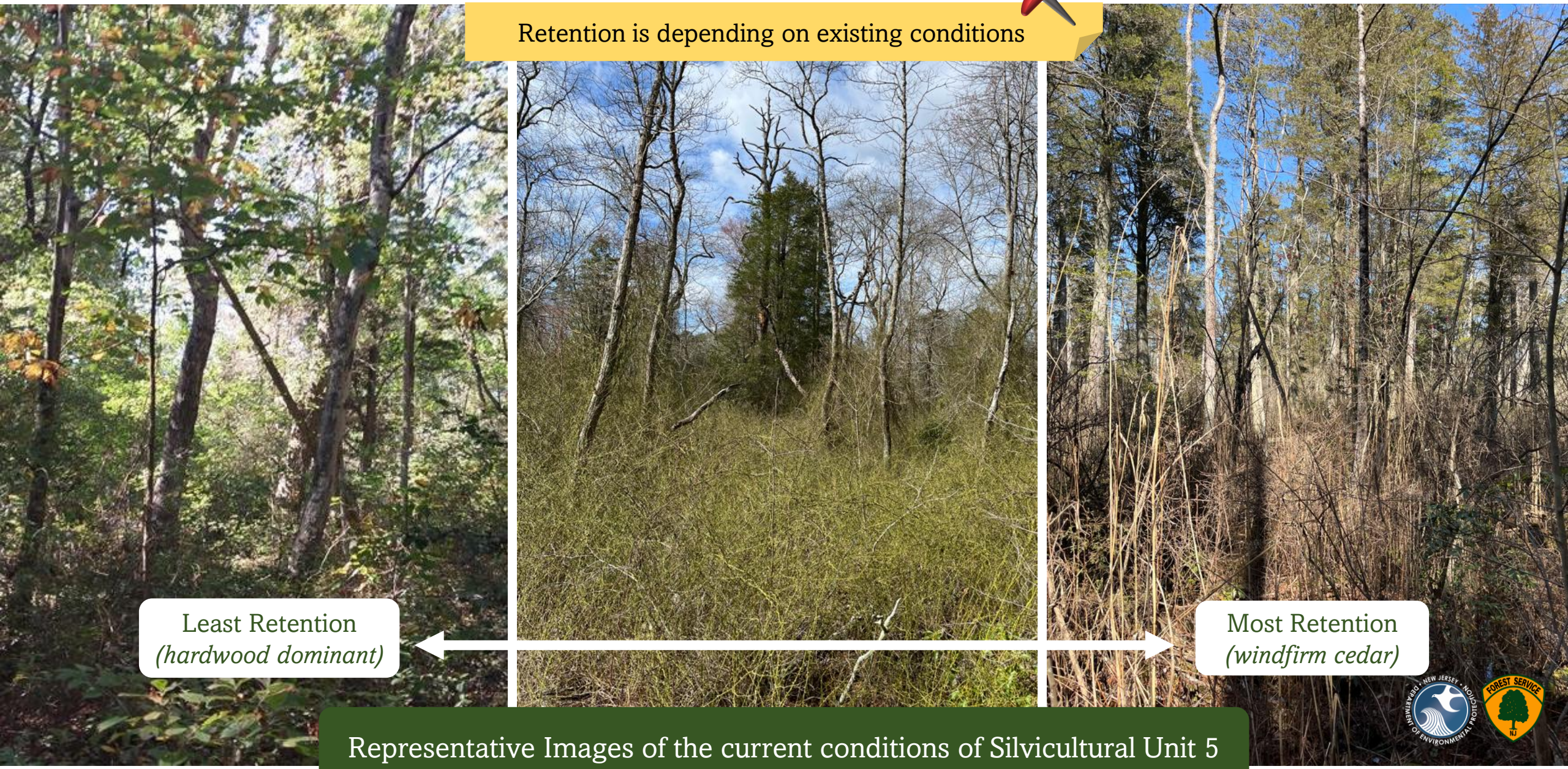
PROJECT OVERVIEW

Pinelands Commissioner Comments

TOPICS

1. Existing Forest Conditions
2. Proposed Forestry Activities
3. AWC Regeneration - Deer Fencing
4. AWC Regeneration - Replanting
5. AWC Regeneration - Herbicide Application
6. AWC Regeneration - Measures of Success

Retention is depending on existing conditions



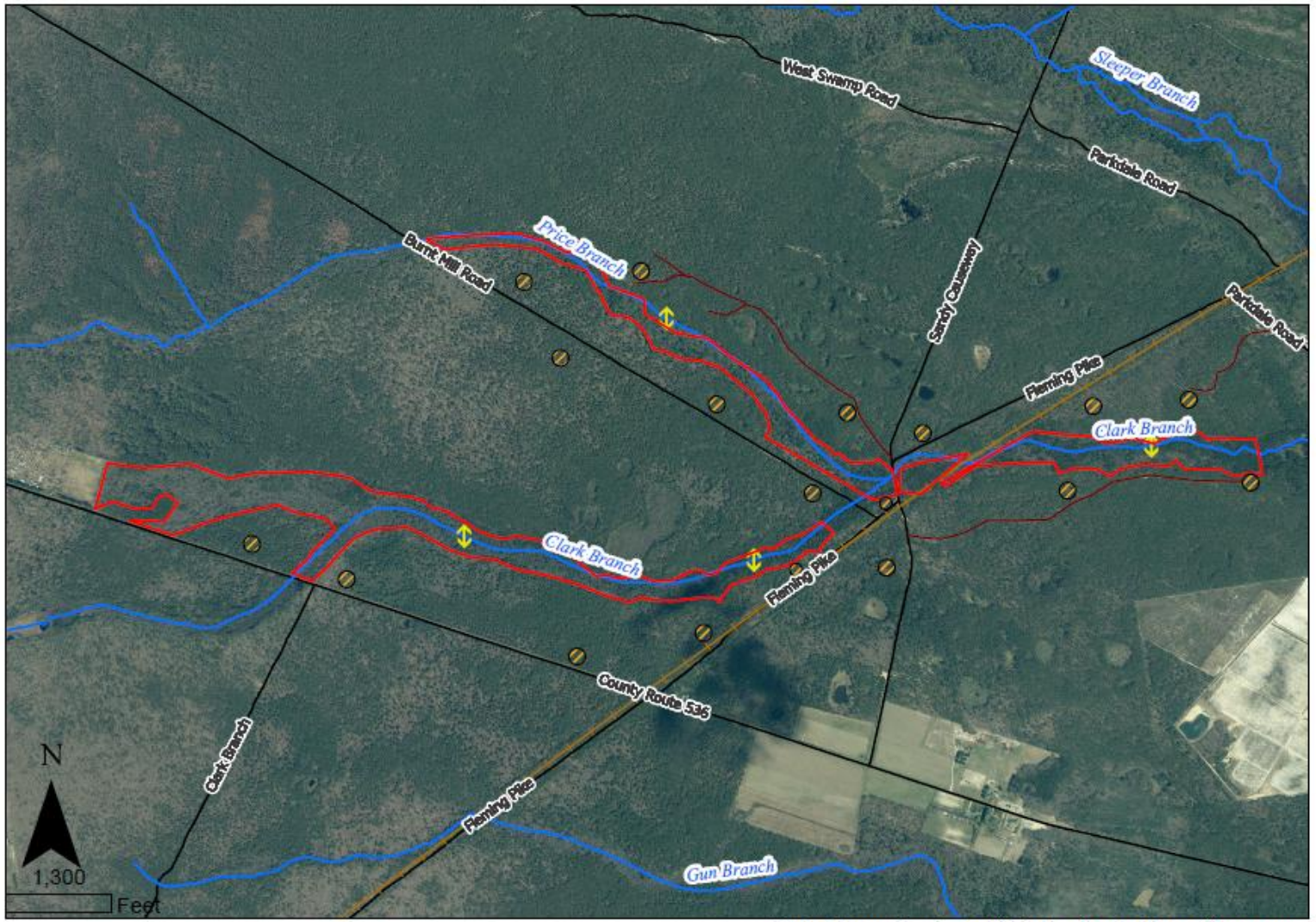
Least Retention
(hardwood dominant)

Most Retention
(windfirm cedar)

Representative Images of the current conditions of Silvicultural Unit 5

2. *Proposed Forestry Activities*

Silvicultural Unit 5 Project Map



Restoration Area Boundary

Potential Log Landings (0.75 ac)*

Potential Stream Crossing Locations*

Railroads

Streams

Existing Unnamed Woods Roads

Roads

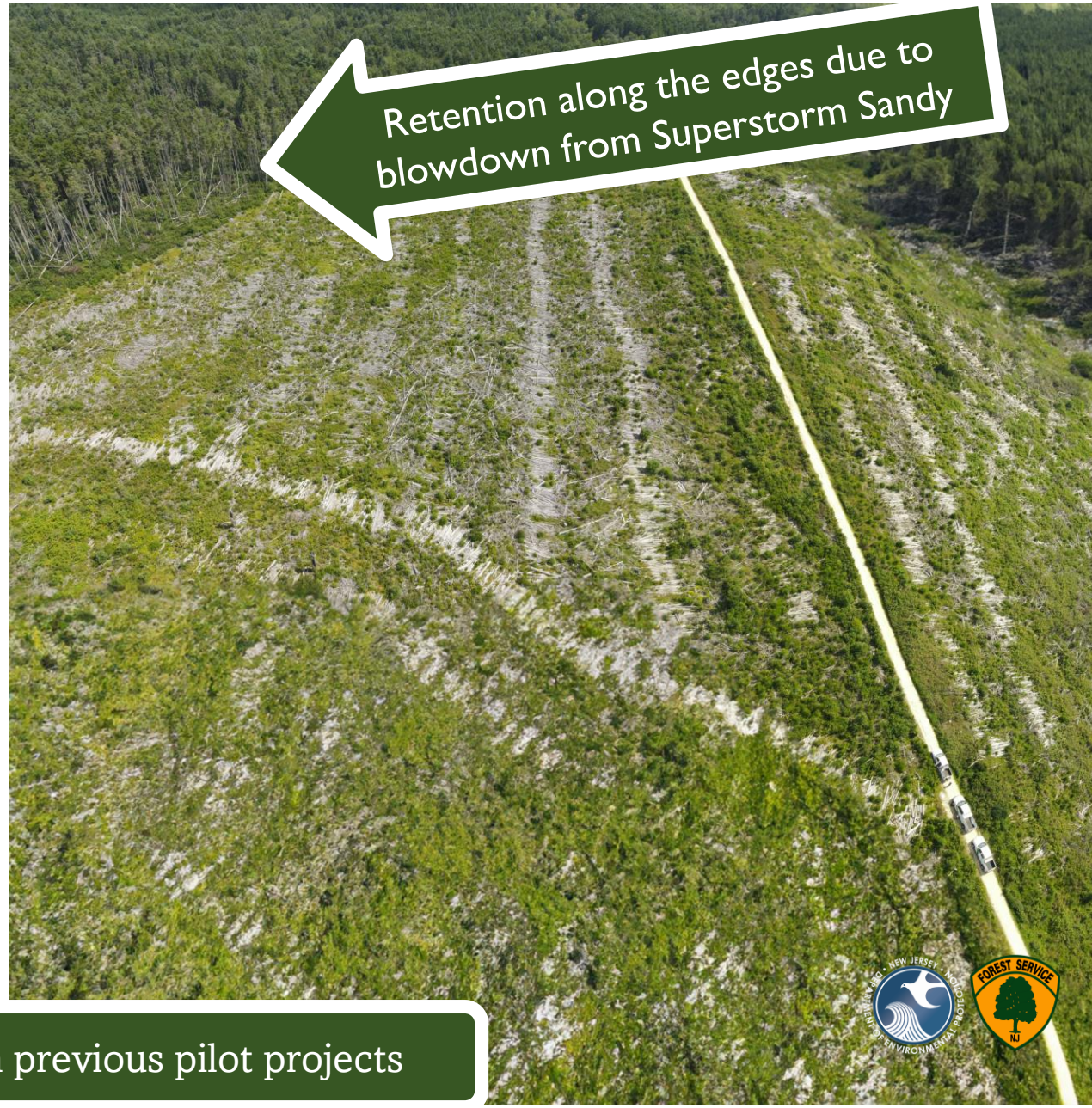
-Restoration work and potential log landing locations will occur across a total of 171 +/- acres.
-Deer fencing may be installed around the perimeter of the Restoration Area if necessary to reach AWC regeneration targets.
-*Potential Landings/Stream Crossings: Not all locations shown are to be utilized.



2. *Proposed Forestry Activities*

- Growing space
- Sunlight vs seed source
- The proposal aims for maximum possible retention of cedar to attain silvicultural goals





examples of retention in previous pilot projects

3. AWC Regeneration - Deer Fencing





No deer fencing required at other similar restoration sites –Double Trouble State Park

Installation of deer fencing is not low impact activity and therefore it is a contingency rather than a default

NOTE that a fence solves different problem from herbicide (browsing vs competing vegetation)

NJDEP is responsible for monitoring AND responding to deer browse threating successful regeneration

3. AWC Regeneration - Deer Fencing





4. *AWC Regeneration - Replanting*



NOTE: this is the planting on the same site where the regeneration was coming up through the corduroy road



Regeneration after planting

4. AWC Regeneration - Replanting



5. *AWC Regeneration – Herbicide Application*

Most Atlantic white-cedar restoration projects are successful with a single herbicide treatment. This proposal allows for a MAXIMUM of three entries with at least one growing season in between for monitoring.

Imazapyr ONLY for aerial application



Helicopters are equipped with advanced computerized spray systems which prevent overspray (by accounting for wind drift and dispersal). They also use other specific equipment (such as nozzles) which are matched to the material being applied.

5. *AWC Regeneration – Herbicide Application*



This is example of the extremely controlled nature of modern aerial application.

5. *AWC Regeneration – Herbicide Application*



Most Atlantic white-cedar restoration projects are successful with a single herbicide treatment.
This proposal allows for a MAXIMUM of three entries with at least one growing season in between for monitoring.

If absolutely necessary, follow-up ground application will be spot sprayed if regeneration of Atlantic white-cedar is impacted by competing vegetation.

Imazapyr and glyphosate MAY be used for spot spraying

6. AWC Regeneration - Measures of Success



Regeneration through the corduroy – 2 years after cut



– 4 years after cut

6. AWC Regeneration - Measures of Success



Regeneration through the corduroy – 6 years after cut



– 8 years after cut

6. AWC Regeneration - Measures of Success



CURRENT – 11 years after cut

WANT MORE BACKGROUND ON TERMS AND CONCEPTS?

A New Jersey Forest Service

POCKET PRESENTATION

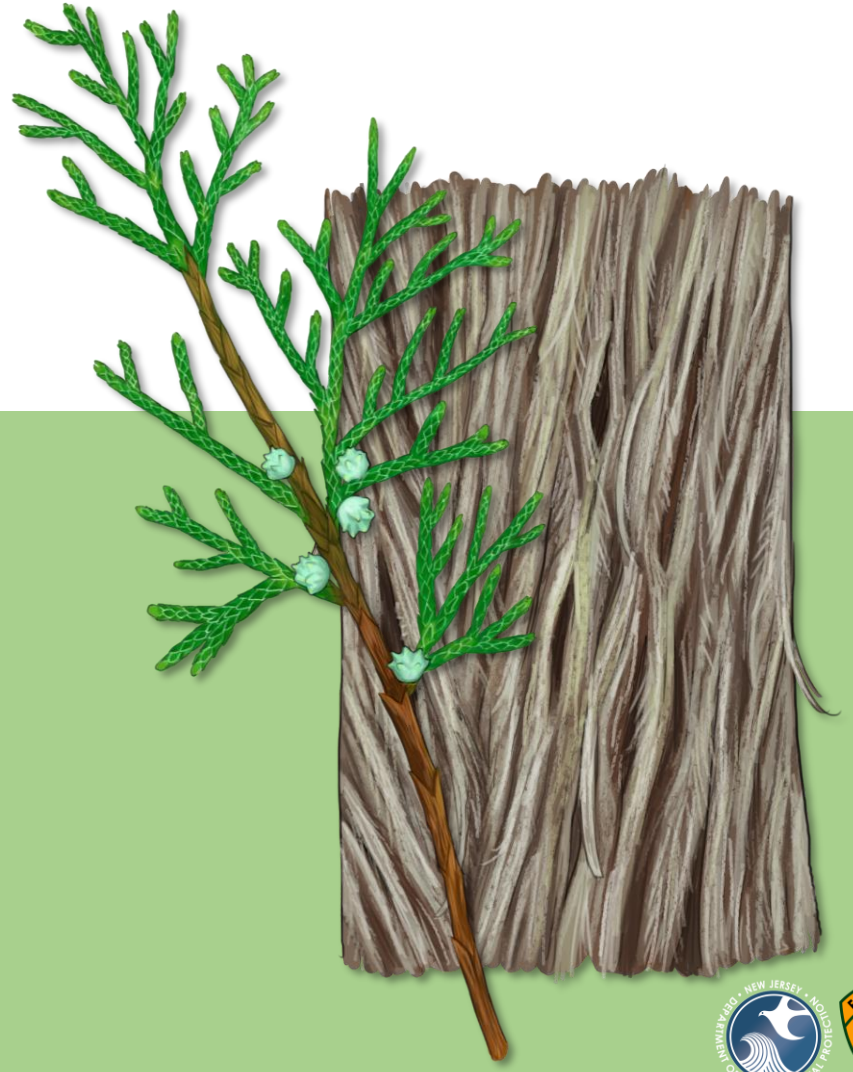
Why manage a Forest?

What is Silviculture?

Pinelands Application #1994-0288.002

FOLLOW UP QUESTIONS

?





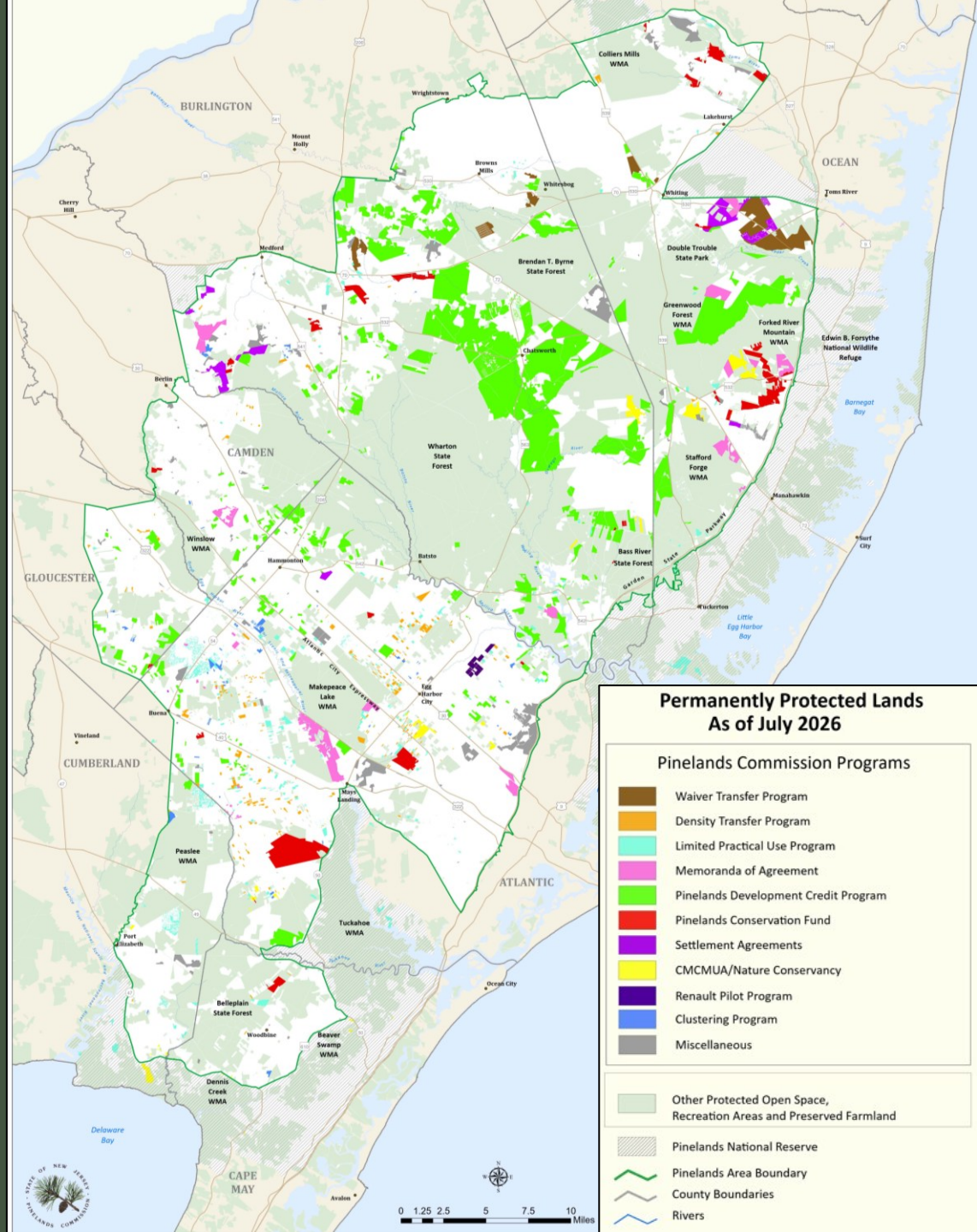
FY 2026 Permanent Land Protection Annual Update

Pinelands Commission Meeting, October 9, 2026

FY 26 Highlights

- More acres protected than in FY 25:
  - Farmland preservation
  - Pinelands programs

- Fewer acres protected than in FY 25:
  - State acquisitions
  - PDC Severance
  - Non-profit acquisitions



Newly Protected Land by Program

All Programs FY 2026	Acres Protected
Farmland Preservation	340
Pinelands Programs	181
State Acquisitions	94
County Open Space	32
PDC Severance	43
Total Acres	**690**



Farmland Preservation

- Burlington County
  - Southampton Township, Agricultural Production Area
    - 57-acre farm
    - 147-acre farm
- Gloucester County
  - Franklin Township, Rural Development Area
    - 135-acre farm



Pinelands Programs

Pinelands Programs	Acres Protected
Clustering - FA/RDA	24
Density Transfer – FA/RDA	115
Septic Dilution	39
Non-Buildable Lot/Lot with No Use	3
Total Acres	**181**

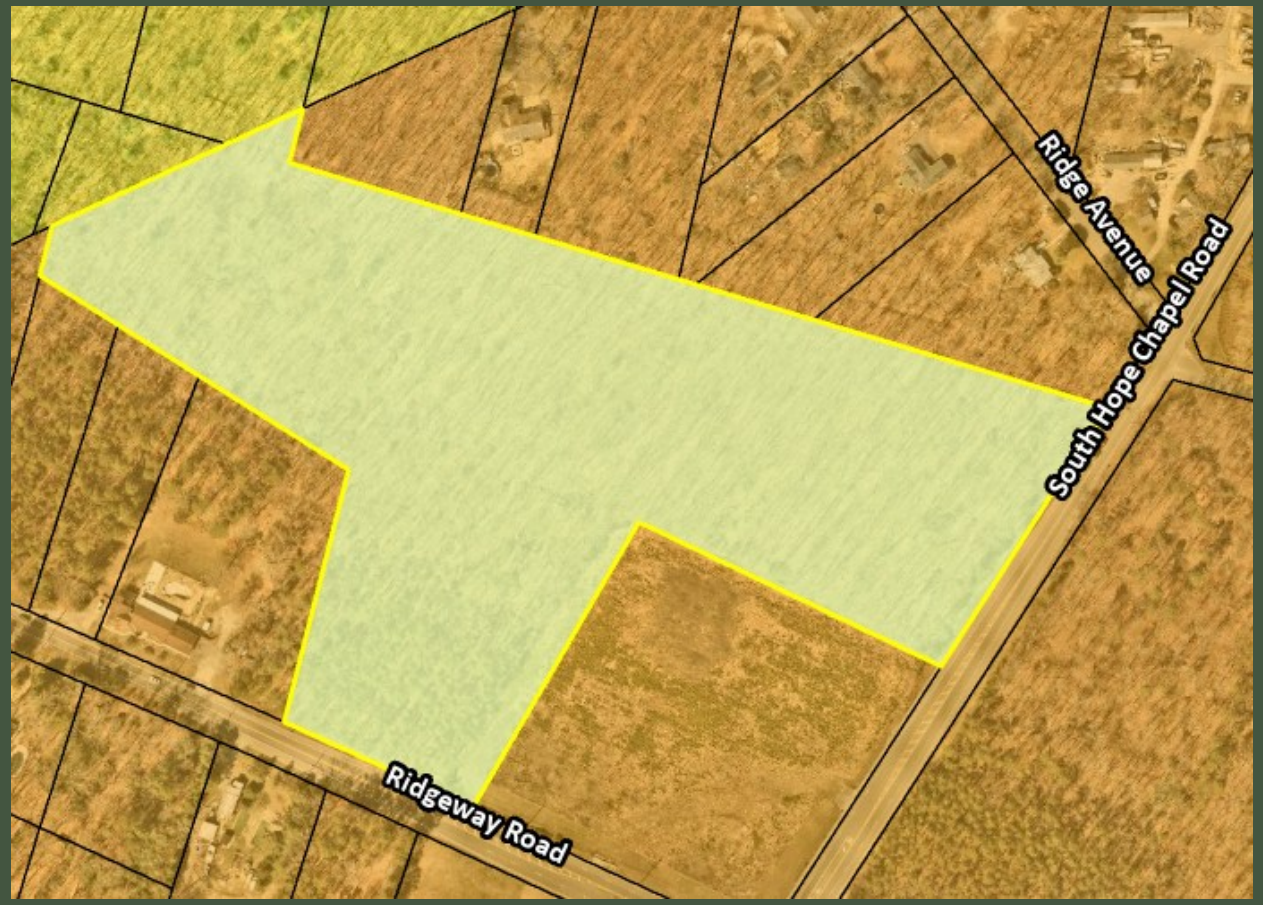


State Acquisitions (Green Acres/NJDEP)

Municipality	Management Area	Acres Protected
Hamilton Township	Forest Area	58
Southampton Township	Forest Area	<1
Southampton Township	Rural Development Area	36
Total Acres		**94**

County Open Space

Municipality	Management Area	New Acres Protected
Manchester Township	Forest Area	6
Manchester Township	Regional Growth Area	25
Lacey Township	Preservation Area District	<1
Stafford Township	Pinelands Village	<1
Stafford Township	Regional Growth Area	<1
Total Acres		**32**



PDC Program through FY 2026

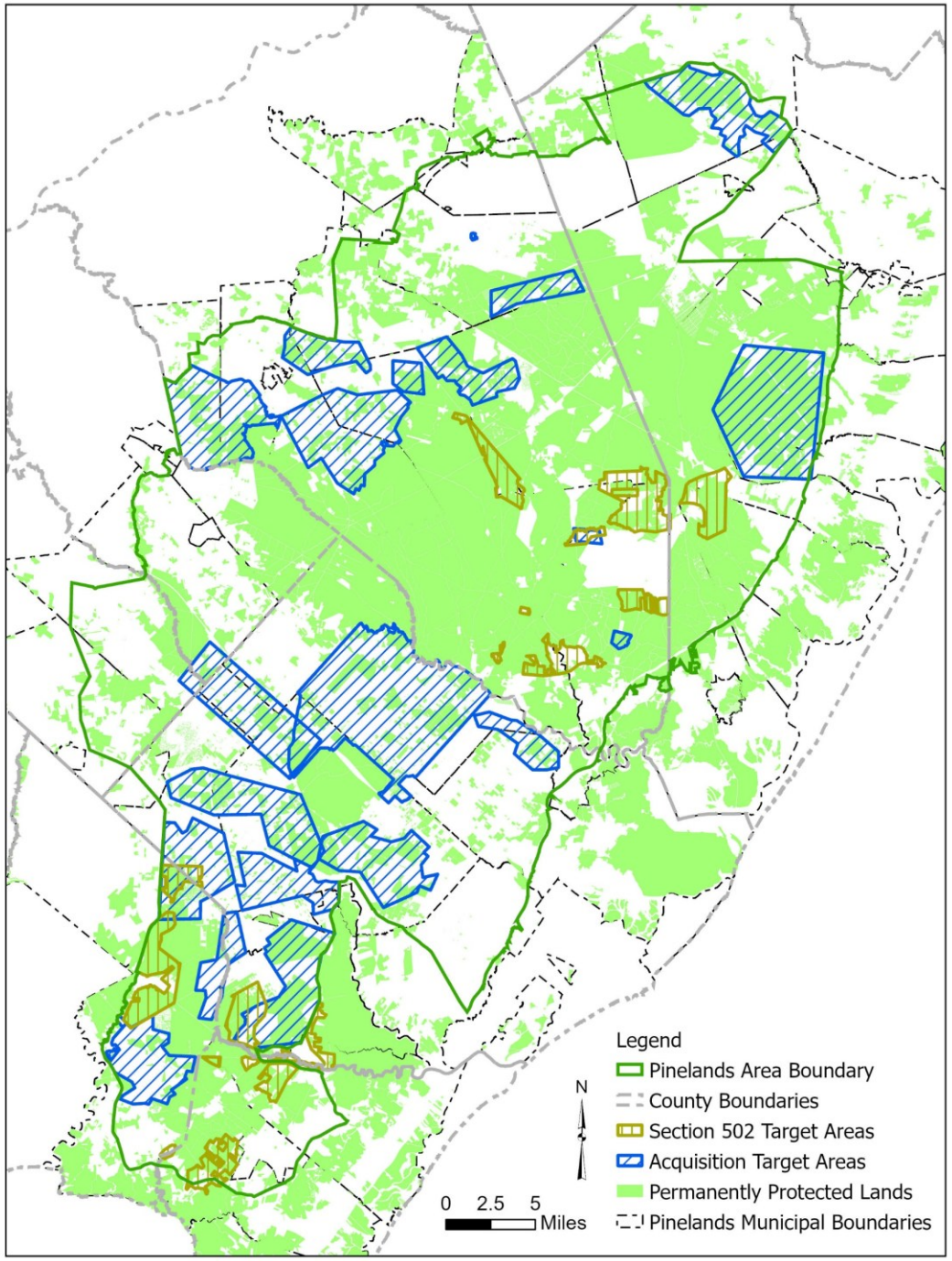
Management Area	Acres Protected
Preservation Area District	24,476
Special Agricultural Production Area	22,755
Agricultural Production Area	14,826
Other Management Areas	368
Total Acres	**62,425**

13% of permanently protected land is preserved through PDC Severance



Acquisition Target Areas

- Section 502 Areas: 66% preserved
  - 0 acres preserved in FY 2026
- 21 Planning Areas: 42% preserved
  - 155 acres preserved in FY 2026



Newly Protected Land by Management Area

Management Area	Acres Protected
Preservation Area District	3
Forest Area District	172
Agricultural Production Area	248
Pinelands Village	<1
Rural Development Area	242
Regional Growth Area	25
Total Acres	**690**



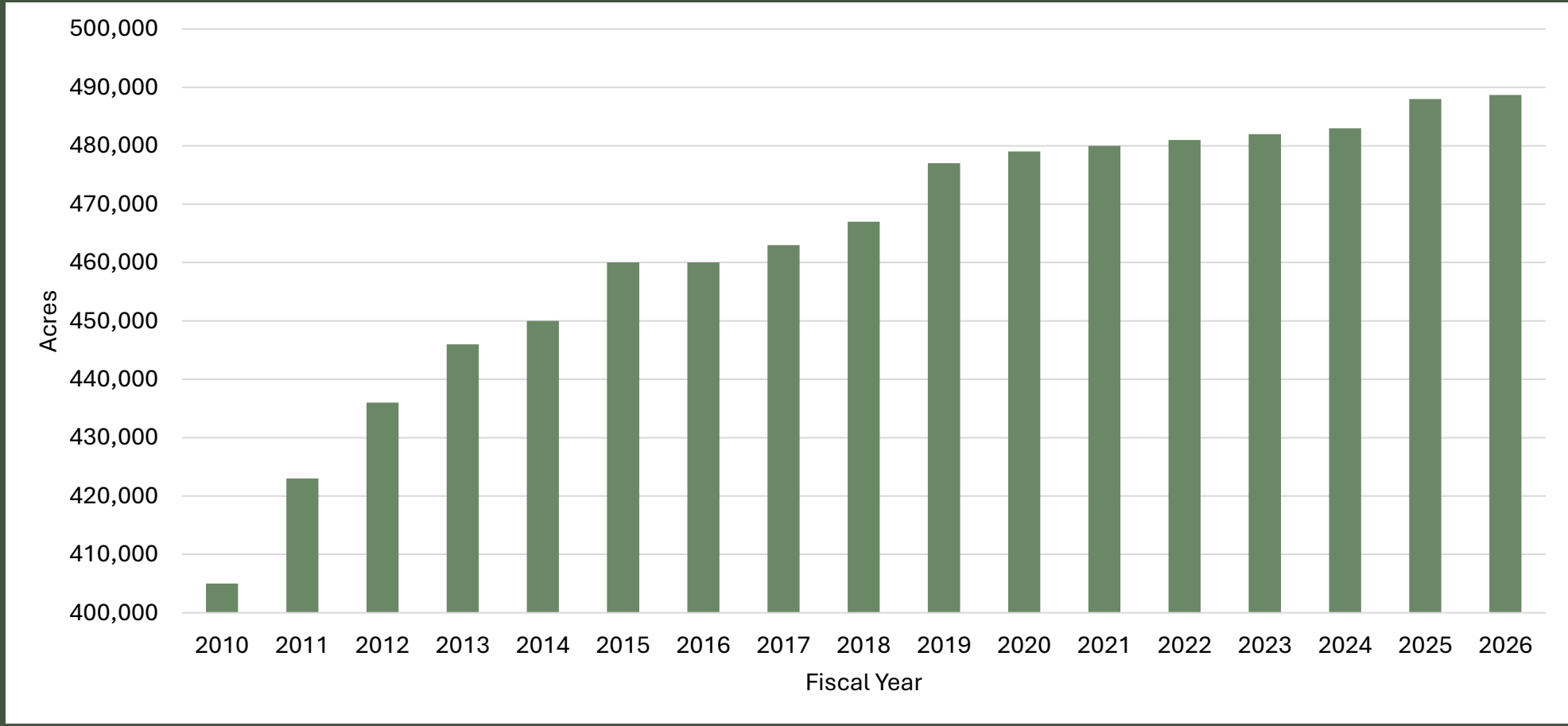
Protected Land in All Management Areas

Management Area	Total Acres in Management Area	% of Management Area Protected
Preservation Area District	295,000	**85%**
Special Agricultural Production Area	37,500	**78%**
Forest Area	257,000	**58%**
Agricultural Production Area	68,500	**44%**
Rural Development Area	109,500	23%
Regional Growth Area	76,500	8%
Pinelands Village	26,000	4%
Pinelands Town	21,500	6%
Military/Federal Installation	47,000	1%

As of FY 2026, approximately 52% of the Pinelands Area is preserved

Acres Preserved in Pinelands Area

(rounded to the nearest thousand)



As of FY 2026, approximately 488,700 acres preserved



Questions?



PDC Bank Annual Report
Fiscal Year 2026

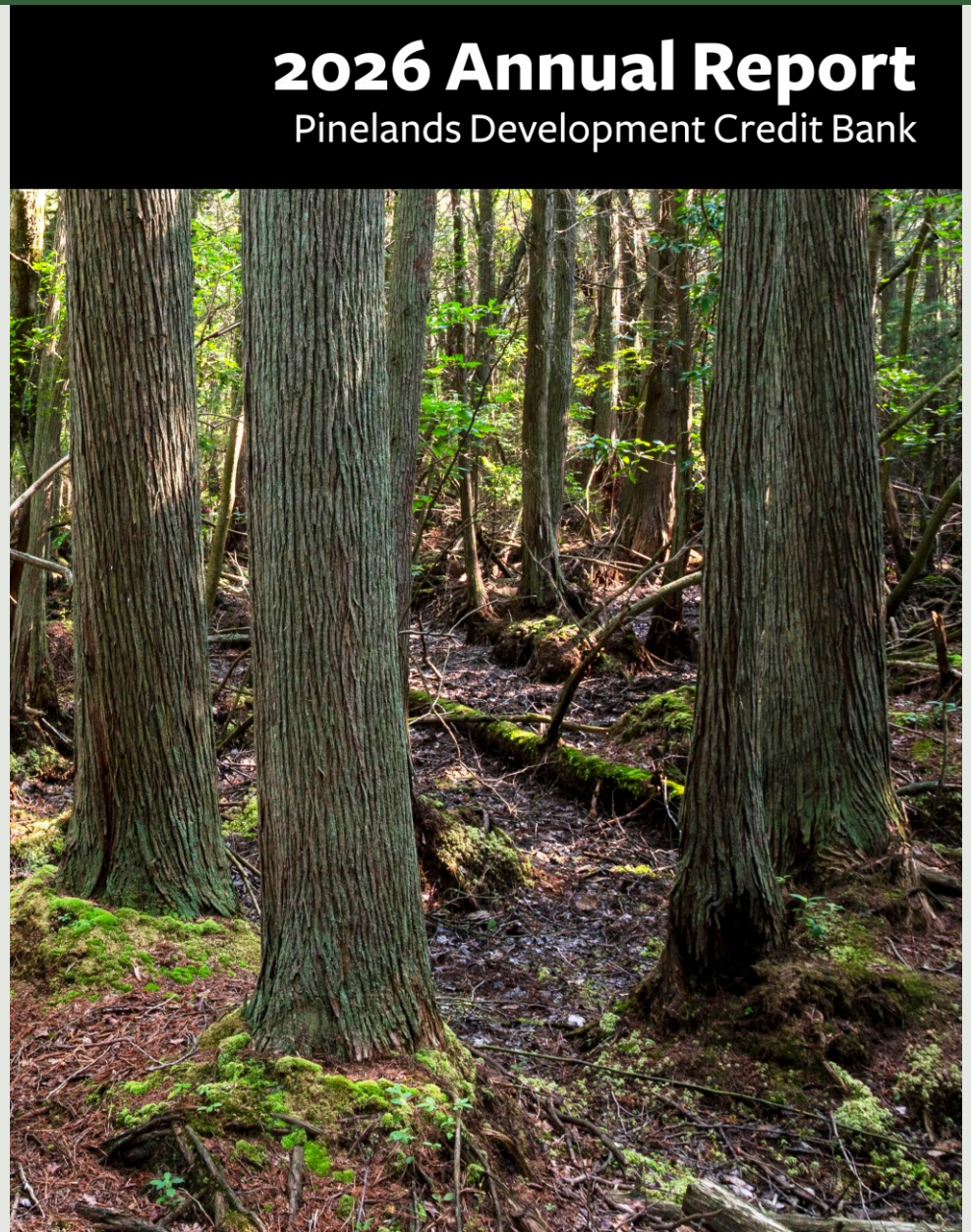


October 9, 2026

PDC Bank FY 2026 Annual Report

Topics Covered

- PDC LOIs & Allocations
- PDC Severances
  - Lands Preserved
- PDC Transactions/Sales
  - Sales Volume
  - Sales Prices
- PDC Redemptions
  - Project Types
  - Reason for Redemption
  - Approved Projects
  - Active Projects



FY 2026 PDC Allocations



LOIs Issued

FY25: **15** FY26: **20** ▲ 33%

Total PDCs Allocated

FY25: **142.5** FY26: **26.5**

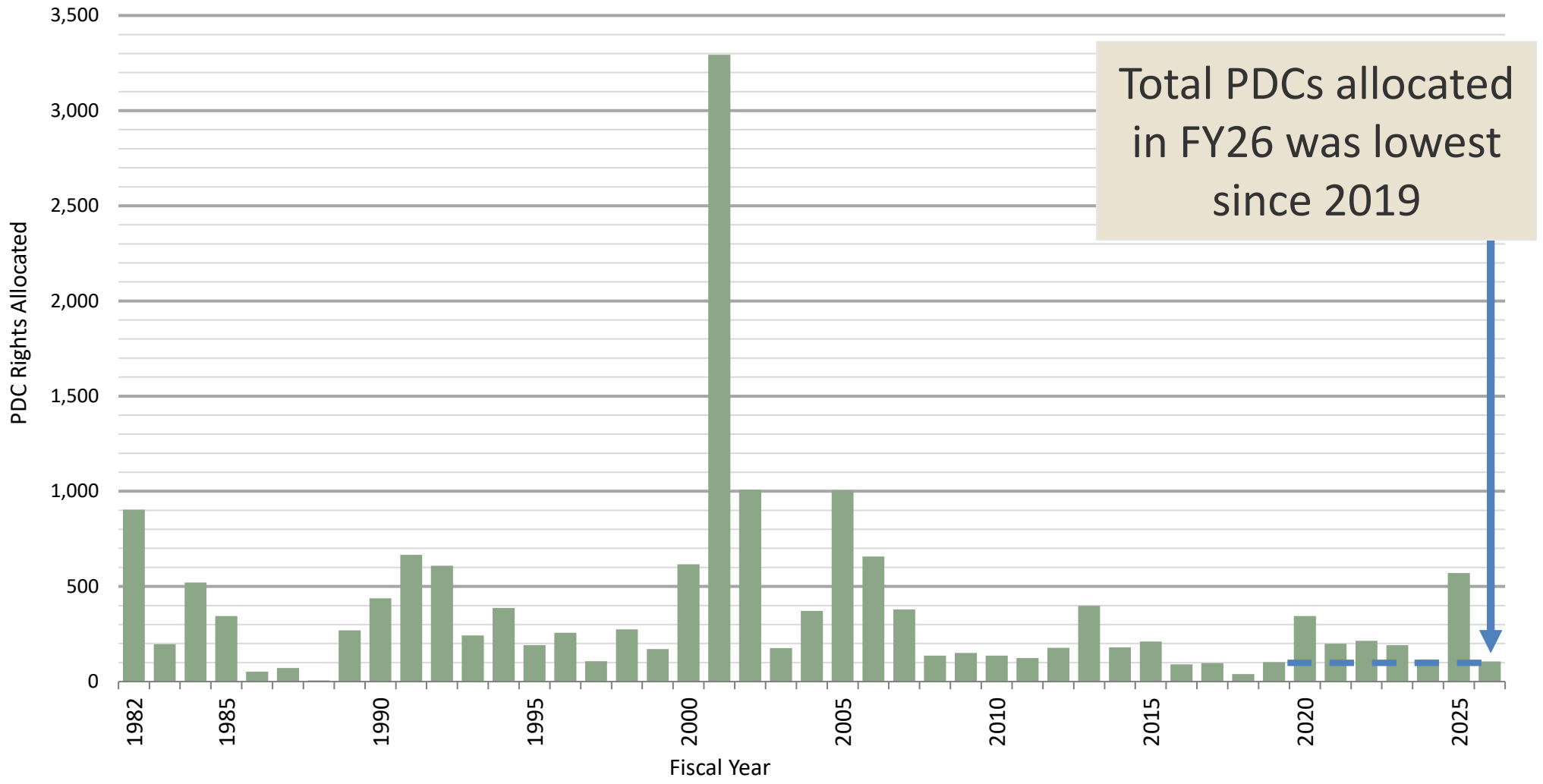
▼ -81%

Total Rights Allocated

FY25: **570** FY26: **106**

Sofia property
Severed 0.25 PDC from 2 acres
Hammonton Town (Ag Production Area)

PDC Rights Allocated by Fiscal Year (1982–2026)



FY 2026 PDC Severances

Total Severances

FY25: **14** FY26: **2** ▼ -86%

Total PDCs Severed

FY25: **137.5** FY26: **1.25**

Total Rights Severed

FY25: **550** FY26: **5**

▼ -99%

Total Acres Preserved

FY25: **4,301** FY26: **43** ▼ -99%

Wuillermin property
Severed 3.75 PDCs from 73 acres
Hammonton Town (Ag. Production Area)

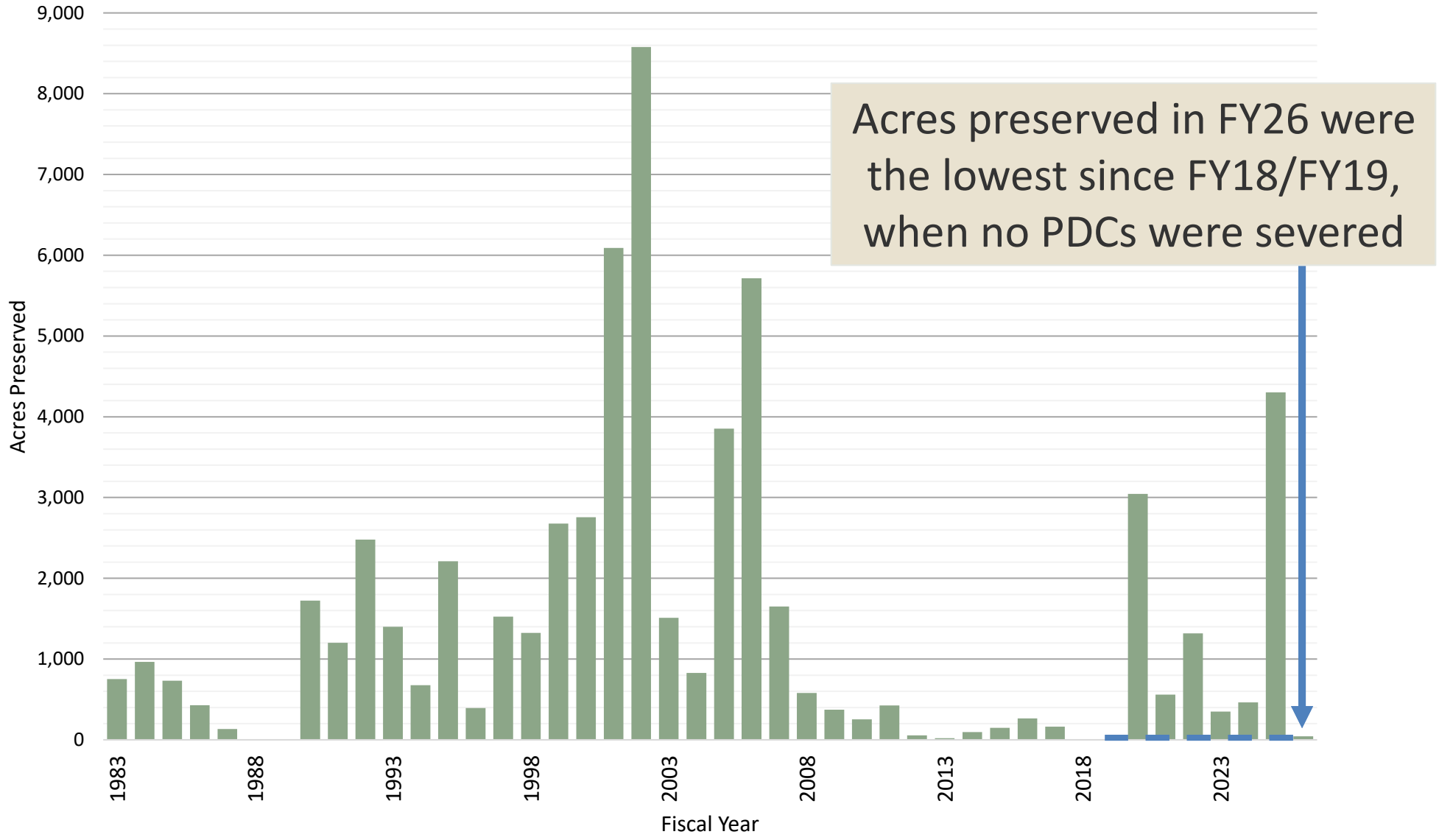
Total Acres Preserved By Mgmt Area

Special Ag. Production Area: **0**

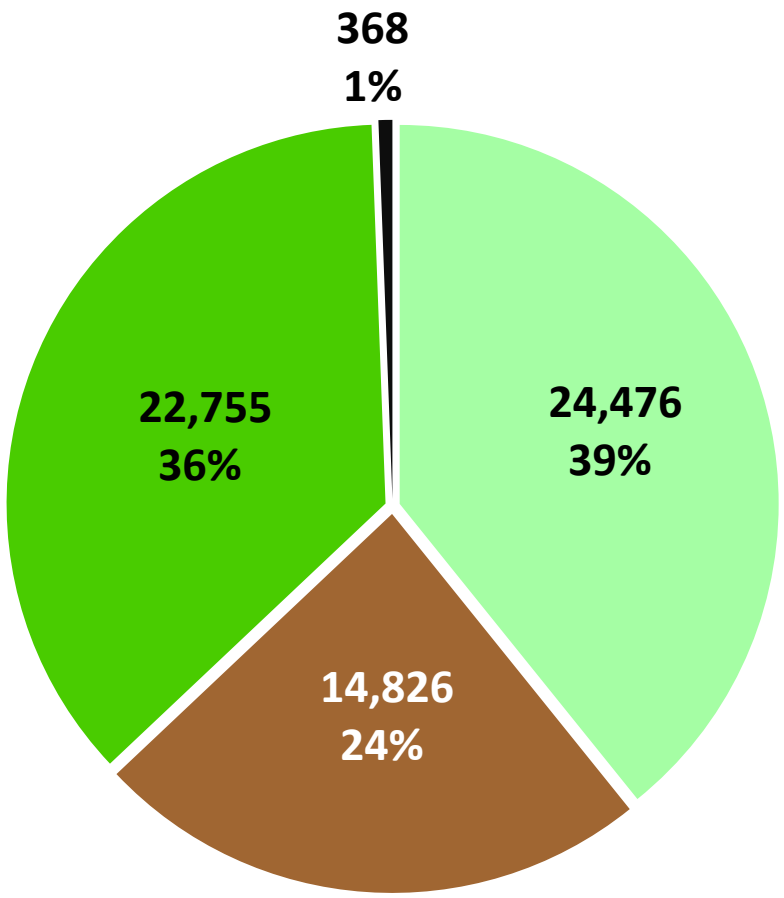
Ag. Production Area: **43**

Preservation Area District: **0**

Acres Preserved by PDC Severance (1983-2026)



Acres Preserved by PDC Severance (1982-2026)



Management Area

- Preservation Area District
- Agricultural Production Area
- Special Agricultural Production Area
- Non-Sending Area Management Areas

Total Acres Preserved: 62,425

FY 2026 PDC Transactions/Sales



Certificates Sold

FY25: **50** FY26: **40** ▼ -20%

Total PDCs Sold

FY25: **48.5** FY26: **35.5**

Total Rights Sold

FY25: **194** FY26: **142** ▼ -27%

Total Value Transacted

FY25: **$4,420,500**

FY26: **$3,505,000** ▼ -21%

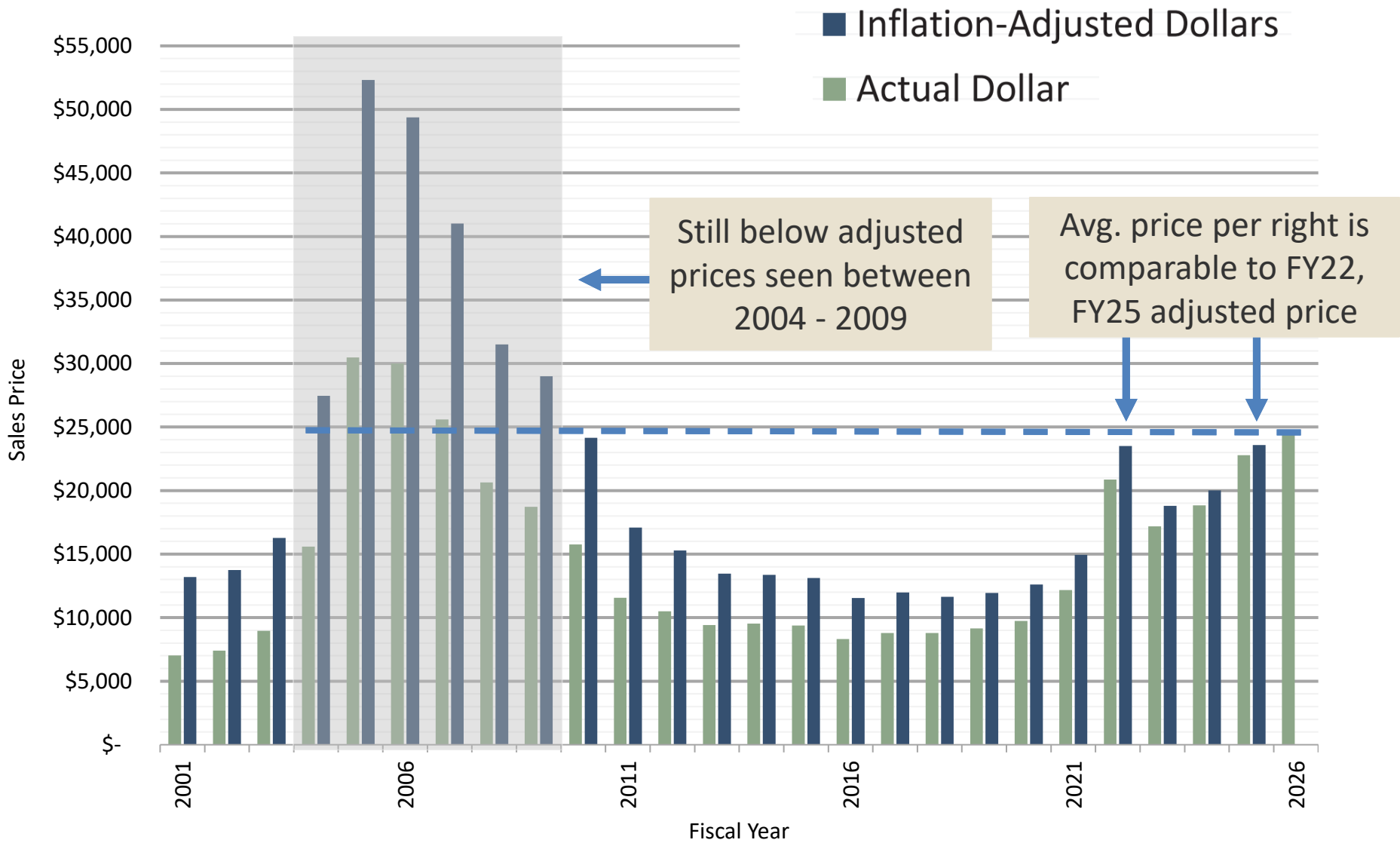
Avg. Sales Price Per Right

FY25: **$22,786**

FY26: **$24,683** ▲ +8%

Bylone property
Severed 1 PDC from 41 acres
Buena Vista Township (Ag Production Area)

Average Sales Price Per Right (2001-2026)



FY 2026 PDC Redemptions

Certificates Redeemed

FY25: **26** FY26: **47** ▲ +81%

Development Applications

FY25: **15** FY26: **25** ▲ +67%

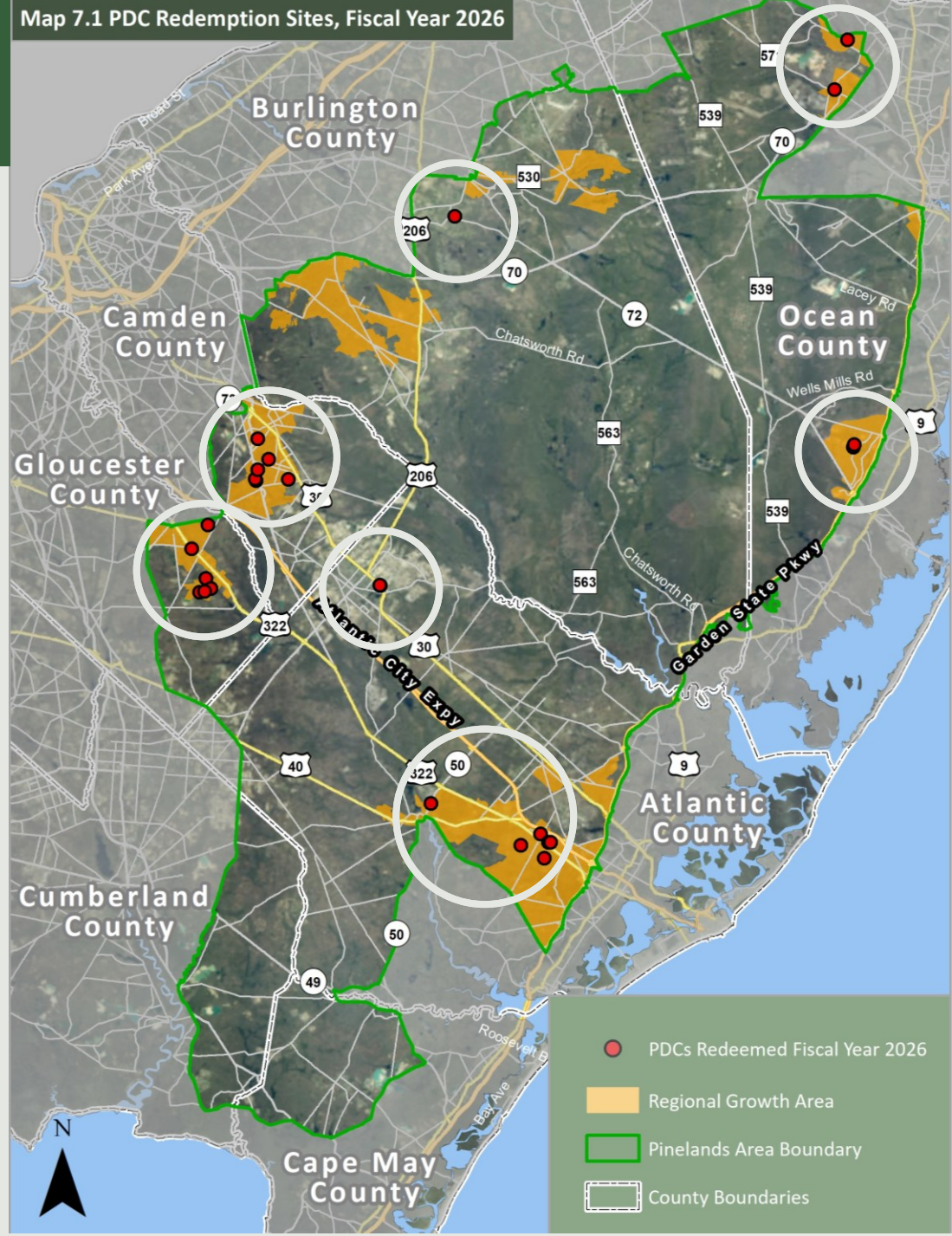
Total PDCs Redeemed

FY25: **37.75** FY26: **34.25**

Total Rights Redeemed

FY25: **151** FY26: **137**

▼ -9%



FY 2026 PDC Redemptions

Reason for PDC Redemption

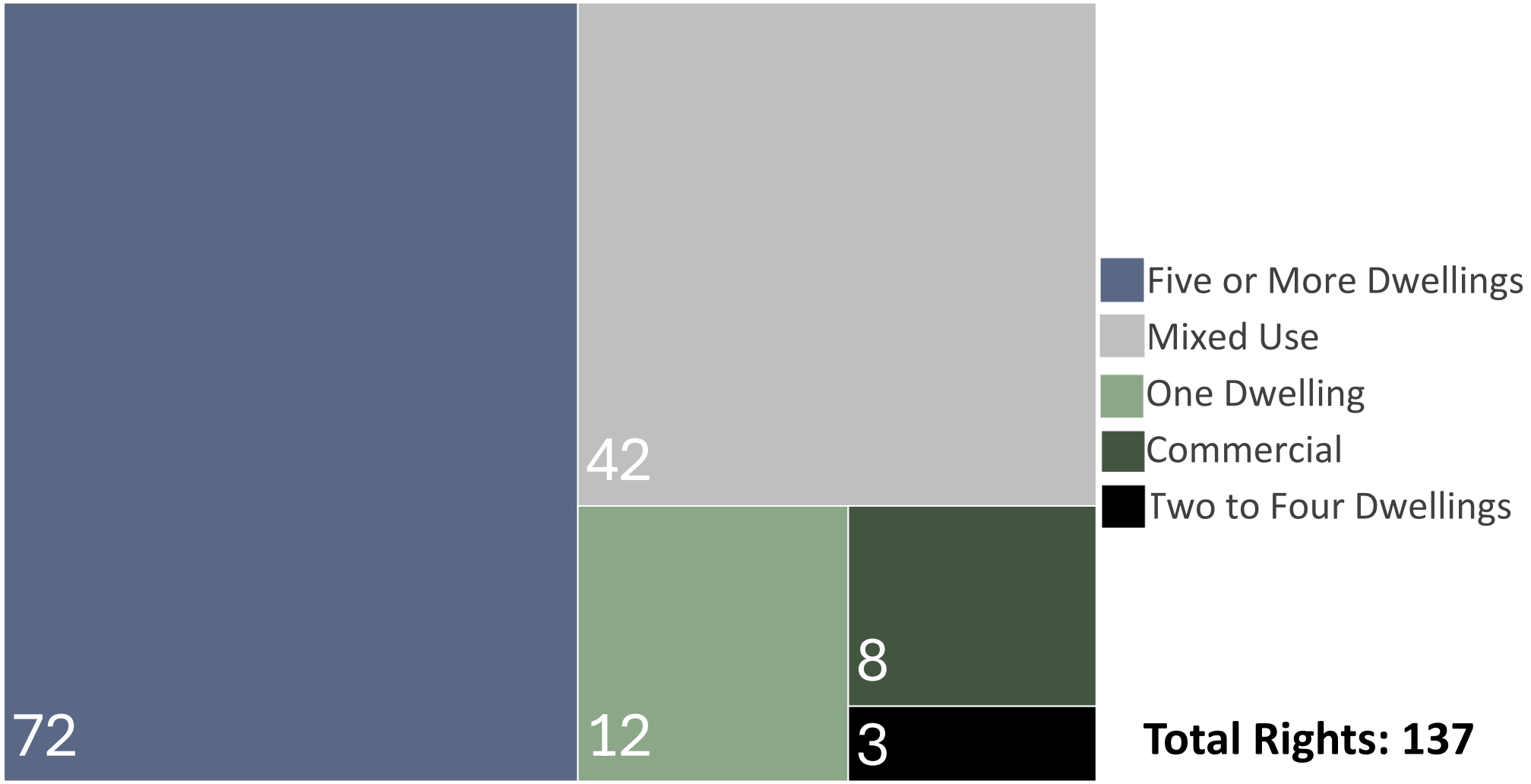
Reason	Total Apps	PDCs Required*
RGA Mandatory % of Units	8	18
RGA Density Bonus	3	11.75
RGA Use Variance	3	2.25
RGA, PT, PV Undersized Lot	7	2.25
Waiver	4	1

*Not all PDCs required have been redeemed

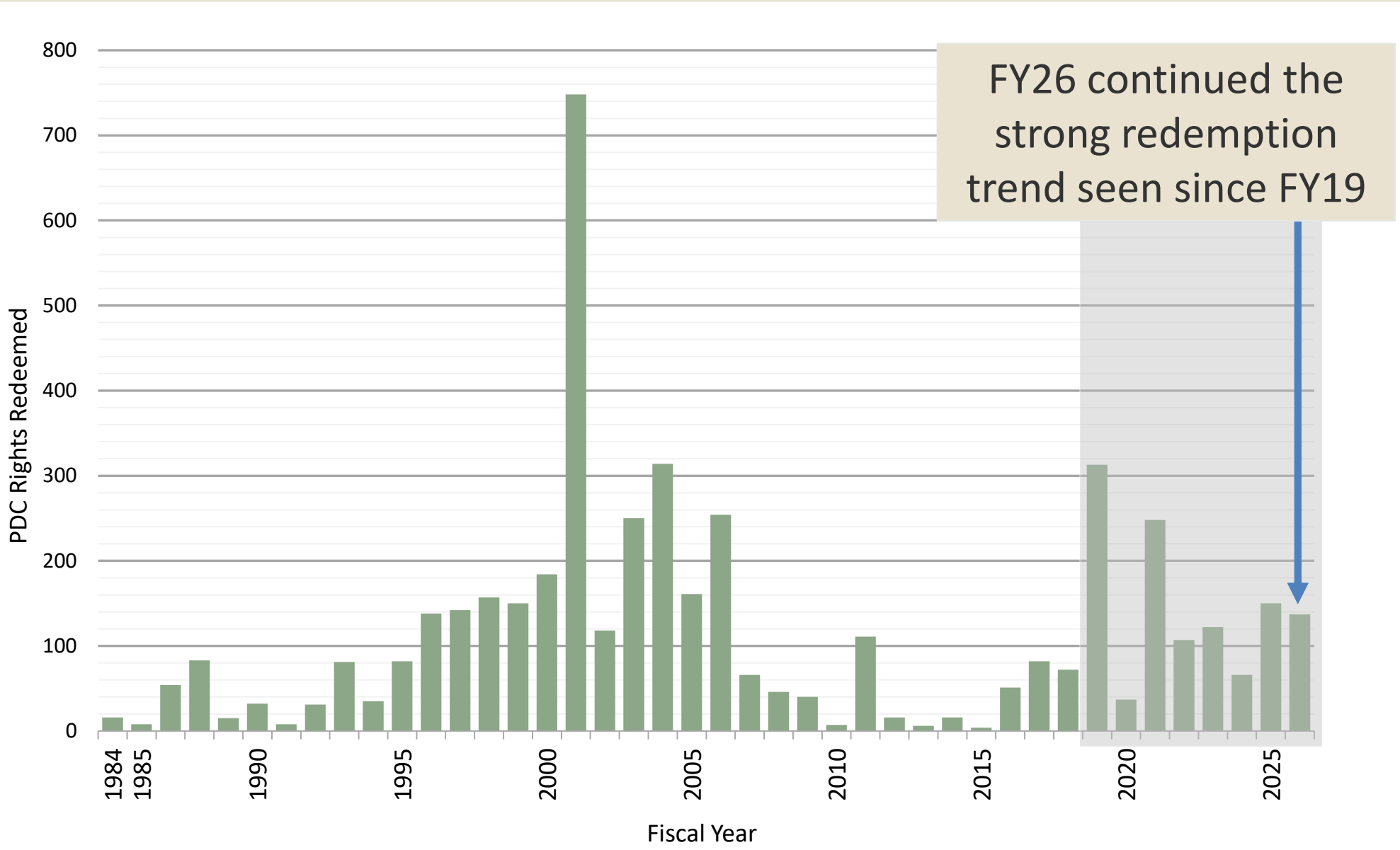


Barnegat 67, Barnegat Township (RGA)
9.5 PDCs redeemed; mixed use development, 151 units

FY 2026 PDC Rights Redeemed by Project Type



PDC Redemptions (1984-2026)



PDC Redemptions (Through FY 2026)

Total Rights Redeemed

4,757 rights

Reasons PDC Redemption was Required *

Regional Growth Area

Residential density bonus: 2,545 (**49%**)
Mandatory minimum % of units: 1,228 (**24%**)
Use variances: 571 (**11%**)
Non-residential uses: 84 (**2%**)

Various Management Areas

Undersized lots: 297 (**6%**)
Waivers of strict compliance: 232 (**4%**)
Other: 258 (**5%**)

*Not all PDCs required have been redeemed



Cottages at Compass Point, Barnegat Twp (RGA)
16 PDCs redeemed; 212 total units

PDC Supply

Total Estimated Supply: ~8,730 rights

PDC Rights: Severed not Redeemed

FY25: **1,573** FY26: **1,439** ▼ -8.5%

Posted On Seller's List

FY25: **404** FY26: **380**

Not Posted On Sellers List

FY25: **1,169** FY26: **1,059**

PDC Rights: Active Allocations not Severed

FY25: **301** FY26: **339** ▲ +13%

PDC Rights: LOI Expired/Unallocated

FY25: **~7,030** FY26: **~6,950** ▼ -1%

Franklin Parker Preserve

PDC Supply

PDC Sending Areas

Management Area	Total Acres	% Preserved
PAD	295,000	85%
SAPA	37,500	78%
APA	68,500	44%

Franklin Parker Preserve

Factors Impacting PDC Supply Potential

- **Development (actual or reserved) on parcels eligible for allocation**
- **Extinguishment of allocated (unsevered) PDCs**
  - Farmland preservation
  - Open space preservation
- **Change in Sending Area Boundaries**
  - Preservation Area
    - Special Agricultural Production (increased PDC allocation relative to PAD)
    - Pinelands Villages (not eligible for PDC allocation)
  - Agricultural Production Area

PDC Demand

2023 Estimated Demand: ~10,800 rights

Rights Required for Approved Projects

FY25: **420** FY26: **458** ▲ +9%

Rights Required for Active, Unapproved Projects

FY25: **727** FY26: **665** ▼ -8.5%



Barnegat 67, Barnegat Township (RGA)
9.5 PDCs redeemed; mixed use development, 151 units

PDC Demand

Factors Impacting PDC Demand Potential

Certified Zoning Changes, Management Area changes, changes to PDC provisions

- Example: 2025 Berlin Township Rezoning
  - Increased RGA
  - Mandatory residential and non-residential PDC requirements

Development approvals/Active Applications

- Moving from estimate to reality

Redevelopment

- Challenging to predict

Land preservation in Regional Growth Areas



Barnegat 67, Barnegat Township (RGA)
9.5 PDCs redeemed; mixed use development, 151 units



Questions



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-26-25

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1987-0065.037)

Commissioner Buzby-Cope moves and Commissioner Avery seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1987-0065.037	
Applicant:	**Borough of Woodbine**
Municipality:	Borough of Woodbine
Management Area:	Pinelands Town
Date of Report:	September 17, 2026
Proposed Development:	Construction of a 475 linear foot paved aircraft taxiway at the Woodbine Municipal Airport.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; 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; 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.

NOW, THEREFORE BE IT RESOLVED that Application Number 1987-0065.037 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lohbauer	X				Rittler Sanchez	X			
Avery	X				Matro	X				Signor	X			
Buzby-Cope	X				Mauriello	X				Wallner	X			
Irick	X				Meade	X				Matos	X			
Lettman			X		Pikolycky				R					

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: October 9, 2026

Susan R. Grogan
Executive Director

Laura E. Matos
Chair

State of New Jersey
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MIKIE SHERRILL
Governor
DR. DALE G. CALDWELL
Lt. Governor

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

September 17, 2026

Mayor William Pikolycky (via email)
Borough of Woodbine
501 Washington Avenue
Woodbine NJ 08270

Re: Application # 1987-0065.037
Block 125, Lots 1, 1.02 & 1.03
Borough of Woodbine

Dear Mayor Pikolycky:

The Commission staff has completed its review of your application for construction of a 475 linear foot paved aircraft taxiway connector at the Woodbine Municipal Airport. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its October 9, 2026 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. 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.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

April Field
Director of Regulatory Programs

Enc: Appeal Procedure
Public comments (3)

c: Secretary, Borough of Woodbine Planning Board (via email)
Borough of Woodbine Construction Code Official (via email)
Secretary, Cape May County Planning Board (via email)
Alex Stollery (via email)

Brian Murray (via email)

Gary Murray (via email)
Joan Murray

State of New Jersey
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MIKIE SHERRILL
Governor
DR. DALE G. CALDWELL
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

September 17, 2026

Mayor William Pikolycky (via email)
Borough of Woodbine
501 Washington Avenue
Woodbine NJ 08270

Application No.: 1987-0065.037
Block 125, Lots 1, 1.02 & 1.03
Borough of Woodbine

This application proposes construction of a 475 linear foot paved aircraft taxiway connector at the Woodbine Municipal Airport located on the above referenced 665 acre parcel in Woodbine Borough.

The proposed taxiway connector will connect the end of existing Runway 19 to existing Taxiway B to provide safe passage of airplanes from the runway to the adjacent taxiway.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.27)

The proposed development is located in the Pinelands Town of Woodbine. The proposed development is a permitted use in a Pinelands Town.

Wetlands Standards (N.J.A.C. 7:50-6.6)

There are wetlands located on the parcel. The proposed development will be located at least 300 feet from wetlands.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located in an existing maintained grassed area. The proposed soil disturbance is limited to that which is necessary to accommodate the 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 utilize a seed mixture which meets that recommendation.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.33)

The Commission has records of Northern pine snake, Grasshopper sparrow, Savannah sparrow, Upland sandpiper, Eastern meadowlark, and Northern harrier being located on the parcel. Based upon the existing site conditions, the location of the proposed development relative to the existing development and information available to the Commission staff, it was determined that a survey for the presence of threatened and endangered species of plants and wildlife was not required.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

The applicant has demonstrated that the proposed development is consistent with CMP stormwater management standards. To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The New Jersey Historic Preservation Office determined that the Woodbine Municipal Airport, historically known as the Woodbine Airfield, is a historic resource eligible for listing on the National and State Registers of Historic Places. The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development and determined that the proposed development associated with this application will not impact any contributing cultural resources associated with the Woodbine Airfield. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Legal notice to required land owners within 200 feet of the above referenced parcel was completed on October 21, 2025. Newspaper public notice was completed on October 17, 2025. The application was designated as complete on the Commission's website on August 26, 2026. The Commission's public comment period closed on September 11, 2026. The Commission received three written comments regarding this application.

Commenter No. 1: The commenter expressed their opposition to the proposed development occurring on their property.

Staff Response: The proposed development will occur on a parcel owned by the Borough of Woodbine. No development is proposed on the commenter's property.

Commenter No. 2: The commenter indicated that they did not receive any correspondence or notification from the Pinelands Commission regarding the application and that the lack of communication from the Commission has prevented the commenter from reviewing the project and its impact on their property.

Staff Response: The commenter received notice of the proposed development from the applicant by certified mail on October 21, 2025. In response to the submission of their

written comment, on November 14, 2025, the Commission issued an email indicating that the application file was available for review at the Commission's office.

Commenter No. 3: The commenter indicated that they were not informed as to the type of development which was proposed.

Staff Response: The commenter received notice of the proposed development from the applicant on October 21, 2025. The notice included a description of the proposed aircraft taxiway connector.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 31 sheets, prepared by DY Consultants and dated as follows:

   Sheets 1-16, 18-22, 24 & 27-31 - dated May 5, 2025
   Sheets 17, 25 & 26 - dated May 5, 2025; revised to June 8, 2026; and
   Sheet 23 - dated May 5, 2025; revised to July 10, 2026

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.

3. Any proposed revegetation 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.

4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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.

State of New Jersey
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MIKIE SHERRILL
Governor
DR. DALE G. CALDWELL
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission 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 and received by the Commission's office no later than 5:00 PM on October 5, 2026 and include the following information:

1. the name and address of the person requesting the appeal;

2. the application number;

3. the date on which the determination to be appealed was made;

4. a brief statement of the basis for the appeal; and

5. 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.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

Commenter #1

From: Gary Murray (gmurray1445@comcast.net)
Received: 10/26/2025 8:20:26 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Opposition to proposed taxiway connector
Attachments: None

October 24, 2025

Dear Members of the Pinelands Commission,
I am writing to formally express my opposition to the application submitted by the Mayor seeking approval for a 1.45-acre taxiway connector on my property.
As the property owner, I have not consented to this proposal and do not support its development. I believe this project would negatively impact my rights, the character of the land, and potentially the surrounding environment. This project raises serious concerns regarding my property rights and the environmental impact of such development. I have not been consulted or given consent, and I believe this action violates the principles of due process and private property protection. The Pinelands are a unique and protected ecosystem. Construction of a taxiway connector could disrupt local habitats, increase pollution, and compromise the ecological integrity of the area.
I respectfully request that the Commission deny this application and ensure my concerns are fully considered during the review process.
Please confirm receipt of this email and advise me of any upcoming hearings or opportunities to present my position.
Thank you for your attention to this matter.

Sincerely,
Gary Murray
[redacted]

Commenter #2

Brian Murray
[redacted]

Email: barmurray@mac.com
Phone: [redacted]

Date: November 1, 2025

To:
Pinelands Commission
P.O. Box 359
New Lisbon, NJ 08064

Subject: Concern Regarding Application 1987-0065.037 — 1.45 Acre Taxiway Connection

Dear Members of the Pinelands Commission,

I am writing as the trustee for the properties located at [redacted] in reference to Application No. 1987-0065.037 concerning the proposed 1.45-acre taxiway connection.

I wish to formally express that I am not in agreement with this proposed project. To date, I have not received any official correspondence or notification from the Pinelands Commission regarding this application, despite my status as a directly affected property trustee. This lack of communication has prevented me from reviewing the full scope and potential impacts of the project on my properties and the surrounding community.

I respectfully request that the Commission pause or reconsider any actions or approvals related to this application until affected property owners, including myself, have been properly informed and given the opportunity to review the details and provide input.

Please confirm receipt of this letter and advise me of any upcoming hearings, public comment periods, or documentation related to this matter.

Thank you for your attention and consideration.

Sincerely,

_____
Brian Murray
[redacted]

Commenter #3

10/30/2025

To Whom it May Concern

Two things We Were never inform of what Type of development this Would be on Block 125 Located on De Hirsch Ave, and Two We have been trying to have a fire hydrant fix since Spring And can't get that fix

Joan Murray

[redacted]

APP# 1987005.037
Doc Type 100

NOV 14 2025

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RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-26-26

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 2007-0300.003)

Commissioner Avery moves and Commissioner Matro seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

2007-0300.003	
Applicant:	**Cellco Partnership d/b/a Verizon Wireless on behalf of Stafford Township**
Municipality:	Stafford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	September 17, 2026
Proposed Development:	Construction of 150 foot high local communications tower.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; 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; 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.

NOW, THEREFORE BE IT RESOLVED that Application Number 2007-0300.003 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lohbauer	X				Rittler Sanchez	X			
Avery	X				Matro	X				Signor	X			
Buzby-Cope	X				Mauriello	X				Wallner	X			
Irick	X				Meade	X				Matos	X			
Lettman			X		Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: October 9, 2026

Susan R. Grogan
Executive Director

Laura E. Matos
Chair

State of New Jersey
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MIKIE SHERRILL
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DR. DALE G. CALDWELL
Lt. Governor

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

September 17, 2026

Robert Czarniawski (via email)
Cellco Partnership d/b/a Verizon Wireless on behalf of Stafford Township
One Verizon Way, Mail Stop 4AW100
Basking Ridge, NJ 07920

Re: Application # 2007-0300.003
Block 44.213, Lot 9
Stafford Township

Dear Mr. Czarniawski:

The Commission staff has completed its review of your application for the construction of 150 foot high communications tower. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its October 9, 2026 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. 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.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

April Field
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Stafford Township Planning Board (via email)
Stafford Township Construction Code Official (via email)
Stafford Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Matthew Von der Hayden, Administrator (via email)

Warren O. Stilwell, Esq. (via email)

State of New Jersey
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MIKIE SHERRILL
Governor
DR. DALE G. CALDWELL
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

September 17, 2026

Robert Czarniawski
Cellco Partnership d/b/a Verizon Wireless on behalf of Stafford Township
One Verizon Way, Mail Stop 4AW100
Basking Ridge, NJ 07920

Application No.: 2007-0300.003
Block 44.213, Lot 9
Stafford Township

This application proposes the construction of 150 foot high local communications tower on the above referenced 0.85 acre parcel in Stafford Township. There is an existing municipal water tower on the parcel.

The proposed development includes the development of a 2,482 square foot equipment compound and a 129 linear foot access road.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.28)

The parcel is located in a Pinelands Regional Growth Area. The proposed development is a permitted use in a Pinelands Regional Growth Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located primarily in an existing maintained grassed area. The proposed development will require the removal of eleven individual trees. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the 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 utilize a seed mixture which meets that recommendation.

Stormwater Management Standards (N.J.A.C. 7:50-6.84(a)6)

For a "minor" development application which proposes an increase of greater than 1,000 square feet of regulated motor vehicle surfaces, the CMP requires that the volume of the water quality design storm shall be recharged onsite. The applicant has demonstrated that the proposed development is consistent with CMP stormwater management standards. To meet the stormwater management standard, the applicant will be constructing two subsurface stormwater infiltration recharge trenches.

PUBLIC COMMENT

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on August 13, 2026. The Commission's public comment period closed on September 11, 2026. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 31 sheets, prepared by FC Architects and dated as follows:

   Sheets, 1, 4, 5 & 7-9 - September 3, 2024; revised to July 31, 2026
   Sheets 2, 3, 6, 10-22, 24-27 & 29-31 - dated September 3, 2024; revised to November 10, 2025
   Sheets 23 & 28 - dated September 3, 2024; revised to July 14, 2026

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.

3. Any proposed revegetation 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.

4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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.

State of New Jersey
THE PINELANDS COMMISSION
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(609) 894-7300
www.nj.gov/pinelands

MIKIE SHERRILL
Governor
DR. DALE G. CALDWELL
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission 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 and received by the Commission's office no later than 5:00 PM on October 5, 2026 and include the following information:

1. the name and address of the person requesting the appeal;

2. the application number;

3. the date on which the determination to be appealed was made;

4. a brief statement of the basis for the appeal; and

5. 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.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-26-27

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1994-0288.002)

Commissioner Avery moves and Commissioner Pikolycky seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1994-0288.002	
Applicant:	**NJDEP Forest Service**
Municipality:	Waterford Township
Management Area:	Pinelands Preservation Area District
Date of Report:	September 17, 2026
Proposed Development:	Forest management and Atlantic white cedar regeneration on 171 acres within Wharton State Forest .

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; 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; 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.

NOW, THEREFORE BE IT RESOLVED that Application Number 1994-0288.002 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lohbauer		X			Rittler Sanchez		X		
Avery	X				Matro	X				Signor	X			
Buzby-Cope	X				Mauriello	X				Wallner	X			
Irick	X				Meade	X				Matos	X			
Lettman			X		Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: October 9, 2026

Susan R. Grogan
Executive Director

Laura E. Matos
Chair

State of New Jersey
THE PINELANDS COMMISSION
PO BOX 359
NEW LISBON, NJ 08064
(609) 894-7300
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MIKIE SHERRILL
Governor
DR. DALE G. CALDWELL
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

September 17, 2026

Todd Wyckoff (via email)
NJDEP Forest Service
Mail Code 501-04
P.O. Box 420
Trenton NJ 08625

Re: Application # 1994-0288.002
Block 6603, Lot 1
Block 6703, Lot 1
Block 6704, Lot 1
Block 6801, Lots 1 & 2
Block 6802, Lots 1 - 4
Block 6803, Lots 1 & 2
Block 6905, Lot 1
Wharton State Forest
Waterford Township

Dear Mr. Wyckoff:

The Commission staff has completed its review of your application for forest management and cedar regeneration on 171 acres within Wharton State Forest. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its October 9, 2026 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. 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.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

April Field
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Waterford Township Planning Board (via email)
Waterford Township Construction Code Official (via email)
Waterford Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)
Edward Samanns (via email)
Michael Klein (via email)
Jason Howell (via email)
Heidi Yeh (via email)
Liz Thomspon, Executive Director (via email)
Ann Crow (via email)
Lenore Walker (via email)
Amy Wilson (via email)
Deborah Mclaughlin (via email)
Brooke Wright (via email)
Joshua Carmen (via email)
Josh Carmen (via email)
Eric Hinesley (via email)
Lynne Lasko (via email)
Nancy McLaughlin (via email)
Ray Derman IV (via email)
Bernadette Foley (via email)
Les Alpaugh (via email)
Travis Holonics (via email)
Laura Wilson (via email)
Nadiya Neushafer (via email)
Pete Rushing (via email)
Richie Rotonta (via email)
Colleen McKeever (via email)
Lance Rib (via email)
Jenibella Mohmod (via email)
Joe Mohmod (via email)
Justin Wright (via email)
James (via email)
Robert Keeney (via email)
Mary Xoxe (via email)
Joseph Mazza (via email)
Robert Green (via email)
Gianna Ferraro (via email)
Paige Insogno (via email)
Jadiyn McLaughlin (via email)
Jeffrey Powell (via email)
Colin McLaughlin (via email)
Amanda Wilson (via email)
Carmen Marino (via email)
Amy McKeever (via email)
Madysen Green (via email)
Tim Kuras (via email)

Paul Schairer (via email)
Lydia Vogel (via email)
Jane Vogel (via email)
Judith Vogel (via email)
Violet Vogel (via email)
Deb Robbins (via email)
Wayne Wilson (via email)
Elaine Lee (via email)
Rachael Bane (via email)
Adam Haidi (via email)
Donna Westervelt (via email)
Debra Flagg (via email)
Jessica Clayton (via email)
Christina Stevens (via email)
Jonathan Patla (via email)
Mike Kaliss (via email)
Emile DeVito (via email)
Spike Wells (via email)
Ed Sherwood (via email)
Jennifer Krumins (via email)
Horace Somes (via email)
Bernard Isaacson (via email)
William DeGroff (via email)
Laura Natelli (via email)
William Mohnack (via email)
Russell Fenton (via email)
Ed Sherwood (via email)
Horace Somes (via email)
Frank Vogel (via email)

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Chair
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Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

September 17, 2026

Todd Wyckoff (via email)
NJ DEP Forest Service
Mailcode 501-04
P.O. Box 420
Trenton NJ 08625

Application No.: 1994-0288.002
Block 6603, Lot 1
Block 6703, Lot 1
Block 6704, Lot 1
Block 6801, Lots 1 & 2
Block 6802, Lots 1-4
Block 6803, Lots 1 & 2
Block 6905, Lot 1
Waterford Township

This application proposes forest management and cedar regeneration on approximately 171 acres of the above referenced 6,761.21 acre parcel located within Wharton State Forest in Waterford Township.

The Wharton State Forest Atlantic White Cedar Silvicultural Activity Plan (Plan) submitted by NJDEP specifies management goals and objectives for this 171 acre portion of Wharton State Forest. Goals and objectives include fostering the regeneration of the Atlantic white cedar ecosystem and the restoration of the ecological integrity and long-term sustainability of Atlantic white cedar in Wharton State Forest.

The CMP (N.J.A.C. 7:50-6.45) provides that permits and approvals authorizing forestry activities shall be valid for a period of 10 years. The plan is for this 10-year period.

Forestry (Single and Group Tree Selection Harvest): Of the 171 acres proposed for management, the Plan proposes single and group tree selection harvest with cedar retention on approximately 160 acres to encourage the regeneration of Atlantic white cedar within an existing Atlantic white cedar and hardwood swamp forest. The proposed selective harvest methods are intended to retain individual and clumps of mature trees, improve the health and vigor of the remaining trees, provide a seed source for natural regeneration, reduce brush and canopy, and maintain a multi-aged stand structure. All viable mature Atlantic white cedar trees that can serve as seed sources will be retained. The selective harvest methods will reduce the existing basal area of Atlantic white cedar from 78 square feet per acre to 50 square feet per acre, the Pitch pine basal area from 6 square feet per acre to 3 square feet per acre and the hardwoods (black gum/red maple) basal area from 78 square feet per acre to a maximum of 10 square

feet per acre.

A maximum of fifteen (15) out of nineteen (19) identified potential log landing areas will be established in the remaining approximate eleven (11) acres of the 171 acres proposed for forest management. Each landing will be approximately ¾ acre in size and located in dry, upland areas. Any trees and woody brush removed in each log landing area will aid in the construction of the corduroy roads, minimize temporary ecological disturbance and following completion of the project, all log landings utilized will be restored to native forest conditions in accordance with the CMP.

Site Preparation: The Plan proposes site preparation through mowing, drum chopping and disking of an approximately 160 acre area for the proposed forestry and cedar regeneration activities.

Atlantic White Cedar Regeneration: To control competitive plant species, including invasives, and ensure successful Atlantic white cedar regeneration, the application proposes a combination of mechanical site preparation methods and the application of herbicides via aerial broadcast and spot treatment to control competing woody vegetation. Broadcast application of salt of imazapyr and the spot application of salt of imazapyr and/or glyphosate are proposed in late summer as young and older cedar needles harden off and will not be impacted by the herbicide(s).

The Plan indicates that the site will be monitored for successful regeneration. If annual monitoring shows less than 800 Atlantic white cedar seedlings per acre, this application also proposes the planting of Atlantic white cedar seedlings at a rate of 1,000 cedar seedlings per acre and the installation of deer fencing around the perimeter of the approximately 160 acre project area.

In areas where planted seedlings fail to establish less than 800 seedlings per acre, the re-plantings will be repeated, a maximum of three times over the 10-year application period. Additionally, if it is determined that mechanical methods to control competitive plant species are impractical or ineffective, this application proposes additional herbicide treatments to control competing woody vegetation, not to exceed a maximum of three total herbicide treatments over the course of the 10-year approval period, with a minimum of one growing season between applications.

STANDARDS

The Commission staff has reviewed the proposed forestry for consistency with all standards of the CMP. The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.22(a)

The parcel is located in the Pinelands Preservation Area District. Forestry and cedar regeneration activities are permitted in the Preservation Area District.

Wetlands Standards (N.J.A.C. 7:50-6.6)

There are wetlands located on the parcel, including the 171 acres subject of this application. Some forestry and cedar regeneration activities are proposed in wetlands. The CMP permits forestry and cedar regeneration activities in wetlands and the required buffer to wetlands.

Forestry Standards (N.J.A.C. 7:50-6.41)

The proposed Plan is consistent with all CMP Forestry standards, including, but not limited to, the standards below:

For forestry activities in Atlantic white cedar and hardwood swamps, the CMP (N.J.A.C. 7:50-6.46(a)3) requires that the following "actions" be incorporated into the forest management plan:

1. Clearcutting cedar and managing slash: The application proposes single and group tree selection harvest and will evenly distribute the slash across the treated area, which can provide specific shading to seedlings in drought conditions and can act as deer browse protection. The proposed forestry prescription will leave mature, windfirm cedar trees as a seed source for natural regeneration. All viable mature Atlantic white cedar trees that can serve as seed sources will be retained. Only those Atlantic white cedar trees necessary for project access or likely to be lost to windthrow after harvest will be removed.

2. Controlling competition by other plant species: As part of initial harvest, this application proposes the mechanical removal of all competitive woody tree and brush species that suppress cedar regeneration. All equipment is proposed to be steam cleaned to avoid bringing any seeds in from invasive, non-native plants. Additionally, in areas where mechanical methods to control competitive plant species are impractical or ineffective, the applicant proposes the application of herbicides to control competitive woody vegetation, including invasives. These herbicides will be used to the minimum amount necessary to achieve the silvicultural objectives. Herbicide treatment will be limited to a maximum of three herbicide treatments during the 10-year period, with a minimum of one growing season between applications.

3. Utilizing fencing and other retardants, where necessary, to protect cedar from overbrowsing: If natural cedar regeneration is not occurring due to deer overbrowsing and annual monitoring shows less than 800 Atlantic white cedar seedlings per acre, the applicant proposes the installation of a 6-foot tall plastic coated mesh fence with an additional one foot height of wire above the mesh around the perimeter of the cedar regeneration area.

4. Utilizing existing streams as cutting boundaries, where practical: The Plan utilizes existing streams as cutting boundaries.

5. Harvesting during dry periods or when the ground is frozen: The Plan indicates that all forestry and cedar regeneration activities will be conducted between November 15 and March 15.

6. Utilizing the least intrusive harvesting techniques, including the use of winches, corduroy roads and helicopters, where practical: The Plan proposes to utilize modern tracked tree processing harvesters that provide for low ground pressure soil treatment and precise construction of the temporary corduroy access, optimization of slash distribution and reduces concerns for soil rutting or compaction. This modern system of tree harvesting is recognized as the "cut-to-length system." The processed wood is then forwarded from the site on the corduroy by way of log forwarding equipment with portable tracts to reduce concerns for soil rutting or compaction.

The applicant has incorporated the above required forestry management actions for Atlantic white cedar and hardwood swamps into the proposed Plan as required by the CMP.

Additionally, this application proposes the application of herbicides. The CMP (N.J.A.C. 7:50-6.46(a)9ii.), permits herbicide treatment as a forestry practice to encourage the establishment, restoration or regeneration of Atlantic white cedar in cedar and hardwood swamp forest types, provided the following five conditions are met:

1. The proposed treatment is identified in an application submitted to the Pinelands Commission. The submitted Pinelands application identifies the proposed herbicide treatment.

2. Control of competitive plant species is clearly necessary. For the proposed forestry and cedar regeneration, the applicant represents that herbiciding is necessary to control competitive plant species, including invasives. Herbicides will be used to the minimum amount necessary to achieve the silvicultural objectives. Additional details on the use of herbicides are provided in condition three below.

3. Control of competitive plant species by other non-chemical means is not practical. As part of initial harvest, this application proposes the mechanical removal of all competitive woody tree and brush species that have suppressed cedar regeneration. Once cut, the applicant represents that competitive woody species responsible for suppressing Atlantic white cedar regeneration will quickly resprout and dominate the approximate 160 acre site and that mechanical cutting of these competitive woody species is neither physically practical nor economically feasible. Specifically, mechanical cutting provides optimal conditions for competitive woody species and can deteriorate the site's soil conditions. For the proposed forestry and cedar regeneration, the applicant represents that where control by other non-chemical means is not practical, aerial broadcast and targeted spot spraying of herbicides is necessary to control competitive plant species, including invasives.

4. All chemicals shall be expressly labeled for forestry use and shall be used and mixed in a manner that is consistent with relevant State and Federal requirements. For the proposed forestry, the applicant has indicated that the chemicals proposed for use are labeled for forestry use and will be applied by a licensed pesticide applicator.

5. In pine-shrub oak native forest type, herbicide treatments shall only be permitted as a method to temporarily suppress shrub-oak understory to facilitate pine regeneration. All such herbicide treatments shall be applied in a targeted manner so that there will be no significant reduction in tree or shrub-oak re-sprouting outside those areas subject to the herbicide treatment. This condition is not applicable.

Threatened and Endangered (T&E) Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

There are known sightings of T&E animal species on and in the vicinity of the proposed forestry activities.

The Commission staff reviewed the proposed forestry to determine whether they are designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species.

To avoid any irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E snake species, the applicant proposes harvesting with low ground pressure equipment between November 15 to March 15 to avoid impacting critical snake habitat during autumn

ingress and spring egress.

To avoid potential irreversible adverse impacts on the survival of any local populations of Pine Barrens treefrog, the applicant proposes to maintain a 300 foot "no activity" buffer between the proposed forestry and cedar regeneration activities to potential Pine Barrens treefrog breeding habitat. It should be noted that this 300 foot buffer is more than the typical 100 foot "no activity" buffer required by the Commission for forestry activities to protect Pine Barrens treefrog.

To avoid potential irreversible adverse impacts on any T&E avian species that may be present, the applicant proposes to conduct visual surveys to identify and mark any trees containing potential T&E avian species cavities or nests. Planned activities are expected to promote foraging habitat and as the larger, windfirm cedars are proposed to be retained, suitable habitat such as old cavity trees will be created.

With the conditions included in this Report, the proposed forestry is designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species and irreversible adverse impacts on the survival of any local populations of T&E plant species.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

Based on the minimal proposed ground disturbance associated with the proposed project, the need for a cultural resources survey has been waived.

PUBLIC COMMENT

The application has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on August 13, 2026. Online news publication was completed on August 13, 2026. Notice to one remaining landowner within 200 feet of the parcel was completed on August 21, 2026. The application was designated as complete on the Commission's website on August 21, 2026. The Commission's public comment period closed on September 11, 2026.

The Commission received sixty-nine (69) written public comments regarding this application. At the Commission's September 11, 2026 monthly meeting, twenty oral public comments were offered regarding the application. The majority of public comments expressed support for the application. A copy of this Public Development Application Report is being mailed or emailed to all public commenters that provided a mailing or email address.

A summary of all public comments received follows:

- Commenters expressed their concern with the proposed cutting prescription, herbicide usage, deer browsing controls and threatened and endangered animal species. Several commenters asked that less intrusive ways to restore Atlantic white cedar on the parcel be identified and considered.

  Staff Response: Commission staff have reviewed the development application for consistency with all the regulations contained in the CMP, including wetland protection, threatened and endangered species protection, and cultural resource protection. With the conditions recommended in this Public Development Application Report, the applicant has demonstrated that the proposed development is consistent with all CMP regulations. The application was also

reviewed by the New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, the NJDEP Office of Natural Lands Management and the NJDEP Natural Heritage Review Group. The NJDEP concluded that the proposed activities would pose no irreversible adverse impacts to any threatened or endangered species.

- Commenters expressed their objection and/or concerns with the use of clear-cutting as a regeneration strategy for Atlantic white cedar.

  Staff response: This application does not propose the clear-cutting of Atlantic white cedar. As identified above, this application proposes single and group tree selection harvest with cedar retention. The application is consistent with all the regulations contained in the CMP.

- Commenters expressed concern with the impacts of herbicide usage on the environment and threatened and endangered species, specifically with respect to Pine Barrens treefrog.

  Staff response: The CMP permits herbicide treatment as a forestry practice to encourage the establishment, restoration or regeneration of Atlantic white cedar in cedar and hardwood swamp forest, provided certain criteria in the CMP are met. In addition, the applicant has represented that no forestry or cedar regeneration activities are proposed within 300 feet of any potential Pine Barren treefrog breeding ponds. See Forestry Standards (N.J.A.C. 7:50-6.41) and Threatened and Endangered (T&E) Species Standards (N.J.A.C. 7:50-6.27 & 6.33) sections of this Public Development Application Report above. The application was also reviewed by the New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, the NJDEP Office of Natural Lands Management and the NJDEP Natural Heritage Review Group. The NJDEP concluded that the proposed activities would pose no irreversible adverse impacts to any threatened or endangered species. The application is consistent with all the regulations contained in the CMP.

- Commenters expressed concerns over the absence of deer management measures.

  Staff response: Deer management measures are included in the plan. The deer management measures are detailed in Forestry Standards (N.J.A.C. 7:50-6.41) section of this Public Development Application Report above. The application is consistent with all the regulations contained in the CMP.

- Commenters requested discussion of alternatives to herbicides and clearcutting, including less intrusive or damaging forestry techniques.

  Staff response: As noted in the Forestry Standards (N.J.A.C. 7:50-6.41) section of this Public Development Application Report above, this application does not propose clear-cutting. The CMP permits herbicide treatment as a forestry practice to encourage the establishment, restoration or regeneration of Atlantic white cedar in cedar and hardwood swamp forest, provided certain criteria in the CMP are met. The applicant has demonstrated that these criteria are met. The application is consistent with all the regulations contained in the CMP.

- Commenters expressed their objections to the Commission's notice requirements for public development application:

  Staff response: Newspaper public notice for the proposed development was completed by the

applicant on May 29, 2026, July 15, 2026 and August 13, 2026. Notice to all landowners within 200 feet of the parcel, except for one landowner, was provided by the applicant via certified mail on July 17, 2026 and August 13, 2026. Notice to the single remaining landowner within 200 feet of the four concerned lots was completed by the applicant on August 21, 2026. Notice of the application was posted on the Commission's website on May 30, 2026 as part of our Active Public Development Applications status report. The applicant has satisfied the public notice requirements for Public Development Applications contained in the CMP. An additional opportunity for verbal public comment, beyond that required by the CMP, was provided at the September 11, 2026 Commission Meeting.

- Commenters requested an extension of the public comment period to ensure public awareness and enable additional input on the application. In addition, by letter dated September 9, 2026, the Pinelands Alliance requested that a full, formal public hearing be conducted on the application.

  The CMP does not provide for or require a public hearing as part of the Commission's review of a public development application. The CMP only provides only for the submission of written comments to the Commission on such applications. An additional opportunity for verbal public comment, beyond that required by the CMP, was provided at the September 11, 2026 Commission Meeting.

  The CMP establishes a specific timeframe for the review of Public Development Applications (N.J.A.C. 7:50-4.54). Specifically, the CMP provides that within 30 days of completion of an application, the Executive Director must issue a report to the Pinelands Commission recommending that the application be approved, approved with conditions or disapproved. Absent a request from the applicant to table or postpone the application, the CMP requires that at the next regular Commission meeting after the time for appeal under N.J.A.C. 7:50-4.91 has expired and no interested person has requested a hearing, the Commission must act on the application, either by approving the recommendation of the Executive Director or referring the matter to the Office of Administrative Law.

- Commenters expressed support for the forestry and cedar regeneration activities subject of the application.

  Staff Response: The Commission appreciates the commenters' interest in this NJDEP application.

- One commenter expressed a desire to stop warehouse development on the parcel.

  Staff Response: This application does not propose the development of a warehouse on the parcel.

- One commenter expressed concern that the proposed cedar tree removal is financial in nature.

  Staff Response: The Commission acknowledges this concern. The regulations contained in the CMP do not require an applicant to address this concern.

CONDITIONS

1. The proposed forestry activities shall adhere to the "Wharton State Forest Atlantic White Cedar Silvicultural Activity Plan Silvicultural Unit # 5 (901)," prepared by Pine Creek

Forestry, LLC dated July 17, 2026 and last revised August 17, 2026.

2. No forestry operation may occur after October 9, 2036 unless a new application for forestry has been completed with the Pinelands Commission and such forestry is approved pursuant to the provisions of the Pinelands Comprehensive Management Plan.

3. To avoid potential irreversible adverse impacts on any T&E avian species, prior to undertaking the proposed forestry and cedar regeneration activities, visual surveys to identify and mark any trees containing potential T&E avian species cavities or nests shall be conducted. Any tree containing potential T&E avian species cavities or nests shall not be harvested.

4. To avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E snake species, all forestry and cedar regeneration activities shall occur between November 15 and April 15, to avoid impacts on autumn ingress and spring egress.

5. To avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E Pine Barrens treefrog, a 300 foot "no activity" buffer to potential treefrog breeding habitat shall be maintained as proposed in the Plan.

6. Prior to any forestry or cedar regeneration activities proposed in this application, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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.

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PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission 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 and received by the Commission's office no later than 5:00 PM on October 5, 2026 and include the following information:

1. the name and address of the person requesting the appeal;

2. the application number;

3. the date on which the determination to be appealed was made;

4. a brief statement of the basis for the appeal; and

5. 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.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

Written Public Comments (click here)

Oral Comments Received From the Following Individuals at the September 11, 2026 Commission meeting on App. No. 1994-0288.002:

- Deborah McLaughlin (advanced forestry@comcast.net)
- Joshua Carmen (agriservices768@gmail.com)
- Horace Somes (badnhsomes@verizon.net)
- Violet Vogel (violetvogel28@gmail.com)
- Justin Wright (justw218@gmail.com)
- Bernard Isaacson (bernard@forestdata.works)
- Colin McLaughlin (advancedforestry@comcast.net)
- William DeGroff, Mayor, Woodland Township (degr6@aol.com)
- Frank Vogel (vogelf@stockton.edu)
- Laura Natelli (lnatelli1014@gmail.com)
- Paul Schairer (PaulSchairer6897@gmail.com)
- Emile DeVito (emile@njconservation.org)
- Spike Wells (wells57-257@aol.com
- Heidi Yeh (heidi@pinelandsalliance.org)
- Jennifer Krumins (jennkrumins@pinelandsalliance.org)
- Jason Howell (jason@pinelandsalliance.org)
- Ray Dermon (ray@dermonforestry.com)
- Ed Sherwood (edsherwood461@gmail.com
- Margaret Stevens (no address/email address)
- Wayne Wilson (wayne@bc-arms.com)

Bernard Isaacson, PhD 2026-10-09

Approval:
Your vote on today's application for Atlantic white cedar restoration is an important milestone in the timeline of New Jersey's forests. Today, you commissioners took a major step towards addressing ecological concerns on this landscape, and for that you should be commended.

For too long, special interests have positioned themselves as the sole guardians of the environment, stating the dogma that humans are bad and must be removed from the forest. By swinging the cudgel of fear, they effectively blocked any other philosophies of people relating to their forest lands.

Your approval vote today is an acknowledgment that under the right conditions, human agency can be for good. Cedar has been purposefully regenerated on hundreds of acres of forest in New Jersey in recent decades. On both public and private lands, expert foresters, like Bill Zipse, have tested out how to regenerate cedar amidst differing site and stand conditions. This knowledge is being put to use to right the wrongs of the past, to restart a new generation of cedar using silviculture.

Were previous votes against DEP forest management proven right or wrong? The young cedar stand at Double Trouble State Park is thriving. There is still a vibrant forest along Allen Road, with both reduced density and reduced wildfire risk. And there's a new generation of pine burgeoning below the Bass River Fire Tower.

However, even with this positivity, there are daunting challenges ahead. The Forest service has stated in both the State Forest Action Plan and the Atlantic White Cedar Strategy that they intend to conduct these sorts of activities on 10,000 acres. This application represents only the first 1.6%. Scaling up requires addressing many different challenges, some of which are in your purview. This commission is charged, in part, with conserving the culture of the pines, which it can do by supporting a modest, local forest products industry. But for that to happen, you will need to continuously encourage people working in the forest. And given that the majority of the forest of NJ is publicly-owned, that means a lot more forestry review for your staff.

I am confident that this project's successes at regenerating cedar on these best sites will awaken New Jerseyans to the truth of using human agency to actively participate in ecosystem restoration, instead of superstitious passivity in the face of global change. Thank you for taking this first step towards a better relationship between our population and our forest.

Partnerships for New Jersey

Plant Conservation

Scientists, Advocates, Educators and Citizens
Working Towards Protection of New Jersey's Rare Flora

Testimony to the Pinelands Commission, October 9, 2026 concerning the proposed cedar restoration project.

I want to preface this by saying that I don't mean to imply any direct parallels between the impacts of the Sanctuary development and those of the proposed cedar restoration plan. I just want to do a little comparison and contrast

In 1997, a population of a state-listed Endangered species, the Timber Rattlesnake, was discovered on the site of a development project in Evesham Township. Part of the development proposal had gotten final approvals and was well underway, so the situation presented huge problems and required the expenditure of lots of time and money for all the parties involved.

In that case, the developer's consultant had stated that (1) there were records of rattlesnakes in the area, (2) there was still suitable habitat for rattlesnakes there, but (3) no rattlesnakes were discovered during the course of surveys.

The Pinelands Commission staff at that time interpreted that set of facts to mean that, evidently, the rattlesnake population was merely historic and therefore no longer existed there. In hindsight, everyone involved knows what a serious mistake that was, however logical it may have seemed at the time.

Now, with this project, we have the applicant making a very different assertion. The applicant is saying that the NJ Office of Natural lands Management has documented three species of plants that the Commission is obligated to protect on the site, but that his surveys indicate that no habitat for those species occur on the site.

> Pine Barren Boneset (Eupatorium resinosum) (Endangered)Pine Barren boneset grows in wet boggy areas, including seepage bogs, shrub bogs, pocosins,stream banks, and disturbed wet openings (Johnson 2022; Pinelands Preservation Alliance, n.d).Forest inventory/site visits of designated active management areas show no potential suitablehabitat for Pine Barren boneset within the project area.
>
> Swamp-pink (Helonias bullata) (Endangered)Swamp pink occurs in a variety of palustrine forested and scrub/shrub wetlands in New Jersey,including forested wetlands bordering meandering streamlets, headwater wetlands, sphagnousAWC swamps, and spring seepage areas (USFWS n.d.). Specific hydrologic requirements ofswamp pink limit its occurrence to wetlands that are perennially saturated but not inundated byfloodwater. The water table must be at or near the surface, fluctuating only slightly duringspring and summer months (USFWS n.d.). Forest inventory and site visits of the designatedactive management areas indicate that there is no potential suitable habitat for swamp-pinkwithin the project area.
>
> Pine Barren Bellwort (Uvularia puberula var. nitida) (Endangered)Pine barren bellwort occurs in moist to dry woodlands consisting of pine-oak or oak-pinewoods, often with an

understory of ericaceous shrubs, and it may occur in thickets or along theedges of swamps, firebreaks or roadways (Dodds 2024). Forest inventory and site visitstherefore indicate that there is no potential suitable habitat for Pine Barren bellwort within theproject area.

It should be clear to everyone that if a plant has been documented as occurring at a place, it simply cannot be true that no habitat for that plant occurs there, unless the habitat has changed since the time of the report. But the applicant is not making that assertion.

Hopefully, we're not engaging in a project that revives a situation analogous to the Sanctuary.

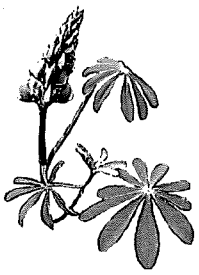
In addition to the problem associated with these three plants, it appears that the applicant entirely disregarded the ONLM report of five more regulated species found "in the immediate vicinity" of the site. These are:

Pine barrens Gentian
Pine Barrens Smoke-grass
Pine Barrens Rattlesnake-root
Little Floating-hearts
Curly-grass fern.

It stands to reason that any rare plant found "in the immediate vicinity" of a project site has at least a good chance of occurring on the site itself.

Finally, it is important to note that these reports furnished by the ONLM represent mere clues as to what may actually be there. They are by no means a definitive list. Only by means of a multi-season survey can we have any reasonable assurance of what may be at any particular location. To assume that the plants listed by the ONLM are the only regulated plants to be concerned about is a misinterpretation and misapplication of the reports.

D. Russell Juelg



Partnerships for New Jersey Plant Conservation

Scientists, Advocates, Educators and Citizens
Working Towards Protection of New Jersey's Rare Flora

Testimony to the Pinelands Commission, October 9, 2026 concerning the CMP list of protected plant species.

Since the specific list of CMP threatened or endangered plants is seriously outdated, we recommend that a working group be established to consider how it might be properly revised.

The CMP specific T&E list (54 plants) retains species that are considered by the state of New Jersey and local experts to no longer be of conservation concern. Conversely, it is missing species that *are* of conservation concern.

The state of New Jersey regularly updates and periodically publishes a list called, "List of Endangered Plant Species and Plant Species of Concern" (https://dep.nj.gov/wp-content/uploads/parksandforests/njplantlist.pdf). This list is established in accordance with state law. Since the CMP references the Endangered plants, the discrepancies between the state's list and those of the Pinelands Commission occur within its specific list of 54 plants. (Some of the species specifically listed are also listed as state Endangered.)

The Pinelands Commission staff indicates it cannot simply adopt the list of "Plant Species of Concern" without taking on what it considers unacceptable legal liabilities. It seems to have argued, further, that it cannot make progress toward updating its protected plant list, unless it establishes a data sharing agreement with the Office of Natural Lands Management.

We don't propose to dispute the Commission staff's legal analysis. We do observe, however, that there does not seem to be any prospect of the Office of Natural Lands Management engaging in such a data sharing agreement.

That leaves the Pinelands Commission with two options: (1) either devise some other strategy to update its protected plant list or (2) continue to allow its current list to fall farther and farther behind in terms of scientific and legal justification. We believe the first option is the wiser choice.

Consequently, we propose that the Commission establish a working group that includes Commission Science staff, local experts on the flora of the Pinelands, and any other personnel the Commission might deem valuable to the process. The group would meet regularly, explore all feasible options, and make recommendations. Possible working group members include G. Russell Juelg, Gerry Moore, and Joseph Arsenault.

Several issues have been debated over the years, so we would like to summarize our perspective on some of the key points:
(1) The "List of Endangered Plant Species and Plant Species of Concern" (the List) maintained by the NJDEP Office of Natural Lands Management (ONLM) Natural

Heritage Program (NHP) is New Jersey's official list of imperiled plants, though, as noted, only the Endangered plant list is codified by regulation. NJDEP historically has not made it a priority to regularly update that regulation, so the best estimate of the degree of imperilment of any taxon is actually the state *rank* of the plant, at any given time, rather than its state *status*.

(2) The ranks SH and S1 indicate the highest degree of imperilment, generally understood to be equal to "endangered," meaning close to extinction in the state. They generally but not necessarily coincide with the official Endangered status. The ranks S2 and S3 are understood to be equal to "threatened."

(3) The ranks assigned to taxa on the List are derived from a standard process following the methodology of NatureServe, which is a partner of the U.S. Fish and Wildlife Service, and member of the International Union for Conservation of Nature.

(4) There is no system in New Jersey comparable to NHP in terms of data collection, quality of data, and analysis. Even so, the data housed at NHP reflect somewhat limited reports and field visits. Many areas of the state have never been fully inventoried. Consequently, the NHP data do not represent where all the rare plants are. They merely represent where rare plants have been noticed, reported, and entered into the database.

(5) Ambiguities associated with the estimates of the level of imperilment of plants are the same as those of any biological group. Populations change over time. Some formerly rare taxa become more common; some formerly common ones become rarer. Our knowledge changes, as well. Sometimes field work proves that plants we thought were rare are actually more common; sometimes the opposite.

(6) In deciding which plant species to protect, we seem to have no defensible options other than to accept the best available sources of information.

(7) If the Pinelands Commission cannot simply adopt a list derived from the NHP, it seems the other alternatives are quite limited. For example, the Pinelands Commission could commission an official report from some reputable source, just as it did originally. Or it could convene a working group composed of local experts.

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-26-_____

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1987-0065.039)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1987-0065.039	
Applicant:	**Borough of Woodbine**
Municipality:	Borough of Woodbine
Management Area:	Pinelands Town
Date of Report:	October 23, 2026
Proposed Development:	Demolition of two airplane hangars, 50 years old or older, and construction of a 2,750 square foot terminal building and two airplane hangars at the Woodbine Municipal Airport.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; 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; 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.

NOW, THEREFORE BE IT RESOLVED that Application Number 1987-0065.039 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta					Lohbauer					Rittler Sanchez				
Avery					Matro					Signor				
Buzby-Cope					Mauriello					Wallner				
Irick					Meade					Matos				
Lettman					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____

_____
Susan R. Grogan
Executive Director

_____
Laura E. Matos
Chair

State of New Jersey
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MIKIE SHERRILL
Governor

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

October 23, 2026

Mayor William Pikolycky (via email)
Borough of Woodbine
501 Washington Avenue
Woodbine NJ 08270

Re: Application # 1987-0065.039
Block 125, Lot 1
Borough of Woodbine

Dear Mayor Pikolycky:

The Commission staff has completed its review of your application for the demolition of two airplane hangars, 50 years old or older, and construction of a 2,750 square foot terminal building and two airplane hangars at the Woodbine Municipal Airport. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 13, 2026 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. 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.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

April Field
Director of Regulatory Programs

Enc: Appeal Procedure
Public Comment

c: Secretary, Borough of Woodbine Planning Board (via email)
Borough of Woodbine Construction Code Official (via email)
Secretary, Cape May County Planning Board (via email)
Cape May County Health Department (via email)
Jim Mullan, PE (via email)
Brian Murray (via email)

State of New Jersey
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Governor

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

PUBLIC DEVELOPMENT APPLICATION REPORT

October 23, 2026

Mayor William Pikolycky (via email)
Borough of Woodbine
501 Washington Avenue
Woodbine NJ 08270

Application No.: 1987-0065.039
Block 125, Lot 1
Borough of Woodbine

This application proposes the demolition of an airplane hangar and airport terminal building, 50 years old or older, and construction of a 2,750 square foot terminal building and two 4,500 square foot airplane hangars at the Woodbine Municipal Airport located on the above referenced 665 acre parcel in Woodbine Borough.

The proposed development also includes the construction of a 4,900 square foot paved aircraft apron and two automobile parking areas containing a total of 22 spaces.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.27)

The proposed development is located in the Pinelands Town of Woodbine. The proposed development is a permitted use in a Pinelands Town.

Wetlands Standards (N.J.A.C. 7:50-6.6)

There are wetlands located on the parcel. The proposed development will be located at least 300 feet from wetlands and meets the wetlands protection standards of the CMP.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located in existing maintained grassed, paved and wooded areas. The proposed development will result in the clearing of approximately 11,000 square feet of forest. The

proposed clearing and soil disturbance is limited to that which is necessary to accommodate the development and the proposed development meets the vegetation management standards of the CMP.

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 utilize a seed mixture which meets that recommendation.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.33)

The applicant submitted the results of a habitat evaluation by a qualified professional to assess suitable habitat for threatened and endangered (T&E) species in the general vicinity of the proposed development.

The habitat evaluation identified suitable habitat for Northern long-eared bat and Tricolored bat, endangered animal species, within the project area. The CMP requires that all development be designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any T&E animal species. To meet T&E protection standards for the concerned bat species, the habitat evaluation recommended that no building demolition occur during the active summer bat season (April 1-September 30) of any year. The habitat evaluation did not identify any suitable habitat for any T&E plant species or any critical habitat for any other T&E animal species in the general vicinity of the project.

Based upon the results of the habitat evaluation, the existing site conditions, the location of the proposed development relative to the existing development and information available to the Commission staff, it was determined that a survey for the presence of T&E plant and animal species was not required.

With the below condition, the proposed development meets the T&E protection standards of the CMP.

Water Quality Standard (N.J.A.C. 7:50-6.83)

The proposed terminal building and both proposed hangars will be serviced by an onsite septic system. The applicant has demonstrated that the proposed development, in combination with the existing development on the parcel, will meet the groundwater quality (septic dilution) standard of the CMP.

Stormwater Management Standards (N.J.A.C. 7:50-6.84(a)6)

To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin. The proposed development meets the stormwater management standards of the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The New Jersey Historic Preservation Office determined that the Woodbine Municipal Airport, historically known as the Woodbine Airfield, is a historic resource eligible for listing on the National and State Registers of Historic Places. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required. The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development, and determined that the proposed development will not impact any contributing cultural resources associated with the airport and meets the cultural resource protection standards of the CMP.

PUBLIC COMMENT

This applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on June 30, 2026. Online news publication notice was completed on July 8, 2026. The application was designated as complete on the Commission's website on September 28, 2026. The Commission's public comment period closed on October 9, 2026. The Commission received one written comment regarding this application.

Public comment: The commenter indicates that their family owns property near the airport parcel. They requested that effects of the proposed development on adjacent access, drainage, buffers, utilities and residential areas be considered by the Commission.

Staff Response: The proposed development will be located entirely on land owned by the Borough of Woodbine and is consistent with all CMP environmental standards, including stormwater management (drainage), wetlands buffers and water quality. Concerns with access rights and impacts on residential areas should be discussed with the Borough as these issues are not regulated by the CMP. The commenter was advised that the application materials were available for review by appointment and the commenter will be provided with a copy of this Report of the Executive's Director's findings.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 97 sheets, prepared by DY Consultants and dated as follows:

   Sheets 1-3, 5, 6, 9-13, 15, 16, 18, 19, 26, 27, 30, CD101, CD501, 36-42, 44, 54, 55, 63, 64, 66-80, 85, 87, 90, 91 & 93 - April 4, 2026; revised to September 16, 2026
   Sheets 4, 7, 8, 14, 17, 20-25, 28, 29, 31-33 & 45-52 - April 28, 2026; revised to June 12, 2026
   Sheet 43 - April 28, 2026; revised to June 12 2026
   Sheets 53, 56-62, 65, 81-84, 86, 88, 89, 92 & 94-97 - April 18, 2026; revised to April 27, 2026

2. To meet T&E protection standards for the Northern long-eared bat and Tricolored bat, no building demolition shall occur on the parcel between April 1st and September 30th of any year.

3. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.

4. Any proposed revegetation 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.

CONCLUSION

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.

State of New Jersey
THE PINELANDS COMMISSION
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MIKIE SHERRILL
Governor

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission 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 and received by the Commission's office no later than 5:00 PM on November 10, 2026 and include the following information:

1. the name and address of the person requesting the appeal;

2. the application number;

3. the date on which the determination to be appealed was made;

4. a brief statement of the basis for the appeal; and

5. 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.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

From: Brian Murray [redacted]
Received: 10/6/2026 3:18:11 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Pinelands Public comment
Attachments: None

Optional Pinelands public comment

Separate draft | Application 1987-0065.039

Time-sensitive: the Commission's active application report states that final oral comment is scheduled for October 9, 2026. Written comments are accepted until 5 p.m. that day or the close of the meeting, whichever is later. Recheck the report and submission instructions before sending. [2, 3]

October 6, 2026
New Jersey Pinelands Commission
Re: Application 1987-0065.039, Borough of Woodbine
Woodbine Municipal Airport terminal and hangar project

Dear Commissioners and Staff:

I am writing as a Murray family member with an interest in nearby family properties along DeHirsch Avenue, including the property the family identifies as 1409.

We welcome responsible airport investment and seek early coordination between the Borough's airport planning and the family's potential voluntary rear-land development. The family's objectives are to retain the existing homes and residential areas, improve independent family access, establish appropriate separation from neighboring circulation, and evaluate compatible development on participating rear portions.

In reviewing this application, please consider any relevant effects on adjacent access, drainage, buffers, utilities, and retained residential areas within the Commission's review authority. Please also identify any proposed access, drainage, or utility arrangements that would rely on adjoining privately owned land and the authorizations needed for them.

We would appreciate information about plans affecting the adjoining airport boundary and the appropriate staff contact for questions about Pinelands requirements relevant to future family proposals. Our request is for coordination and information; it is not an application for approval of the family land or authorization to use any owner's property.

Please include this statement in the application record.

Sincerely,
Brian Murray
[redacted]

Scope and submission notes

- This application concerns demolition of two older hangars and construction of a 2,750-square-foot terminal and two hangars at airport Block 125, Lot 1. That is the airport application site, not the Murray parcel schedule. [2]
- Application 1987-0065.037 concerns a separate paved taxiway project; its comment period is reported closed as of September 11, 2026. This draft is not directed to that closed comment period. [2]
- The broader request for independent family and group-home access belongs in the Borough planning meeting as well. Commission review of an airport application does not itself establish private access rights.

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-26-_____

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1987-1058.089)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1987-1058.089	
Applicant:	**South Jersey Transportation Authority**
Municipality:	Egg Harbor Township
Management Area:	Pinelands Military/Federal Installation Area
Date of Report:	October 23, 2026
Proposed Development:	Construction of a 900 foot long taxiway and two taxiway fillets at the Atlantic City International Airport.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; 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; 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.

NOW, THEREFORE BE IT RESOLVED that Application Number 1987-1058.089 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta					Lohbauer					Rittler Sanchez				
Avery					Matro					Signor				
Buzby-Cope					Mauriello					Wallner				
Irick					Meade					Matos				
Lettman					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____

_____
Susan R. Grogan
Executive Director

_____
Laura E. Matos
Chair

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MIKIE SHERRILL
Governor

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

October 23, 2026

Daniel Corrigan Jr., PE (via email)
South Jersey Transportation Authority
PO Box 351
Hammonton NJ 08037

Re: Application # 1987-1058.089
Block 101, Lot 9
Egg Harbor Township

Dear Mr. Corrigan:

The Commission staff has completed its review of your application for the construction of a 900 foot long taxiway and two taxiway fillets at the Atlantic City International Airport. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 13, 2026 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. 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.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

April Field
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Egg Harbor Township Planning Board (via email)
Egg Harbor Township Construction Code Official (via email)
Egg Harbor Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Rebecca Lyne (via email)

State of New Jersey
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MIKIE SHERRILL
Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

October 23, 2026

Daniel Corrigan Jr., PE (via email)
South Jersey Transportation Authority
PO Box 351
Hammonton NJ 08037

Application No.: 1987-1058.089
Block 101, Lot 9
Egg Harbor Township

This application proposes the construction of a 900-foot-long taxiway and two taxiway fillets at the Atlantic City International Airport on the above referenced 2,381 acre parcel in Egg Harbor Township.

On February 26, 2004, the Commission entered into a Memorandum of Agreement (MOA) (subsequently amended April 16, 2019) with the South Jersey Transportation Authority (SJTA) which authorized the construction of specific short-term and long-term public development projects at the Atlantic City International Airport as identified in the MOA. One of the short-term public development projects authorized by the MOA included the construction of an approximately 3,000 linear foot taxiway within the Auxiliary Area Development (AAD) for aviation related light industry. To date, that 3,000 linear foot taxiway subject of the MOA has not been constructed.

This application is for the construction of a portion of the 3,000 linear foot taxiway previously authorized by the MOA. Because the proposed portion (900 foot long by 135 foot wide) of the taxiway will be wider and result in additional disturbance beyond the original footprint of the 3,000 linear foot taxiway authorized by the MOA, the proposed 900-foot-long taxiway is not subject of the MOA and requires this separate application to the Commission. Specifically, the proposed 900-foot-long taxiway will result in an additional two acres of impervious surface compared to the same 900 foot portion of the original 3,000 linear foot taxiway authorized by the MOA. The applicant has indicated that the remaining portions of the 3,000 linear foot taxiway authorized by the MOA will be constructed upon obtaining additional funding.

This application also proposes two paved taxiway fillets to accommodate larger aircraft turning onto the runway that were not included in the MOA. The proposed fillets will be rectangularly shaped, located at each end of the taxiway to Runway 13-31 and approximately 15,500 square feet in size.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the

Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.29)

The Pinelands Protection Act designates the boundaries of the 938,000 acre Pinelands Area. Within the boundaries of the Pinelands Area, the Pinelands Protection Act also designates the 366,000 acre Pinelands Preservation Area and the 572,000 acre Pinelands Protection Area. The CMP then establishes land management areas such as Regional Growth, Rural Development and Military and Federal Installation that overlay the entire Pinelands Area.

The parcel subject of this application is located in a Military and Federal Installation Management Area. The CMP permits any proposed use associated with the function of a federal installation in a Military and Federal Installation Management Area. The CMP also permits any other public purpose use undertaken by or on behalf of another level of government in a Military and Federal Installation Management Area. The proposed development is proposed by the South Jersey Transportation Authority (SJTA), a state agency, in the Military and Federal Installation Management Area. The proposed development will service the Atlantic City International Airport.

The CMP requires that, where feasible, proposed development in a Military and Federal Installation Management Area shall be located in the Pinelands Protection Area portion of the Pinelands Area. The development proposed in this application meets this requirement.

As further provided for in the CMP, the proposed use will not require any development in a Forest Management Area or the Pinelands Preservation Area District.

The proposed development is a permitted use in a Military and Federal Installation Management Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located within existing grassed areas. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development and meets the vegetation management standards of the CMP.

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 utilize a seed mixture which meets that recommendation.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

The CMP requires that all development be designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any T&E animal species. The 2004 MOA authorized impacts to identified critical habitat for Grasshopper sparrow and Upland sandpiper, threatened and endangered (T&E) animal species, and required SJTA to complete specific mitigation measures to address the loss of critical habitat for these T&E grassland bird species and ensure an equivalent level of protection of Pinelands resources. These measures included creation and enhancement of T&E habitat and protection of lands through creation of a Forest Preservation Area on the airport property.

An amendment to the 2004 MOA was executed by the Commission and SJTA in April 2019. That Amendment also included mitigation measures related to the loss of critical habitat. Specifically, the 2019 MOA Amendment required SJTA to acquire land within the Pinelands and create a grassland conservation and management area of at least 62 acres of viable critical habitat for Grasshopper sparrow and Upland sandpiper. The 2019 MOA Amendment required that the new grassland conservation area be preserved in perpetuity through the recordation of a deed restriction.

On August 12, 2022, the Commission approved a public development application (App. No. 1984-1078.008) for the establishment of a 102.6 acre grassland conservation and management area on 233.3 acre Block 591, Lot 1.02 and Block 864, Lot 15 in Hamilton Township. SJTA subsequently submitted the results of two monitoring reports demonstrating that the grassland conservation and management area has been successfully established on the parcel. As part of the application, SJTA created and deed restricted an additional 40.6 acres of grassland conservation and management area beyond the 62 acres required by the 2019 MOA Amendment.

The 900 foot portion of the 3,000 linear foot taxiway authorized by the 2004 MOA would have resulted in approximately 1.63 acres of impacts to T&E grassland bird species critical habitat. The proposed wider 900-foot taxiway subject of the current application will result in an additional two acres (3.63 acres total) of impacts to Grasshopper sparrow and Upland sandpiper critical habitat. Additionally, the two taxiway fillets will result in approximately 0.71 acres of impacts to Grasshopper sparrow and Upland sandpiper critical habitat.

To address these additional impacts, the applicant proposes the following conservation measures:

- No development activities, including land disturbance, shall occur during the season (April 1-September 30) when the grassland bird species are present onsite; and

- Prior to completion of construction each year (March 31), all disturbed pervious areas within the limits of the project area shall be seeded with Creeping bentgrass (25 lb/acre); Strong creeping red fescue (50 lb/acre) and Red fescue (40 lb/acre) as required by the 2004 MOA.

With the conditions below, together with the previously implemented mitigation measures, the proposed development meets the T&E protection standards of the CMP.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

To meet the stormwater management standards, the application proposes to construct six underground stormwater infiltration basins. The proposed development meets CMP stormwater management standards.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The Commission staff reviewed the application for evidence of significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required. The proposed development meets cultural resources protection standards.

PUBLIC COMMENT

This applicant has provided the requisite public notices. Online news publication notice was completed on May 22, 2026. The application was designated as complete on the Commission's website on September 24, 2026. The Commission's public comment period closed on October 9, 2026. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan consisting of 45 sheets, prepared by Michael Baker International, Inc. and dated as follows:

   Sheets 1-33, 38-40 & 42-45 – May 2026
   Sheets 34-37 & 41 – May 2026; last revised September 2, 2026

2. Disposal of any construction debris or excess fill may only occur at an appropriately license facility.

3. Prior to any development, the applicant shall obtain any other necessary permits or approvals.

4. To meet CMP standards for protection of T&E grassland bird species, no development activities, including land disturbance, shall occur between April 1st and September 30th of any year.

5. To meet CMP standards for protection of T&E grassland bird species, all disturbed, pervious areas within the limits of the project area shall be revegetated with the above-mentioned seed mixture by March 31st of each year until construction is completed.

CONCLUSION

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.

State of New Jersey
THE PINELANDS COMMISSION
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(609) 894-7300
www.nj.gov/pinelands

MIKIE SHERRILL
Governor

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission 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 and received by the Commission's office no later than 5:00 PM on November 10, 2026 and include the following information:

1. the name and address of the person requesting the appeal;

2. the application number;

3. the date on which the determination to be appealed was made;

4. a brief statement of the basis for the appeal; and

5. 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.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-26-_____

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1982-2683.004 & 2024-0139.001)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

1982-2683.004	
Applicant:	**Stafford Township**
Municipality:	Stafford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 23, 2026
Proposed Development:	Construction of a 2,000 square foot building addition at the Nautilus Drive Fire Station; and

2024-0139.001	
Applicant:	**Galloway Township**
Municipality:	Galloway Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 23, 2026
Proposed Development:	Installation of a sanitary sewer pump station and sanitary sewer mains within the Ash, Chestnut, Beech, Roosevelt, McKinley, Damson, Hayes, Garfield, Ebony Tree, Genista & Fir Avenue rights-of-way.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform 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; 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.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1982-2683.004 & 2024-0139.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta					Lohbauer					Rittler Sanchez				
Avery					Matro					Signor				
Buzby-Cope					Mauriello					Wallner				
Irick					Meade					Matos				
Lettman					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair

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Chair
SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

October 23, 2026

Matthew von der Hayden (via email)
Stafford Township
260 East Bay Ave.
Manahawkin NJ 08050

Re: Application # 1982-2683.004
Block 44.102, Lots 6 - 10
Stafford Township

Dear Mr. von der Hayden:

The Commission staff has completed its review of your application for construction of a 2,000 square foot building addition at the Nautilus Drive Fire Station. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 13, 2026 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. 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.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

April Field
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Stafford Township Planning Board (via email)
Stafford Township Construction Code Official (via email)
Stafford Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Frank Little, Jr, PE, PP, CME (via email)

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General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

PUBLIC DEVELOPMENT APPLICATION REPORT

October 23, 2026

Matthew von der Hayden (via email)
Stafford Township
260 East Bay Ave.
Manahawkin NJ 08050

Application No.: 1982-2683.004
Block 44.102, Lots 6 - 10
Stafford Township

This application proposes the construction of a 2,000 square foot building addition at the Nautilus Drive Fire Station located on the above referenced 0.62 acre parcel in Stafford Township.

The building addition will be utilized for vehicle storage.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.28)

The parcel is located in a Pinelands Regional Growth Area. The proposed development is a permitted use in a Regional Growth Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located over existing impervious surfaces. The proposed disturbance is limited to that which is necessary to accommodate the development and meets the vegetation management standards of the CMP.

Water Quality Standard (N.J.A.C. 7:50-6.83)

The proposed development will be serviced by public sanitary sewer.

PUBLIC COMMENT

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on September 9, 2026. The Commission's public comment period closed on October 9, 2026. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of two sheets, prepared by Owen, Little & Associates, Inc., both sheets dated July 14, 2026.

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.

3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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.

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PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission 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 and received by the Commission's office no later than 5:00 PM on November 10, 2026 and include the following information:

1. the name and address of the person requesting the appeal;

2. the application number;

3. the date on which the determination to be appealed was made;

4. a brief statement of the basis for the appeal; and

5. 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.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

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General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

October 23, 2026

Chris Johansen (via email)
Galloway Township
300 East Jimmy Leeds Road
Galloway NJ 08205

Re: Application # 2024-0139.001
Ash, Chestnut, Beech, Roosevelt, McKinley, Damson, Hayes, Garfield,
Ebony Tree, Genista & Fir Avenues
Block 824, Lot 1
Galloway Township

Dear Mr. Johansen:

The Commission staff has completed its review of your application for the installation of a sanitary sewer pump station and sanitary sewer mains within the Ash, Chestnut, Beech, Roosevelt, McKinley, Damson, Hayes, Garfield, Ebony Tree, Genista & Fir Avenue rights-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 13, 2026 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. 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.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

April Field
Director of Regulatory Programs

Enc: Appeal Procedure
c: Secretary, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Vincent Polistina (via email)
Jim Gorman (via email)

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SUSAN R. GROGAN
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

PUBLIC DEVELOPMENT APPLICATION REPORT

October 23, 2026

Chris Johansen (via email)
Galloway Township
300 East Jimmy Leeds Road
Galloway NJ 08205

Application No.: 2024-0139.001
Ash, Chestnut, Beech, Roosevelt, McKinley, Damson, Hayes, Garfield, Ebony Tree, Genista & Fir Avenues
Block 824, Lot 1
Galloway Township

This application proposes the installation of a sanitary sewer pump station on the above referenced 0.21 acre parcel and 21,575 linear feet of sanitary sewer mains within the Ash, Chestnut, Beech, Roosevelt, McKinley, Damson, Hayes, Garfield, Ebony Tree, Genista & Fir Avenue rights-of-way in Galloway Township.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.28)

The proposed development is located in a Pinelands Regional Growth Area. The proposed development is a permitted use in a Regional Growth Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

Approximately 6,505 linear feet of the proposed 21,575 linear feet of sewer main will be located under paved roadways. The balance of the proposed sewer main will be located within gravel roads and wooded areas. The proposed development will disturb approximately 4.55 acres of wooded area. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the development and meets the vegetation management standards of the CMP.

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 utilize a seed mixture which meets that recommendation.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

There are known Red-headed woodpecker sightings in the general vicinity of the proposed development. The applicant performed a threatened and endangered (T&E) species survey for Red-headed woodpecker within the 120 acre area proposed for development. The survey did not identify any Red-headed woodpeckers or habitat critical to their survival within the project area.

The parcel is in proximity to a known Northern long-eared bat maternity roost area. A maternity roost area is where female Northern long-eared bats gather to give birth and raise their young. The CMP designates Northern long-eared bat as an endangered animal species. The CMP requires that all development be designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any T&E animal species.

To meet T&E protection standards for the Northern long-eared bat, no tree clearing shall occur for the proposed development during the active summer bat season (April 1 - September 30) of any year. With the below condition, the proposed development meets the T&E protection standards of the CMP.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

To meet the stormwater management standards, the application proposes to construct stormwater infiltration swales within the areas cleared to install the proposed sanitary sewer mains. The proposed development meets the CMP stormwater management standards.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The Commission staff reviewed the application for evidence of significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required. The proposed development meets the cultural resource protection standards of the CMP.

PUBLIC COMMENT

This applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on August 28, 2026. Online news publication notice was completed on September 24, 2026. The application was designated as complete on the Commission's website on September 29, 2026. The Commission's public comment period closed on October 9, 2026. The Commission received a written public comment regarding this application.

Public Comment:	The commenter expressed concern with the use of public funds to subsidize private development.
Commission Response:	While the Commission understands the commenter's concerns, the development subject of this application meets all CMP standards and is being recommended for approval on that basis.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to

the plan, consisting of eight sheets, prepared by Polistina & Associates, LLC and dated as follows:

Sheet 1 - August 2026
Sheets 2-8 - August 28, 2026

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.

3. Any proposed revegetation 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.

4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

5. To meet T&E protection standards for the Northern long-eared bat, no tree clearing shall occur on the parcel between April 1st and September 30th of any year.

CONCLUSION

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.

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PINELANDS COMMISSION
APPEAL PROCEDURE

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1. the name and address of the person requesting the appeal;

2. the application number;

3. the date on which the determination to be appealed was made;

4. a brief statement of the basis for the appeal; and

5. 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.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

From: Jim Gorman [redacted]
Received: 9/1/2026 3:05:27 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Galloway Sewer
Attachments: Publication - FINAL PASSAGE #2160-2026.docx

To Whom It May Concern,

I am writing to formally voice my strong opposition to the project outlined in the attached legal notice regarding Galloway, NJ.

Public funds and tax incentives should not be used to subsidize private development. If developers wish to build within our community, they should bear the full financial responsibility of their infrastructure, engineering, and construction costs, just as landowners and developers have historically done.

Allocating taxpayer resources toward this initiative places an unfair burden on local residents through increased taxes, without providing a tangible public benefit or supporting the preservation of the Pinelands. I urge the board to vote against this proposal and protect the financial interests of Galloway taxpayers by requiring the developer to fully fund their own project.

Thank you for your time, consideration, and dedication to serving our community responsibly.

Sincerely,

Jim *Gorman*
[redacted]

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MIKIE SHERRILL
Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott KE
Planning Specialist

Date: October 30, 2026

Subject: No Substantial Issue Findings

During the past month, the Land Use Programs Office reviewed 21 ordinances and one master plan reexamination report that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

Data Center-Related Ordinances

Bass River Township Ordinance 2026-4 – amends Title 17, Zoning, of the Code of Bass River Township to establish a definition of "data center" and a new Section 17.24.150, Data Centers, expressly prohibiting data centers in all zoning districts of the Township.

Estell Manor City Ordinance 4-2026 – amends Chapter 380, Zoning, of the Code of Estell Manor City to establish a definition of "data center" and expressly prohibit data centers in all zoning districts of the City.

Galloway Township Ordinance 2172-2026 – establishes a six-month moratorium on the acceptance, processing, review, and approval of applications for data centers, as well as their development, construction, expansion, and operation, pending further study and review by the Township Planning Board, Environmental Commission, and Township professionals. The ordinance defines data centers and prohibits them in all zoning districts for the duration of the moratorium.

Manchester Township Ordinance 26-48 – amends the previously certified Redevelopment Plan for Block 62, Lots 30 and 31.01. Specifically, the ordinance repeals Ordinance 25-27, which had amended the redevelopment plan to permit data centers and associated accessory uses. As a result, data centers are no longer permitted within the redevelopment area.

Shamong Township Ordinance 2026-3 – amends Chapter 110, Land Development, of the Code of Shamong Township to establish a definition of "data center" and expressly prohibit data centers throughout the Township.

Stafford Township Ordinance 2026-22 – amends Chapter 211, Zoning, of the Code of Stafford Township to establish a definition of "data center" and expressly prohibit data centers throughout the Township.

Stafford Township Ordinance 2026-25 – amends Chapter 211, Zoning, of the Code of Stafford Township to revise the definition of "data center" by removing the requirement that a facility qualify as a commercial electric customer requesting a peak electrical load of 100 megawatts or more, whether served by a single meter or multiple meters at a contiguous facility.

Upper Township Ordinance 015-2026 – amends Chapter 20, Zoning, of the Code of Upper Township to establish definitions of "accessory server room" and "data center" and expressly prohibit data centers in all zoning districts of the Township. The ordinance also establishes conditions under which accessory server rooms are permitted in all nonresidential zoning districts of the Township.

Winslow Township Ordinance O-2026-029 – amends Chapter 296, Zoning Within Pinelands Area, of the Code of Winslow Township to establish a definition of "data node," revise the definition of "data center," and expressly prohibit data nodes in all zoning districts of the Township.

Tree Removal and Replacement Ordinances

Corbin City Ordinance 4-2026 – establishes Chapter 93, Tree Removal and Replacement, of the Code of Corbin City. The ordinance applies to the removal of street trees and non-street trees with a DBH of eight inches or more. It establishes thresholds for required tree replacement and replacement rates based on the size and number of trees removed. If some or all of the required replacement trees cannot be planted on the site where removal occurred, the City may permit planting elsewhere in the municipality or payment of a fee in lieu of planting, as established by the ordinance. The ordinance also identifies various tree removal activities that are exempt from its requirements.

Lacey Township Ordinance 2026-18 – amends Chapter 313, Trees, of the Code of Lacey Township. Specifically, the ordinance revises Section 313-11, Tree Removal and Replacement Standards, to increase the minimum diameter of non-street trees subject to replacement requirements from six inches to 12 inches. The ordinance also reduces the contribution to the Township Tree/General Improvement Fund, which may be made in lieu of planting replacement trees, from $300 to $50 per tree and decreases the maximum contribution from $15,000 to $2,500 per cleared acre.

Pemberton Township Ordinance 19-2024 – amends Section 190-74 of Chapter 190, Zoning, of the Code of Pemberton Township to establish additional tree removal and replacement requirements. Specifically, the ordinance adds definitions related to tree management, establishes tree removal and replacement standards for existing properties and development projects, and requires compensatory planting when qualifying trees are removed. The ordinance also establishes alternatives to compensatory planting, including payments in lieu of planting at a rate of $35 per tree removed, up to a maximum of $700 per acre. In addition, the ordinance establishes exemptions from tree replacement requirements and includes enforcement and penalty provisions.

Pemberton Township Ordinance 25-2026 – amends Section 190-74 of Chapter 190, Zoning, of the Code of Pemberton Township to require that payments made in lieu of planting compensatory trees be deposited into a dedicated Township fund for tree planting and ongoing maintenance.

Cannabis Ordinances

Waterford Township Ordinance 2026-20 – amends Chapter 176, Land Use, Development and Zoning, of the Code of Waterford Township. The ordinance removes Class 3 (Wholesale), Class 4 (Distribution), and Class 6 (Delivery) cannabis businesses as conditionally permitted uses in the Planned Light Industrial (PI) District; removes Class 2 (Manufacturing) cannabis businesses as a permitted use in the Agricultural (AG) District; and changes Class 1 (Cultivation) cannabis businesses from a permitted use to a conditionally permitted use in the AG District. The ordinance also prohibits Class 1 (Cultivation) businesses in the AG District from engaging in activities that would qualify as an agricultural products processing facility. The PI District is located within a Pinelands Rural Development Area, while the AG District is located within a Pinelands Agricultural Production Area. In addition, the ordinance amends and supplements bulk, setback, security, and odor mitigation requirements applicable to cannabis businesses throughout the Township.

Waterford Township Ordinance 2026-21 – amends Chapter 101, Cannabis, of the Code of Waterford Township to establish limits on the number of cannabis business licenses permitted by class. These include a maximum of six Class 1 (Cultivation) licenses Township-wide, with no more than two in the Agricultural (AG) District; two licenses each for Classes 2 (Manufacturing), 3 (Wholesale), and 4 (Distribution); and three licenses each for Classes 5 (Retail) and 6 (Delivery). The ordinance also revises the zoning districts in which cannabis businesses may operate to align with Ordinance 2026-20, modifies setback and separation requirements, establishes additional requirements for resolutions of support, increases annual licensing fees, and amends security, odor mitigation, waste management, and enforcement requirements. In addition, the ordinance removes the definitions of "cannabis consumption area" and "microbusiness" and revises several other definitions.

Other Ordinances and Master Plans

Dennis Township Ordinance 2026-11 – amends Chapter 185, Zoning, of the Code of Dennis Township and supersedes Ordinance 2025-05, which was previously submitted for Commission review. The ordinance revises district regulations governing accessory uses and building heights. Within the Pinelands Area, these amendments affect the Pinelands Village (PV), Rural Development (PR), Moderate-Density Forest (PF8), and Low-Density Forest (PF25) districts. The PV District is located within a Pinelands Village, the PR District is located within a Pinelands Rural Development Area, and the PF8 and PF25 districts are located within a Pinelands Forest Area. In particular, the ordinance permits farm buildings in the PR, PF8, and PF25 districts to exceed the otherwise applicable 30-foot height limit, up to a maximum height of 50 feet. The CMP exempts agricultural structures that are compatible with uses in the immediate vicinity from the 35-foot height limit otherwise applicable to Rural Development Areas and Forest Areas.

Dennis Township Ordinance 2026-12 – amends Chapter 185, Zoning, of the Code of Dennis Township and supersedes Ordinance 2025-06, which was previously submitted for Commission review. The ordinance amends Section 185-73, Conditional Uses, to establish wireless telecommunications equipment and facilities as a conditionally permitted use on municipal property. It also establishes standards governing maximum height, setbacks, visual impacts, and colocation. These provisions incorporate the CMP standards for local communications facilities at N.J.A.C. 7:50-5.4(c).

Lacey Township Ordinance 2026-15 – amends Section 335-22, Fences, of Chapter 335, Zoning, of the Code of Lacey Township to remove references to screens and planted materials, thereby clarifying that the section regulates constructed fences rather than vegetative screening.

Manchester Township 2025 Master Plan Reexamination Report – provides an update on the major problems and objectives related to land development identified in previous reexamination reports and discusses changes in policies and objectives since the last reexamination. The report also summarizes recommended amendments to the Township's master plan and land use regulations, including various zoning changes within the Pinelands Area portion of the Township that have since been revised, adopted, and certified by the Pinelands Commission.

Manchester Township Ordinance 26-44 – amends Chapter 245, Land Use and Development, of the Code of Manchester Township to adopt a revised zoning map, dated March 23, 2026, incorporating various zoning changes and redevelopment areas previously certified by the Pinelands Commission. The revised map supersedes the zoning map adopted by Ordinance 26-26, which was previously submitted for Commission review. Ordinance 26-44, together with previously certified Ordinances 26-23 and 26-24, also effectively supersedes Ordinance 24-40, which was previously submitted for Commission review.

Manchester Township Ordinance 26-46 – amends Section 245-74.1, Mixed Use Development, of Chapter 245, Land Use and Development, of the Code of Manchester Township. The ordinance reduces the minimum number of dwelling units required for a multifamily residential dwelling from eight to six, revises various setback requirements, and reorganizes the list of permitted commercial uses to include descriptions corresponding to existing NAICS codes. Mixed use development is permitted in the Pinelands Business (PB-1) District, which is located within a Regional Growth Area.

Pemberton Township Ordinance 24-2026 – amends Section 190-43, Sidewalks, of Chapter 190, Zoning, of the Code of Pemberton Township to authorize the Planning Board or Board of Adjustment to waive sidewalk and curbing requirements otherwise imposed as a condition of major subdivision or site plan approval and accept a payment in lieu of those improvements. The ordinance also establishes the Pemberton Township Pedestrian Safety Fund, into which such payments would be deposited for use on various pedestrian safety projects throughout the Township.

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-26-_____

TITLE: To Revise and Adopt the Pinelands Commission Personnel Policies

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the New Jersey Pinelands Commission (the "Commission") is an independent State agency responsible for carrying out the statutory and regulatory mandates applicable to the Pinelands Area and for administering its personnel and day-to-day operations; and

WHEREAS, the Commission maintains Personnel Policies to establish consistent policies and procedures governing the administration of its workforce and the terms and conditions of employment, subject to applicable law, regulation, and collective negotiation agreements; and

WHEREAS, the Commission's current Personnel Policies were adopted in 1990 and last amended in 2011, making them outdated due to changes in applicable federal and State laws, rules, regulations, personnel practices, collective negotiation agreements, and Commission policies and procedures; and

WHEREAS, the Commission has undertaken a comprehensive review and update of its Personnel Policies to incorporate applicable current requirements of the State of New Jersey, including applicable laws, rules, regulations, policies, directives, and personnel practices governing State agencies and public employees; and

WHEREAS, the updated Personnel Policies have been reviewed and revised to conform, where applicable, with the Collective Negotiation Agreements between the New Jersey Pinelands Commission and Communications Workers of America, Local 1040, for the period July 1, 2023 through June 30, 2027, applicable to the Commission's bargaining units; and

WHEREAS, the updated Personnel Policies have also been revised to reflect current policies, procedures, administrative practices, and operational processes of the New Jersey Pinelands Commission; and

WHEREAS, the Executive Director has recommended the Commission's adoption of updated Personnel Policies, dated October 2026; and

WHEREAS, the Commission's Personnel and Budget Committee has reviewed the updated Personnel Policies, dated October 2026, and recommended their adoption by the Commission; and

WHEREAS, the Commission finds that the updated Personnel Policies will provide Commission employees and management with clear and consistent guidance concerning personnel administration, employee responsibilities, workplace practices, benefits, compensation, leave, conduct, and other matters relating to employment with the Commission; and

WHEREAS, the Commission further finds that adoption of updated Personnel Policies is necessary and appropriate to ensure that the Commission's personnel policies remain current, consistent, transparent, and aligned with applicable State requirements and collective negotiation agreements; 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 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 Personnel Policies, dated October 2026, are hereby adopted.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta					Lohbauer					Rittler Sanchez				
Avery					Matro					Signor				
Buzby-Cope					Mauriello					Wallner				
Irick					Meade					Matos				
Lettman					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair

Property of the
Pinelands Commission

PERSONNEL POLICIES

Revised October 2026

This document is the Commission's property and is also posted on the Commission's intranet. I understand that I am responsible for familiarizing myself with policies in this handbook and agree to comply with all policies contained herein. I acknowledge receipt of same as evidenced by my signature below.

ISSUED TO: _____

SIGNED: _____

DATE ISSUED: _____

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Introduction

The purpose of these Personnel Policies is to describe the general policies, procedures, requirements, and benefits of employment with the Pinelands Commission.

Every employee should become familiar with the Personnel Policies. Although information about employee benefits provided through arrangements with a third party (e.g., health insurance) is included, this document should not be considered as a substitute for the specific requirements of those programs, contracts, and insurance policies. Any questions about the Personnel Policies should be directed to supervisors and Human Resources.

These policies also reflect provisions of the Commission's collective bargaining agreements with the Communications Workers of America, Local 1040. Although these policies apply to all Commission employees, employees who are governed by a collective bargaining agreement should familiarize themselves with its terms because the specific terms of the agreement will control should a conflict arise between these policies and a specific provision of a collective bargaining agreement. To the extent that these policies address matters not specifically or expressly covered by the collective bargaining agreements, these policies will apply.

The Commission is committed to these policies and programs but must reserve the right to change them if it determines that it is necessary to do so because of changing conditions or unusual circumstances.

Finally, these policies are not a contract of employment between the Commission and an employee.

Administration of the Personnel Policies

As the Pinelands Commission's Chief Operating Officer, the Executive Director is responsible for administering these policies. Administration of certain policies and procedures expressly involves the Commission and/or its Personnel and Budget Committee. In addition, supervisory staff and Human Resources play a major role in effectively carrying out these policies, procedures, and programs.

Acceptable use of the Internet and Electronic Mail/Messaging

The Pinelands Commission follows the State policies regarding acceptable use of the internet and electronic mail/messaging, full copies of which can be found on the Commission's Intranet in the IS section.

Commission-provided email/messaging systems are Commission property and are intended for official business. The use of email/messaging systems by Commission employees is a privilege which constitutes the acceptance of responsibilities and obligations that are subject to all federal, state, and local laws and regulations. Commission employees are subject to discipline for misuse or unauthorized access, disclosure, or monitoring of electronic mail in accordance with applicable laws, regulations, collective bargaining agreements, and agency progressive discipline practices. Staff should not expect their email/messaging communications to be private and should not use Commission-provided email/messaging systems for personal matters.

Employees are given Commission-provided access to the Internet to assist them in the performance of their jobs. The Commission may monitor Internet activity, and therefore, users should have no expectation of privacy. All records created by Internet use, including path records, are the property of the Commission and are subject to monitoring. Users are expected to conduct their electronic communications in a professional, responsible, and courteous manner. Misuse of the Commission's information infrastructure, information technology and electronic communications media, including, but not limited to, the unauthorized transmission of confidential or proprietary information; the use of profane, harassing or other offensive language; or other inappropriate uses, may subject the user to discipline, including, but not limited to, termination of employment, initiation of civil action, or criminal prosecution.

Employees should report any unauthorized use of Commission-provided computer hardware/software, internet, email/messaging systems to Human Resources for appropriate action.

Attire and Grooming

The Commission does not have a strict dress code and instead strives to provide a professional yet relaxed environment that enables employees to do their best work and present a positive image to other staff and the public. Therefore, employees are expected to come to the office looking neat, clean and dressed in appropriate business casual attire. Attire that is tight, revealing, ripped or otherwise inappropriate for the workplace is not permitted.

The same standard applies to employees working remotely when participating in meetings with coworkers or the public.

Employee Access

In order to safeguard matters essential to the Commission, employees do not have free and unlimited access to all Commission offices or records.

In addition to personnel records, certain other records pertaining to contracts, finances, union matters, litigation, and closed session discussions are restricted. Any questions concerning access to these and other records should be referred to Human Resources.

Identification Cards and Field Apparel

All employees are issued an employee identification card. When conducting field work, employees should be prepared to display their identification cards so that other people can readily ascertain their employment status with the Commission.

The Commission will provide appropriate apparel, such as clothing and boots, for employees whose normal work assignments require that they regularly or periodically conduct field work.

Personal Business

Because of its disruptive nature and the associated costs to the Commission, employees should not conduct personal business during work hours. Personal calls, texts and emails may be made and received on an employee's own cell phone as long as they do not unduly disrupt business functions. No long-distance personal telephone calls should be made using the Commission's telephone system.

The Commission's offices, grounds, equipment, computers, telephones, printers, copy machines, office supplies, and other State resources are to be used for Commission business and in accordance with applicable law and Commission policies. Employees may not use State resources for personal business or outside activities, except as permitted by the Commission's Computer and Technology Use Policy and other applicable policies.

Relations with the Public

There may be occasions when a member of the public acts in a discourteous manner or uses objectionable language during a telephone call, virtual meeting (Teams, Zoom) or while visiting or attending a meeting at the office. Employees are expected to maintain their professionalism in these instances. If the person's behavior becomes overly offensive or threatening, employees should first advise the person that the Commission has a zero-tolerance policy for abusive, threatening or offensive language and the person must cease that conduct immediately. If the behavior or language persists, the employee should indicate that he/she will no longer participate

in the phone call, virtual meeting, in-person meeting or conversation at the office and disconnect or leave the room. The employee must report the incident, in writing, to their supervisor. If the supervisor determines it is warranted, he/she shall inform their Director who will decide what additional actions may be necessary.

The Commission's Violence in the Workplace Policy (see Attachment A) will govern in instances whenever a member of the public exhibits abusive or threatening behavior.

Assignments

The staff of the Pinelands Commission is organized under the general direction of the Commission's Executive Director.

The Commission's Table of Organization (Appendix A) denotes the offices of the organization which report to the Executive office. The Executive Director is responsible for assigning specific responsibilities to each office after consultation with the Commission.

The Executive Director shall also be responsible for maintaining descriptions of each staff position as well as a description of the required education and/or work experience attendant to each position.

Temporary Assignments

The Executive Director is authorized to temporarily reassign staff members from one position to another in recognition of changed operational needs, provided that the employee is qualified to perform the duties of the position to which they are to be reassigned, and the reassignment has no effect on the employee's salary. Permanent reassignments will be considered transfers and be handled as such.

If a sudden vacancy or other unusual circumstance arises, the Executive Director may temporarily reassign an employee to another more senior position in an "acting" capacity. In such a case, the employee must be qualified to perform the duties of the position and will receive a temporary pay increase consistent with the Commission's policy on promotions.

Business Use of Personal Vehicles

The Commission provides its staff with several vehicles for field work and other official business. Only Commission staff, Commission-approved volunteers and subcontractors, or government officials are allowed in Commission vehicles. In the event no Commission vehicles are available for use, an employee may need to use his or her personal vehicle for business purposes. The employee must possess a valid driver's license, and the vehicle must be insured per New Jersey law.

Reimbursement for use of personal vehicles will be based on the actual miles driven, less normal commuting miles if applicable, using the current approved State mileage reimbursement rate. Parking and toll charges supported by receipts will be reimbursed at the actual cost. To receive reimbursement, employees must submit a properly completed travel expense reimbursement form to the Business Services Manager. For budgetary purposes, all such requests must be submitted in a timely fashion so that reimbursements may be made within the same fiscal year (July 1–June 30) as when the expenses were incurred. Requests for reimbursement of mileage and other expenses incurred during the month of June must be submitted and paid for by the end of July.

The Commission assumes no liability for an employee's vehicle used for Commission business or damage to an employee's vehicle while parked on Commission property.

Care of Buildings, Equipment and Vehicles

The Commission values an attractive, comfortable and efficient working environment for its employees and recognizes the historic nature of its offices. All employees are expected to be sensitive to the care and appearance of the office, equipment and vehicles.

All employees share the responsibility of ensuring that the Commission's equipment, vehicles and facilities are neat and in good working order. If an equipment, vehicle or physical plant defect is discovered, it should be immediately reported to the Facilities Operations Supervisor so that steps may be taken to remedy the situation.

Office Improvements

The Facilities Operations Supervisor is responsible for planning improvements to the buildings and grounds to make them more functional and attractive. Employees are encouraged to offer suggestions to the Facilities Operations Supervisor that they feel can improve our office.

Securing the Buildings

The Commission's offices must be properly secured at all times. All exterior doors must be locked, except when a public meeting or other event is being held in the RJS building, in which case the front door will be unlocked for the duration of the meeting or event. All doors that provide access to non-public areas of the Commission’s office buildings must be kept locked at all times. Please refer to the Violence in the Workplace Policy in Attachment A for additional security requirements.

At the end of each workday, the last employee in each building is responsible for ensuring that all exterior doors are locked, all windows are closed, all lights are turned off, and the alarm is set. Employees will be provided with alarm codes for the office buildings. Alarm codes may not be

shared with anyone other than Commission employees, law enforcement, or emergency personnel.

Employees entering any Commission building outside of normal business hours, including weekends and holidays, must notify the Facilities Operations Supervisor by email, phone call or text before accessing the building. Employees are also responsible for ensuring that the building is properly secured, including setting the alarm when leaving, if they are the last or only person in the building.

Ethical Obligations

As public officials, employees of the Commission have a duty and obligation to maintain the trust and confidence of the public. Consequently, every employee must become familiar with and abide by the State's Uniform Code of Ethics and, if one is promulgated, the Commission's Supplemental Code of Ethics. If questions arise as to their application in given situations, employees should consult with the Ethics Liaison Officer beforehand.

Attendance at Events, Speaking Engagements and Publications

Although employees are encouraged to accept professional speaking engagements and contribute articles for professional publications, care must be exercised so that participation in such events does not present an appearance of impropriety. Employees shall not accept compensation for published works created as part of their official duties on Commission time utilizing Commission resources but may accept compensation for published work(s) not created as part of their official duties. Prior approval must be obtained from the Executive Director and the Ethics Liaison Officer to accept compensation for published work(s) not created as part of their official duties.

If an employee wishes to accept a speaking engagement, prepare an article, book or photograph or any other form of published work for publication, or attend an event that they are invited to because of their official position, prior written approval by the Ethics Liaison Officer must be obtained to ensure that an employee does not unknowingly violate the Uniform Code of Ethics or the Commission's outside employment and activities policies.

Confidentiality

Every employee at some time or another is likely to have access to information or documents that must remain confidential. This type of information may include, but is not limited to, that which may affect the right to privacy of others, relates to privileged attorney-client information in pending or possible lawsuits, or relates to the pending or possible acquisition of land. Employees must exercise extreme care so that confidential information is held in confidence and should consult with their supervisors and/or the Commission's Ethics Liaison Officer if any doubt exists about the confidential nature of any documents or information.

Disclosure of confidential information or documents acquired through an employee's position with the Commission constitutes a violation of the State's Uniform Code of Ethics. Such disclosure may result in discipline up to and including termination.

Ethics Standards and Training

Employees are subject to the requirements of the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-12 *et seq.*, the implementing regulations promulgated by the State Ethics Commission at N.J.A.C. 19:61, the Uniform Code of Ethics, the Plain Language Guide to New Jersey's Executive Branch Ethics standards, including any revisions, amendments or supplementations to same.

Employees are required to take yearly ethics training. At least once within a three-year training cycle, employees are obligated to take full ethics training either live in person or through prerecorded online training modules. In each of the two intervening years, employees must take the online ethics briefing. The Commission's Ethics Liaison Officer will advise employees as to the format for full ethics training and shall be provided with a copy of the emailed receipt of attendance provided for completion of such training. Ethics training must be completed by July 1st each year.

Employees should contact the Commission's Ethics Liaison Officer regarding any questions or concerns about their ethics obligations as a Commission employee.

Exploitation of Official Position

Employees may not use their Commission position to secure a job, contract, governmental approval, or special benefit, advantage or privilege of any kind for themselves, family members, friends, or others.

Gifts

Employees often wish to know how to deal with gifts that are sometimes offered to them by people who do business with or are applicants before the Commission. The Uniform Code of Ethics prohibits the acceptance of a gift, favor, service, or other thing of value related in any way to the employee's official duties or job responsibilities. There is a zero-tolerance policy for the acceptance of gifts.

In practical terms, employees should refrain from accepting a gift, favor, service, fee, commission, gratuity, or consideration of any kind either directly or indirectly. This is not intended to prohibit the acceptance of routine promotional or advertising items of trivial or nominal value, provided the use of such items does not create an impression of a conflict of interest. The receipt of such complimentary articles is not required to be reported to the Commission's Ethics Liaison Officer.

In the event an employee, their spouse or partner, or immediate family member is offered or sent a gift, the employee should immediately bring the gift to the Commission's Ethics Liaison Officer, or in their absence, the Business Services Manager. The Commission's Ethics Liaison Officer will make arrangements to return the gift to the sender or, if that is not possible or the gift is perishable, the Commission's Ethics Liaison Officer will make arrangements to donate it to a charitable organization.

Job Solicitation

Employees who have direct and substantial contact with interested parties, i.e. applicants or employees, consultants or agents of entities that are subject to the Commission's jurisdiction, the Commission's vendors/suppliers, or organizations that advocate or represent the positions of their members before the Commission, shall not circulate resumes or seek employment in any manner with those individuals or entities while still in Commission service.

If an employee is solicited for potential employment by an entity with which they have direct and substantial contact, that solicitation must be disclosed immediately to the Ethics Liaison Officer.

Other employees, who do not have such direct and substantial contact with interested parties, may circulate resumes and engage in potential employment discussions with such entities so long as they avoid any situations that may give rise to an unwarranted advantage or potential conflict of interest. Solicitation or discussions regarding employment with entities that have a specific cause, proceeding, application or other matters pending before the Commission are prohibited.

Lifetime Post-employment Restrictions

An employee may not, at any time, after terminating employment with the Commission, represent, appear for, negotiate on behalf of, or provide information or services not generally available to members of the public, or agree to perform any of those activities, for any party in connection with a specific cause, proceeding, application or matter with which the employee was substantially and directly involved at any time during the course of their employment with the Commission.

This lifetime ban applies not only to the employee, but would also apply to the partnership, firm or corporation for which the employee is employed if: 1) the former employee is a shareholder, associate or professional employee of a firm organized as a professional service corporation or 2) the former employee owns or controls more than 10% of the stock of a corporation or more than 10% of the profits or assets of a firm, association, or partnership.

Nepotism

Because of an appearance of impropriety, the hiring of an employee's relative (e.g. spouse, civil union partner, parent, spouse's or civil union partner's parent, child, sister, brother, aunt, uncle, niece, nephew, grandparent, grandchild, foster child, or child under legal guardianship, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, whether the relative is related to the employee or the employee's spouse or civil union partner by

blood, marriage, civil union, or adoption), cohabitant or someone whom the employee is dating should be avoided.

Any exception to this policy must be approved by the Commission's Ethics Liaison Officer and the Executive Director and will be considered only when neither the employee nor the prospective employee exercises direct or indirect authority, supervision or control over each other and neither will occupy a position which has influence over the other's employment, promotion, salary administration, and other related management or personnel considerations.

If one employee marries another, both may retain their employment if one does not directly or indirectly have authority, supervision or control over the other, and neither occupies a position which has influence over the other's employment, promotion, salary administration, and other related management or personnel considerations.

In addition, in accordance with the requirements of N.J.S.A. 52:14-7.1, the Commission shall not employ a relative of a Commissioner.

Recusal

Employees must recuse themselves from official matters in which:

a) Involves any private sector individual association, corporation or other entity that employed or did business with the State officer or employee or special State officer or employee during the one year prior to the employee's commencement;

b) They have had any involvement, other than on behalf of the Commission, prior to commencement of their Commission service; or

c) They have a direct or indirect personal or financial interest that is incompatible with the proper discharge of their official duties.

Employees should discuss with the Ethics Liaison Officer any concerns or questions they may have regarding a potential conflict of interest or whether recusal is required in a particular matter.

If the Ethics Liaison Officer determines that recusal is required, the employee must execute the recusal in writing, identify the staff member who will be responsible for the matter as a result of the recusal, and have no involvement with the matter from which they are recused.

Outside Activities and Employment

Employees will not be permitted to engage in outside employment, service or activities, whether compensated or not, that conflict with their responsibilities at the Commission and/or which is inconsistent with the requirements of the Uniform Code of Ethics; the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-12 et seq.; the regulations, standards, guidelines, opinions and decisions of the State Ethics Commission; and any Gubernatorial Executive Orders addressing ethics.

Employees will be permitted to engage in outside employment, service or other activities only if it does not constitute a conflict of interest, does not constitute the same type of work as they perform for the Commission and does not interfere with fulfillment of their job responsibilities. Employees must recognize that their primary employment responsibility is to the Commission; therefore, they are expected to make themselves available before or after their normal work schedule, upon reasonable notice by the Commission, if they are needed to perform work on an emergency basis outside their normal work schedules.

Employees must complete an outside activity questionnaire and obtain prior approval for any outside employment, service or other activity from their supervisor(s), the Ethics Liaison Officer and the Executive Director.

Employees shall not use Commission work time, personnel, equipment or resources for any outside activities, political activities, or outside employment.

Political Activities

Although employees are free to be members of any political party, club, or organization; they may attend political meetings and participate in other political activities during non-business hours; certain activities that affect their employment are prohibited. Prior to engaging in political activities, an employee shall notify the Ethics Liaison Officer.

Commission employees shall not engage in any political activity during their working hours, nor shall they directly or indirectly use or seek to use the authority of their positions to control or modify the political action of any other person. Commission employees shall not post, including the wearing of political buttons or tee-shirts, or distribute campaign or election material of any kind in the workplace nor utilize Commission equipment, including but not limited to computers, telephone, facsimile machines, or copiers in connection with any election, political activity or campaign.

Before committing to run in a partisan election, employees must consult with the Ethics Liaison Officer to make sure they are not in violation of the Hatch Act. In addition, political activities must be disclosed to the Ethics Liaison Officer to ensure there is not a violation of the Uniform Code of Ethics. Note that a State employee is not permitted to serve as a campaign treasurer on any campaign that is subject to the jurisdiction of the Election Law Enforcement Commission.

Employees who run for an elected political position will be required to recuse from any matter pending before the Pinelands Commission that involves any individual, association, corporation or other entity from which s/he received a campaign contribution in an amount required to be reported to the New Jersey Election Law Enforcement Commission pursuant to N.J.A.C. 19:25-10.2.

Violations

Violations of the New Jersey Conflicts of Interest Law, N.J.S.A. 54:13D-12 et seq., Uniform Code of Ethics, or the Rules of the State Ethics Commission shall be cause for discipline,

including but not limited to removal, suspension, demotion or other disciplinary action. However, no disciplinary action will be taken for a potential ethics violation until after the potential violation and proposed discipline has been referred to the State Ethics Commission and it has issued its approval of such discipline in accordance with N.J.S.A. 52:13D-23(d).

The Commission's Ethics Liaison Officer should be consulted immediately regarding any potential ethics violation and is responsible for referring such matter to the State Ethics Commission.

Any employee who has knowledge of a violation of these policies, the New Jersey Conflicts of Interest Law, N.J.S.A. 54:13D-12 et seq., the Uniform Code of Ethics or the Rules of the State Ethics Commission should immediately advise the Commission's Ethics Liaison Officer, or in their absence, the Human Resources Manager.

These reports will be held in confidence to the extent allowed by law, and in no case will the reporting of an employee's current employment or future career development prospects with the Commission be influenced as a result.

Conduct

All employees have a duty to treat fellow employees and members of the public with courtesy and respect, to follow rules of common decency, and to conduct Commission business in a professional manner.

Delegation of Authority

In order to operate effectively and efficiently, the Executive Director and management staff delegate certain authorities to other staff.

Employees are expected to duly exercise these authorities when delegated. Conversely, employees must also exercise caution to ensure that authority is not exercised when it hasn't been delegated.

If an employee has questions concerning whether an authority to act has been delegated, they should refer those questions to their supervisor.

Drug and Alcohol Policy

The Commission is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any employee improperly consumes alcohol or illegally uses drugs on the job, comes to work under their

influence, or possesses, distributes or sells alcohol or drugs in the workplace. The following actions pertaining to use of illegal drugs, cannabis or alcohol are prohibited:

(1) The possession, sale, trade, or offering for sale of alcohol, cannabis or illegal drugs or otherwise engaging in the consumption of alcohol or use of cannabis or illegal drugs on the job. This shall not apply to medicinal cannabis prescribed by a State licensed medical professional for use during work hours.

(2) Reporting to work under the influence of alcohol, cannabis or illegal drugs, with the exception of medicinal cannabis prescribed by a State licensed medical professional for use during work hours.

(3) Using prescription drugs illegally on the job (Nothing in this policy, however, precludes the appropriate use of legally prescribed medications.)

Any employee found to have engaged in the activities above shall be subject to disciplinary action up to and including termination.

Employees using prescription drugs or medically prescribed cannabis that may affect job performance or safety shall notify the Human Resources Manager, who is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with applicable law.

It shall be a condition of employment for all employees to submit to alcohol and/or drug testing under the following circumstances:

- When there is reasonable suspicion to believe that an employee is under the influence of alcohol, cannabis (other than medically prescribed cannabis) or using illegal drugs while performing their duties, either at the office, in the field or working remotely.

- When an employee is involved in an on-the-job accident where personal injury or damage to the Commission's property occurs.

- As part of a follow-up program for treatment of drug and/or alcohol abuse.

The goal of this policy is to balance respect for individuals with the need to maintain a safe, productive and alcohol/drug-free environment for all employees. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the improper consumption of alcohol or use of cannabis or illegal drugs is incompatible with employment with the Commission.

The Commission recognizes the health implications of alcohol abuse and drug use on its employees and considers it a treatable illness. As with other illnesses, the Commission's primary objective is to assist in the employee's rehabilitation. The Commission has set this policy to encourage employees to voluntarily seek help with any substance abuse problems. See section on Employee Advisory Service.

An employee may voluntarily disclose to the Commission that they have an alcohol or substance abuse problem without fear of discipline or discharge. Upon admission of an alcohol or substance abuse problem, the individual will immediately enroll himself or herself in a rehabilitation program at the employee's expense.

The Commission will not take disciplinary action against an employee who voluntarily admits to having an alcohol or substance abuse problem unless that employee refuses to enroll in or fails to complete a rehabilitation program. Failure to complete a voluntary substance abuse program or subsequent violation of the Commission's Drug and Alcohol Policy may result in disciplinary action up to and including immediate termination of the employee.

As a condition of employment, employees must abide by the terms of this policy and must notify the Commission, in writing, of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.

Education and Training

Education

Employees may wish to pursue a degree from an accredited educational institution. Degrees may range from an Associate up to and including doctoral degrees.

When a degree program benefits an employee's work with the Commission, it is in the Commission's interest to assist that employee if financial resources are available to do so. To avoid uncertainty regarding the level of assistance an employee may receive for a number of courses to be taken over a multi-year period and to ensure that the Commission receives work-related benefits commensurate with its financial investment, the Executive Director is authorized to enter into long-term financial assistance agreements with employees who intend to use the assistance to obtain a degree.

Eligible Employees

All full-time continuing employees and all part-time continuing employees who are scheduled to work 25 or more hours per week are eligible to apply for degree assistance.

Eligible Costs

Eligible costs shall consist of tuition, books and other relevant fees at an accredited educational institution. Travel and other incidental expenses are not eligible for assistance.

Percentage of Assistance

If a degree is directly related to an employee's current position and duties, the percentage of assistance shall equal 50 percent of eligible costs. If a degree is not directly related to an employee's current position and duties but (1) will materially enhance the employee's ability to

perform his or her current job or (2) where the Executive Director determines it is otherwise of material benefit to the Commission in fulfilling its mission, the percentage of assistance shall equal 33 percent of eligible costs.

Amount of Assistance

An employee may elect to enroll in an accredited institution of his or her choice. However, in no case can the amount of assistance being provided be more than would be the case if the employee enrolled in a comparable or similar field of study at Rutgers, The State University of New Jersey.

When an employee chooses to enroll in a higher cost program, the amount of assistance shall be reduced so that the total assistance does not exceed that which they would receive if attending Rutgers, The State University of New Jersey.

Absent With Pay Leave

Absent with pay leave may be authorized for an employee to attend classes if it does not disrupt Commission business activities. In such cases, the full value of the absent with pay leave, calculated based on the employee's direct salary, shall be deducted from the amount of direct financial assistance to which the employee is entitled for otherwise eligible costs.

Agreement and Costs

A formal agreement between the employee and the Commission shall be executed. Estimates of the total eligible costs and the amount of assistance will be used to determine the maximum amount of assistance specified in the education agreement when first executed. This establishes the maximum contribution of the Commission. However, payments will be based on actual costs up to the maximum contribution.

Although an employee may request that an executed agreement be revised to reflect higher than anticipated costs, there is no guarantee that such a revision shall be approved.

Term of Agreement

Each agreement shall have a schedule and an expiration date, which shall reflect the period of time necessary for the employee to receive the degree. Reasonable extensions may be granted due to unforeseen circumstances; however, in no case shall an agreement have a duration of more than six years.

Payment

Employees will be eligible to receive payments from the Commission at the time of enrollment for individual courses. These individual payments shall be based upon the percentage of assistance being provided for the entire degree program. If an individual course is not successfully completed, the payment for that course must be immediately refunded to the

Commission; however, the assistance will remain available for use in the degree assistance program.

Successful completion means a "B" or better grade for a graduate-level course and a "C" or better grade for an undergraduate or other course. If a pass/fail structure exists, the employee must pass.

Termination of the Program

A degree program may be terminated: 1) by the employee; 2) upon the mutual consent of the employee and the Executive Director, or 3) by the Executive Director, alone at their sole discretion, if it becomes apparent that the employee will not be able to satisfy their obligation to obtain the degree within the term of the agreement; or by the Executive Director alone, when the employee's employment with the Commission is to be ended.

If a degree program is terminated prior to the completion of the required degree, unless an employee is being released because of a reduction in force, the employee shall refund to the Commission the full amount of assistance they have received. This may be accomplished through a lump sum refund or through a series of payments or salary deductions, which the Executive Director determines are reasonable after consultation with the employee.

When a program is terminated because the employee is released through a reduction in force, no refund for successfully completed courses will be required.

Selection and Approval

Employees must apply for degree assistance by initially submitting a written request to their supervisor. The supervisor will review the request and make a recommendation to the Executive Director. If funding permits, the Executive Director shall notify all employees that they shall be considering requests for educational degree assistance and establish a date by which other employees may apply. The Executive Director shall determine which requests shall be financed, taking into account the amount of funding available, the amount of assistance requested, and the extent to which the degrees relate to the employees' jobs.

In order for the Executive Director to approve a degree assistance request, sufficient funds in the Commission's Reserve for Degree Assistance must be available to finance the entire cost of the Commission's contribution over the life of the agreement. When the agreement is executed, funds shall then be reserved in the Reserve for Education Agreements to finance the agreement for its full duration. In the event that the total payments provided in an agreement require Commission approval pursuant to the By Laws, the Executive Director's approval shall be subject to approval by the Commission before an agreement is executed.

Employment After the Degree is Earned

An employee who remains in the Commission's employ for five (5) years after the degree has been earned shall not have an obligation to reimburse the Commission for the assistance it

provided. Should an employee leave the Commission's employ within five (5) years, they shall reimburse to the Commission all or a portion of the assistance in accordance with the following schedule. This shall apply to all departing employees, except those who are released because of a reduction in force.

Departure After Degree is Earned	Percentage of Assistance To Be Reimbursed
0 to 1 year	100%
More than 1 year but less than 2 years	80%
More than 2 years but less than 3 years	60%
More than 3 years but less than 4 years	40%
More than 4 years but less than 5 years	20%

If an employee does not complete a degree and subsequently leaves employment, they must reimburse the Commission 100% of any tuition assistance provided. See Termination of the Program. Refunds may be given through a lump sum payment to the Commission or through deductions from the remaining paychecks. In the event neither of these is possible, the Executive Director may accept a series of payments after employment is ended.

Training

The Commission encourages all its employees to maintain and improve their job skills and participate in career development activities.

All training that is directly job-related, intended for an employee to retain or improve job performance or required for maintenance of a professional license, will be fully paid by the Commission, subject to the availability of sufficient financial resources. Such training may include workshops, seminars, webinars, conferences, and other professional development courses or sessions.

Training may be scheduled during normal business hours, in which case the employee will not be required to use leave, or outside of normal business hours, in which case a nonexempt employee will be considered to be in overtime status.

Requests for specific training sessions must be submitted to and approved by the employee's supervisor before submission to the Business Services Manager for registration and payment. All reasonable expenses associated with an in-person training session, including travel, will also be paid by the Commission.

Upward Mobility

Training and education aspects of the Commission's Upward Mobility Program are governed by the policies included in the UPWARD MOBILITY section.

Employee Advisory Service

The Employee Advisory Service is a confidential counseling program designed to help employees manage work and life problems. Just as health insurance is designed to address an employee's physical well-being, the Employee Advisory Service is designed to address an employee's emotional and mental well-being, as well as to help manage work/life problems. The Employee Advisory Service provides professional counseling services to ensure that employees get the help, guidance and support they need during difficult times.

The Commission participates in the Employee Advisory Service. There is no fee for the employee. Family members may also be eligible for these services.

Information on this confidential counseling program will be distributed by Human Resources during the orientation program for new employees. Additional information can be obtained directly from the Employee Advisory Service by visiting www.nj.gov/csc/employees/advisory or by calling 1-866-EAS-9133.

Employment Actions

Demotion

Demotion is a means to assign an employee from a position in which their performance is not acceptable to a more suitable position, or it may be a result of "bumping" during a reduction in force (see section on Reductions in Force).

When an employee is not performing at an acceptable level in one position, demotion to a vacant or newly funded position will be considered as an alternative to termination of employment if that position is consistent with the employee's skills, education, and experience.

Other than "bumping" during a reduction in force, only in exceptional circumstances can demotion to an already occupied position be considered as an alternative to termination of employment. The circumstances will exist only when the Executive Director can conclusively determine that:

- The employee in the occupied position is exceptionally well qualified to be promoted to the position being vacated due to demotion
- There are no other employees better qualified to assume the position being vacated due to demotion
- The employee being considered for promotion would compete for the position being vacated due to demotion if it was advertised
- The employee to be demoted has the skills, education, and experience necessary for the position to which they may be demoted

A reduction in salary shall accompany the demotion, as determined by the Executive Director. In no case shall the employee's salary exceed the maximum of the range of the position to which the employee is to be demoted.

Demotions must be approved by the Executive Director.

Discipline

Just as the Personnel Policies outline what an employee can expect from the Commission, they also reflect what the Commission expects of its employees. In addition to the specific policies enunciated in this manual, every employee is expected to follow the general rules of common decency and common sense and bring to the Human Resources Manager's attention those actions of others which violate these fundamental policies of conduct.

When an employee violates these policies, disciplinary action may be taken but no employee shall be disciplined without just cause. Generally, disciplinary measures are a means to motivate an employee toward proper conduct in the future; however, repeated problems, serious infractions, or gross misconduct shall be cause for dismissal.

Disciplinary actions generally include a progressive set of measures – informal counseling, written warnings, suspension without pay, and dismissal – which must be applied in an objective manner considering the nature of the infraction and the employee's past employment history with the Commission. Furthermore, it is the responsibility of the employee's supervisor to document all disciplinary actions and provide the documentation to Human Resources.

The degree of discipline administered in a particular case must be reasonably related to: (1) the seriousness of the employee's proven offense; and (2) the record of the employee and their service with the Commission.

Whenever a supervisor contemplates suspension without pay or dismissal, they must advise their supervisor who will in turn consult with the Human Resources Manager. The Human Resources Manager will review the matter with the supervisor(s) and employee and make a recommendation to the Executive Director. The Executive Director may also elect to meet with the employee to review the matter before deciding on the appropriate disciplinary measure.

In situations where an employee is charged with certain crimes or when an investigation of a serious offense is necessary, the Executive Director may suspend the employee without pay, pending the outcome of the investigation or legal proceedings. After the investigation or legal proceedings are complete, the Executive Director will determine what, if any, action is warranted. The employee's full pay status shall be reinstated for any portion of the suspension not related to disciplinary action.

Additionally, violations of the Commission's personnel policies may also result in violations of the New Jersey Conflicts of Interest Law, N.J.S.A. 54:13D-12 et seq., Uniform Code of Ethics, or the Rules of the State Ethics Commission. In those instances, the supervisor shall consult with the Commission's Ethics Liaison Officer so that the matter may be referred to the State Ethics Commission for its review and approval of the discipline, prior to discipline being implemented.

In any case where an employee feels they have been unjustly disciplined, they may file a grievance by following the established grievance procedure.

Hiring

The Commission appoints the Executive Director in accordance with the Pinelands Protection Act. The Executive Director is responsible for hiring of all other Commission staff. Approval of the Personnel and Budget Committee or its Chair may be required before certain other full-time or part-time employees are hired. When the need arises for the Executive Director to fill a Program Director position, they will consult with the Commission Chair before recruiting for the position and with the Chair of the Personnel and Budget Committee before filling the position.

In normal circumstances, starting salaries for full-time employees will be set in an amount equal to the beginning salary of the range for a specific position; however, the Executive Director is authorized to approve a higher starting salary if a candidate's education and amount and type of experience warrant a higher salary.

Promotion

Generally, an employee may be eligible for promotion in one of two instances. Whenever possible, new and vacant positions will be filled from within the Commission by promoting qualified employees. Depending upon the number of likely candidates from within the Commission, the Executive Director may limit recruitment to current employees or broaden recruitment outside the Commission.

The Executive Director is also authorized to promote an employee from one level to a higher level within the same type of position. These position levels involve varying degrees of work complexity, duties, responsibilities and supervision. These promotions may be made without recruitment but must be based on employee performance and ability to perform in the higher-level position.

Except for entry-level positions, in considering employees for promotion to a job classification having a higher rate of pay, the Commission shall give due consideration to experience, ability, aptitude, performance, attendance, and physical condition (to the extent permitted under federal and state law governing individuals with disabilities).

When all the aforementioned items are equal, seniority shall be the deciding factor. Employees who are promoted to a new job title shall serve a probationary period of six (6) months from the date of the promotion. During this probationary period, the Commission reserves the right to return such employee to their previous position. The probationary period may be extended at the direction of the Program Director/Division Manager with the approval of the Executive Director for two extensions of forty-five (45) days each. (see section on Provisional Employees).

Reductions in Force

Although the Commission intends and fully expects to maintain a full workforce, there may be instances where a reduction in the workforce is unavoidable. This may occur when:

- An overall shortage of funds exists or is projected to exist
- Funding dedicated to a specific project is lost or has been fully used
- A significant change in the Commission's work program or a reorganization occurs

When the Executive Director determines that a reduction in force must occur, they shall decide how remaining positions and resources can be best allocated to address Commission work programs and priorities.

Once the functional area(s) and the associated positions where the reductions must occur are determined, all employees who occupy those positions and others which are interchangeable with those positions will be identified. Interchangeable positions are those which are effectively comparable in duties, responsibilities, skills, compensation, and requirements relative to education and experience.

A retention register will then be established for each position to be reduced based on each employee's length of service and performance rating.

Employees will then be released, beginning with those who have the lowest point totals for each position to be reduced. An employee scheduled for release from one position may replace or "bump" an employee in another position. This shall be permitted only when one or more occupied positions exist at a lower level within the same or an interchangeable job family.

In addition, bumping privileges shall also exist within another job family if the employee affected by the reduction in force has occupied a position within that job family within the preceding five-year period. If bumping occurs, the employee affected by the reduction in force shall be demoted to the lower position (see section on Demotion).

The Commission will maintain a recall list, for one year from implementation of the reduction in force, which contains the name of every released employee, his or her point total, and the positions for which they are qualified by education and experience to assume. If any such position becomes available within the succeeding twelve (l2) month period, these released employees will be offered the position in descending order of their point totals. The salary offer will be that which, within the established range, equals or comes closest to the employee's prior salary.

Termination of Employment

An employee's employment may be terminated if they do not successfully complete the six (6) month provisional period that applies for a new hire, if performance is unacceptable and implementation of a performance improvement plan(s) has not improved the employee's performance to the level of meeting expectations; if disciplinary measures have failed to correct

inappropriate conduct; if gross misconduct occurs; if a serious infraction of Commission policy occurs; or due to a reduction in force.

Any employee who is arrested or formally charged with an offense that relates to their duties, involves dishonesty, or constitutes a first, second, or third-degree crime may be suspended without pay pending the outcome of the case. If the employee is later convicted of a crime involving dishonesty, a crime related to their responsibilities with the Commission, or any first, second, or third-degree offense, the employee shall be immediately dismissed.

In all cases where termination of employment is contemplated, it is the Commission's policy to afford an employee with as much advance notice as possible (two (2) weeks at a minimum, four (4) weeks preferably) or, in the alternative, two (2) to four (4) weeks severance pay. The amount of severance pay will be a function of the reason for termination and the length of the employee's service.

Gross misconduct, conviction of crime as outlined above or a serious infraction of Commission policies shall be cause for immediate dismissal without severance pay or earned vacation leave pay.

Employees whose employment is terminated may be entitled to convert certain insurance benefits from the Commission’s group policy to an individual policy and receive payment for certain unused leave and compensatory time. Employees should consult with the Human Resources office for details.

Terminations of employment must be approved by the Executive Director, except that the Commission must approve the termination of the Executive Director. The Executive Director will inform the Personnel & Budget Committee of all terminations of employment.

Transfer

A permanent transfer of an employee, as opposed to a temporary reassignment, may be made to an authorized position if the need arises as long as the employee is qualified for the position, their current salary is within the range of the position, and the employee's actual salary is not affected. Seniority and the efficiency of the operation will be considered when conducting lateral transfers. The Executive Director will provide two (2) weeks written notice of any transfer of an employee except in an emergent situation.

Although every effort will be made not to transfer an employee to a position in which they have no interest, mandatory transfers may occur. If an employee refuses such a transfer, their employment may be subject to termination.

Any transfer which involves an increase or decrease in salary is considered to be a promotion or demotion and will be treated accordingly. Employees who are transferred to a new job title shall serve a probationary period of six (6) months from the date of the transfer. During this probationary period, the Commission reserves the right to return such employee to their previous position. The probationary period may be extended at the direction of the Program

Director/Division Manager with the approval of the Executive Director for two extensions of forty-five (45) days each. (see section on Provisional Employees).

Employment Classifications

All employees of the Commission are classified according to the scheduled duration of their employment and whether their positions are full-time or part-time. These classifications are important in determining the various benefits employees will receive.

Full-time employees fill either a continuing or seasonal position. Continuing positions are those that are not of a limited duration or have a specified duration of more than six continuous months. Most of these are salaried positions; however, specified positions scheduled to last for a fixed duration may be compensated on an hourly basis. Seasonal positions are those that are scheduled for a fixed period of six months or less.

Part-time employees also fill continuing or seasonal positions and are always compensated on an hourly basis. Continuing positions are further classified according to the number of hours scheduled to be worked each week: 25 or more, or less than 25. Part-time employees who occupy positions that are scheduled to end in six (6) months or less are considered seasonal, no matter how many hours they're scheduled to work each week.

Employees should also be aware that their eligibility to receive compensation or compensatory time for overtime worked is based on whether they occupy exempt or non-exempt positions. More on this is included in the Overtime Section.

Every employee should know how their position is classified. Additionally, each employee should be cognizant of whether their position is or is not covered by one of the three Collective Negotiations Agreement with the Communications Workers of America (CWA), Local 1040. Employees should seek guidance from Human Resources if they have any questions.

Employee Supervision

Supervisors are the link between the Executive Director and employees. As such, they communicate to those under their supervision the goals and policies of the Commission and communicate to higher-level staff the attitudes, suggestions, and concerns of the employees under their direct supervision.

Supervisors will ensure that the goals established by the Executive Director and the Commission regarding work output are achieved. Supervisors are responsible for assigning, directing and reviewing the work of their employees; training their employees in specific job duties and recommending special training as needed; keeping their employees informed relating to their work assignments; evaluating the performance of employees; recommending employment actions; scheduling vacations, administrative leave, and lunch breaks; controlling absenteeism

and tardiness; verifying timesheets and overtime; and ensuring that Commission policies are observed by employees.

Exit Interviews

Every employee who leaves the employment of the Commission must arrange for exit interviews with their supervisor, the Ethics Liaison Officer and the Human Resources Manager on or before the last day of work.

These interviews are important both as a means to promote an orderly and smooth transition of work responsibilities and to review details related to pay adjustments, benefits, post-employment restrictions and the like.

At that time, every employee will be expected to account for and return all Commission property, including keys, identification cards, building access cards, reference books, and files with which they have been entrusted. Failure to do so will result in an obligation to reimburse the Commission for the property and for any associated expenses, such as the need to replace locks.

Grievances

It is the Commission's policy to ensure that employees receive fair and equitable treatment and to provide employees with an easily accessible procedure for expressing and resolving dissatisfaction when they believe they have not been treated accordingly.

A grievance is an expression of dissatisfaction relating to wages, hours of work, administration of the Commission's personnel policies, or another work-related condition. Since separate policies have been established to cover disagreements over performance evaluations (see section on Procedures for Conducting Performance Evaluations), equal employment opportunity matters, and discrimination in the workplace, employees who have a concern with any of these matters must follow those procedures.

Moreover, employees covered by the collective negotiation agreement with the CWA, Local 1040, shall follow the grievance process for matters of interpretation, application, or violation of the terms and conditions of the collective negotiation agreement set forth at Article 3 of that agreement. The grievance process outlined below is for those employees and matters not covered under the collective negotiation agreement with the union.

Grievance Process

When an employee has a grievance, the first step is to take the matter up informally with his or her immediate supervisor. If a satisfactory settlement isn't reached as a result of this discussion, the employee should prepare a written report. In order to ensure the best possible recall of the facts and circumstances, this report must be prepared and submitted to the immediate supervisor

as soon as possible, but in no case more than seven (7) working days after the employee first had knowledge of the incident that prompted the complaint.

The immediate supervisor will ensure that all relevant facts and information are documented and must forward the report to the next-level supervisor and the Human Resources Manager for review.

In coordination with the Human Resources Manager, the next-level supervisor will investigate the matter, discuss it with the employee, and seek a satisfactory resolution. If the employee is not satisfied, the matter may be escalated through the appropriate supervisory levels. Should the matter rise to the level of review by the Executive Director, the Executive Director's decision will be final unless they are the subject of the complaint, in which case it will be referred to the Personnel and Budget Committee for final disposition.

Everyone involved in the grievance process must keep these matters as confidential as possible and may not discuss them with anyone other than those people who are involved in the grievance or its resolution.

Holidays

The Commission’s office will be closed on all legal holidays observed by the State. The office will also be closed in accordance with any directives received from the Governor’s office.

Compensation for Holidays

All full-time, continuing employees will receive seven (7) hours pay for holidays, provided that they are in full pay or furlough status on the workdays immediately preceding and following the holiday.

All part-time, continuing employees who are scheduled to work 25 or more hours per week will receive pay for holidays on a proportionate basis. Payment for these holidays will be made in the employee's check for the applicable bi-weekly pay period, provided that the employee is in a pay status on their last scheduled workday(s) immediately preceding and following the holiday.

Seasonal employees (full-time and part-time) and part-time, continuing employees who are scheduled to work less than 25 hours per week do not receive holiday pay.

Any employee who is on leave of absence without pay or suspended without pay shall be ineligible for paid holidays which fall during the employee's leave of absence.

Working on Holidays

Any non-exempt employee who is otherwise entitled to a paid holiday and is required to work on that holiday will be considered to be in overtime status during the working period. This means

that the employee will receive compensatory leave or overtime pay in addition to receiving payment for the holiday.

Any exempt employee who is entitled to a paid holiday and who is required to work on that holiday may, with prior approval of the employee's supervisor, take another day off during the same biweekly pay period. An employee may also request leave with pay from the Executive Director if they wish to use that day off later in the year.

Inclement Weather or Adverse Working Conditions

The Commission's offices will be closed for inclement weather (including delayed openings and early dismissal) to the extent authorized by the Governor for all state offices. The Governor may also allow for delayed openings or early dismissal of state workers in other circumstances, such as the afternoon prior to certain state holidays.

The Executive Director may also close the office due to adverse working conditions, including power outages or weather events that particularly affect the Commission's offices or the South Jersey region generally.

Employees will be notified of all office closures through various means, including emails, text messages and phone calls via the State's Everbridge system and/or Human Resources. However, it is ultimately the employee's responsibility to remain informed of state office closures by checking the state website at www.nj.gov.

Essential employees may be expected to report to or remain at the office, depending on the reason for the office closure, delayed opening or early dismissal.

Employees who were previously approved for leave (sick, administrative, vacation) on a day when the office is closed or is subject to a delayed opening or early dismissal must continue to take their approved leave hours for that day.

If the office closure, delayed opening or early dismissal occurs on a day when an employee is working remotely in accordance with an approved telework schedule, the employee is expected to follow their seven (7) hour work schedule unless directed otherwise by the Governor or Executive Director.

Employees who are required to report to the office but are unable to do so due to weather conditions should use available compensatory time, vacation leave, or other applicable leave. If no leave is available, the absence will be without pay.

Insubordination

In order to ensure the safe, efficient, and effective conduct of Commission business, employees are expected to follow the instructions and directives of their supervisors and the Executive Director. This expectation does not limit an employee's right to question any directive that is unlawful or which violates Commission policies.

Insubordination includes, but is not limited to, behavior such as challenging the authority of a supervisor, Program Director or the Executive Director; engaging in disrespectful or defiant conduct; using obscene or objectionable language or gestures; or behaving in a threatening manner, whether verbally or in writing.

Any supervisor who witnesses insubordinate behavior by an employee must take immediate and appropriate corrective action, including documenting the incident and notifying Human Resources and the Executive Director. In situations where a conflict escalates involving a particular supervisor, that supervisor must immediately notify and work with the Human Resources Manager to address the matter.

In all cases, the supervisor must submit a written report through the appropriate supervisory levels to Human Resources. Human Resources will review the matter, meet with the employees involved as necessary, and make a recommendation to the Executive Director. The Executive Director will determine the appropriate course of action.

Insurance Benefits

The Commission offers most of its employees several insurance benefits. All of these benefits are provided under contract or through a third party and cannot be fully described here. The following is intended to highlight the benefits but should not be construed as a substitute for the policies and requirements of the specific insurance plan or program. Employees are encouraged to obtain additional information about these benefits from the Human Resources office and to consult with the office as the need arises. Information about insurance benefits can also be found at www.nj.gov/treasury/pensions/.

Dental Insurance

The Commission offers dental insurance to its full-time, continuing employees and part-time, continuing employees who are scheduled to work 25 or more hours per week, along with their spouses and eligible dependents. These employees are responsible for 50% of the premium, which will be paid in advance through payroll deduction.

Additionally, the Commission offers dental insurance to its part-time, continuing employees who are scheduled to work less than 25 hours per week, along with their spouses and eligible dependents. These employees are responsible for 100% of the premium, which will be paid in

advance through payroll deduction. New employees are eligible to enroll after completing a sixty (60) day waiting period from the first day of employment.

Open Enrollment Period

At least once a year, enrolled employees will be afforded an opportunity to make changes in dental benefits. Human Resources will notify employees when these open enrollment periods occur. Employees who decline enrollment when first eligible may have a waiting period imposed before enrollment.

Leaves Without Pay or Ending Your Employment

Dental coverage is afforded for a short period after an employee goes on leave without pay status or ends their employment with the Commission. However, dental coverage may continue under the Family Medical Leave Act of 1993 (FMLA) and/or the New Jersey Family Leave Act (NJFLA). Additionally, under the Federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA), employees and their dependents may be eligible to continue their dental insurance benefits at their own cost for a specified number of months (i.e. after FMLA or NJFLA ends, when they are no longer employed at the Commission, or when they are no longer eligible for benefits).

The benefits described in the Personnel Policies are intended to summarize benefits provided to eligible employees. If any provision of the Commission's Personnel Policies conflicts with the official health benefit plan documents, the terms of the official plan documents will govern.

Group Term Life Insurance

All employees who are members of the Public Employees' Retirement System (PERS) are eligible to receive term life insurance. Enrollment in the life insurance program is automatic for PERS members, and coverage will begin when the State Division of Pensions and Benefits receives the employee's pension application. However, the Division of Pensions and Benefits may require employees to demonstrate insurability in certain cases.

First Twelve Months of Enrollment

During their first twelve (l2) months of enrollment, employees will receive insurance coverage according to their reported and actual salary for the period of membership, up to a maximum of 3 times their salary.

State requirements provide that members must contribute to this insurance coverage during their first twelve (l2) months of enrollment.

Continuing Coverage Beyond the First Twelve Months

After twelve (12) months of enrollment, employees may elect to discontinue that portion of their life insurance coverage for which a contribution is made.

If an employee withdraws from the contributory program, insurance coverage is reduced from 3 to 1.5 times the employee's reported salary during the employee's last year of service.

Employees are cautioned that once they elect to withdraw from the program, they may not elect to re-enroll at a later date.

Taxable As An Employee Benefit

Tax laws require that life insurance benefits above certain amounts which are provided to employees are taxable. Business Services will compute the taxable amount according to a prescribed formula and will report this on employees' W-2 forms. Employees may elect to waive the taxable portion of their non-contributory group life insurance to avoid the Federal and State tax liability.

Leaves Without Pay

PERS policies provide that life insurance coverage may be converted from the group policy to an individual policy or continued during certain leaves without pay; however, this entitlement is based upon the reasons for the leave.

Ending Your Employment or Retirement

PERS policies allow employees, under certain circumstances, an opportunity to convert their life insurance coverage from the group policy to an individual policy or continue their insurance upon retirement or when they otherwise end their PERS contributions.

Health Insurance

The Commission offers a choice of medical insurance plans, which include prescription drug coverage, to its full-time, continuing employees and part-time, continuing employees who are scheduled to work 25 or more hours per week, along with their spouses and eligible dependents, through the New Jersey State Health Benefits Program.

Employees enrolled in the health insurance program are required to contribute toward the cost of coverage.

Employees who elect to waive health insurance coverage shall receive any opt-out payment in accordance with the terms and conditions of the applicable Collective Negotiations Agreement. Similar opt-out payments for employees who are not subject to the terms of a Collective Bargaining Agreement shall be provided at the discretion of the Executive Director.

The benefits described in the Personnel Policies are intended to summarize benefits provided to eligible employees. If any provision of the Commission's Personnel Policies conflicts with the official health benefit plan documents, the terms of the official plan documents will govern.

Open Enrollment Period

At least once a year, the New Jersey Division of Pensions & Benefits provides employees with an opportunity to change their health benefits plans. Employees who previously declined to enroll in a plan will also be afforded an opportunity to join at this time. Changes outside of the annual open enrollment period may only be made in the event of a qualifying life event. Human Resources will notify employees when these open enrollment periods are scheduled by the New Jersey Division of Pensions & Benefits.

Leaves Without Pay or Ending Your Employment

Health coverage is afforded for a short period after an employee goes on leave without pay status or ends their employment with the Commission. However, health coverage may continue under the Family Medical Leave Act of 1993 (FMLA) and/or the New Jersey Family Leave Act (NJFLA). Additionally, under the Federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA), employees and their dependents may be eligible to continue their health insurance benefits at their own cost for a specified number of months (i.e. after FMLA or NJFLA ends, when they are no longer employed at the Commission, or when they are no longer eligible for benefits). When returning from leave without pay, coverage will resume immediately.

Retirement

Retiring employees with twenty-five (25) or more years in PERS, their dependents, and surviving spouses may be eligible to continue receiving paid health insurance. Employees hired by the Commission on or after July 1, 2008, are required to have worked a minimum of seven (7) of those service years at the Pinelands Commission in order to receive paid health insurance upon retirement.

Social Security and Medicare

The Commission and all its employees contribute to the Social Security and Medicare program, which provides a variety of retirement, disability, medical, and death benefits.

Temporary Disability Insurance

The Commission and its employees contribute toward the State's temporary disability insurance program.

If an employee becomes disabled outside of a job-related injury or illness, this insurance coverage will pay the employee a portion of his or her salary, after his or her earned sick leave is exhausted, for a period up to twenty-six (26) consecutive weeks. It is the employee's

responsibility to apply for temporary disability.

Unemployment Insurance

The Commission and its employees contribute toward the State's unemployment insurance program.

Upon termination of employment with the Commission, unemployment insurance benefits may be available for a portion of an employee's prior salary for a certain period of time. It is the employee's responsibility to file for such benefits.

Workers' Compensation

The Commission provides a workers' compensation policy for all its employees. This policy provides a wide range of salary, death, medical, pension, and other benefits for employees with a job-related illness or injury. Employees must notify Human Resources of any job-related illness or injury (whether or not it is slight or severe) in order to provide specific details to the affected employee and the workers' compensation insurance carrier.

Employees may not return to work without a certification from the attending physician that they are capable of returning to work. The certification must note any work limitations.

Lactation and Pregnancy Accommodations

Pursuant to N.J.S.A. 10:5-12(s), the Commission will provide break time to accommodate an employee's need to express breast milk for the employee's infant child. The Commission will make a reasonable effort to provide an appropriate room or other location, other than a bathroom, in close proximity to the employee's work area for the employee to express milk in private.

Where possible, lactation breaks should be taken during the lunch period already provided to the employee, if possible, but additional unpaid break time is available if needed.

For pregnant employees, the Commission shall provide reasonable accommodations in the workplace, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work for the duration of the pregnancy and in the instances where an employee is breastfeeding. The employee must submit appropriate documentation from a physician to Human Resources to request such accommodation.

Leave

The Commission provides its full-time continuing and part-time continuing employees with yearly allowances for paid vacation leave, sick leave, and administrative leave. Employees are responsible for obtaining approval of all leave from their supervisors, accurately recording leave time in the designated timekeeping system and noting their absences on the Outlook calendar. The following policies describe how these allowances should be used by employees.

Other types of paid leave, such as bereavement leave, military leave, absent with pay leave, jury duty, leave bank, and participation in civic activities or in emergency medical/firefighting services, may be granted to employees under special circumstances but are not allocated on a yearly basis.

Employees who satisfy the eligibility requirements are entitled to leave under the Family Medical Leave Act and/or the New Jersey Family Leave Act.

Lastly, the Executive Director may grant employees leave without pay under certain circumstances.

These leave policies form an important part of the Commission's employee benefit program and employees are encouraged to review them carefully.

Failure to abide by any provisions of this policy could lead to progressive disciplinary action. Although the Commission will cooperate with employees to the maximum extent feasible, habitual absenteeism or unexcused absences may be cause for discipline up to and including termination of employment if the absences substantially disrupt Commission business and alternative arrangements for completing such business are impractical.

Absent with Pay Leave

Absent with pay leave is a special type of paid leave that the Executive Director may grant because of special or extenuating circumstances. As specified elsewhere in the Personnel Policies, absent with pay leave may be granted in association with an employee's educational endeavors, because of jury duty, to participate in civic activities, emergency medical or firefighting services, when an exempt employee has been required to work particularly unusual hours or excessive periods of time, or in recognition of an exceptional sick leave record.

Administrative Leave

Recognizing that employees may be periodically faced with personal emergencies, may wish to observe religious holidays, or may have personal business to attend to during business hours, the Commission grants most of its employees paid administrative leave.

Use of Administrative Leave

Whenever an employee uses administrative leave, advance approval should be obtained, except in emergencies. Employees taking administrative leave must notify their supervisor as early as possible, and no later than one (1) hour before the start of the workday, or at a reasonable time in emergency situations. Notice should be provided via email to the supervisor's work email address.

Administrative leave will be charged in 30-minute increments.

Earning Administrative Leave

All full-time, continuing employees earn administrative leave in 30-minute increments, at a rate of 3 days (21 hours) each year. Part-time, continuing employees who are scheduled to work 25 or more hours per week earn administrative leave on a proportionate basis. Employees do not earn administrative leave for any overtime or while on leave without pay status.

Seasonal employees (full-time and part-time) and part-time, continuing employees who are scheduled to work less than 25 hours per week are not eligible for paid administrative leave.

Administrative leave will be advanced at the beginning of each calendar year or on a proportionate basis when an employee begins his or her employment. Until employees earn that leave, it will be considered to be advanced and unearned. Moreover, new employees will not vest in any earned administrative leave until after six (6) consecutive months of employment.

Unless the Executive Director grants special dispensation for new employees who've begun their employment within six (6) months of the end of a calendar year, administrative leave must be used in the calendar year in which it's earned and may not be carried over to the next calendar year.

Ending Your Employment

Employees do not receive payment for any earned but unused administrative leave when their employment is ended.

In the event employment is ended before an employee vests in administrative leave, the employee is required to reimburse the Commission for any administrative leave used. Reimbursement is also required if an employee has used any unearned administrative leave advanced in the beginning of the calendar year. Normally, these adjustments will be made to the employee's final paycheck; however, the Executive Director has the authority to approve other repayment arrangements.

Bereavement Leave

When an employee experiences a death in his or her immediate family (defined as spouse, domestic partner under the law, father, mother, mother-in-law, father-in-law, stepmother, stepfather, grandfather, grandmother, grandchild, sister, brother, sister-in-law, brother-in-law, son, daughter, foster child, stepchild, or other child under legal guardianship), they will be permitted two (2) days of paid bereavement leave. Reasonable verification of the event may be required by the Commission. When the employee has exhausted the bereavement leave, other available leave time (sick, administrative or vacation) may be requested and used.

Disability

When an employee is unable to perform normal duties because of a disability, the employee is entitled to use sick and other earned leave for the absence. A medical certification and the treating physician's estimate of the duration of the disability are required.

Using Leave

Employees may elect to use earned sick, vacation, administrative or compensatory time during the disability period to ensure that they're carried in a full pay status. However, they may also elect to be placed on leave without pay status instead of using earned leave.

In most cases, this leave, whether paid or unpaid, will be covered under the Family Medical Leave Act and/or the New Jersey Family Leave Act and will be designated as such. Employees should be aware that eligibility for temporary disability insurance payments doesn't begin until all earned sick leave has been exhausted.

Employees should also be aware that leaves without pay may affect other paid leave allowances, the timing of performance reviews, merit increase amount, and insurance benefits. More on these implications is contained in the sections on Leaves Without Pay, Performance Evaluations, and Insurance Benefits.

Donated Sick Leave Program

Under the Donated Sick Leave Program, employees who have a catastrophic health condition or injury or whose immediate family members have a catastrophic health condition or injury may be eligible to receive additional leave that is voluntarily donated by other employees.

The rules established at N.J.A.C. 4A:6-1.22 shall apply to the Commission’s Donated Leave Program. Employees should contact Human Resources for information on whether they qualify for the program and how to apply.

Family/Medical Leave

Pursuant to the Family Medical Leave Act of 1993 (FMLA) and/or the New Jersey Family Leave Act (NJFLA), an employee may be eligible to be provided a leave of absence to fulfill family

obligations relating to events such as: 1) the birth, placement or adoption of a child, 2) the care of certain members of an employee's family with a serious health condition, or 3) a serious health condition that makes the employee unable to perform the functions of his or her job. This leave may be taken intermittently or on a reduced leave schedule basis. Leaves under FMLA and NJFLA will run concurrently, unless otherwise provided by law. In addition, there is a military leave component under FMLA for the care of an employee's spouse, child, or parent in the military.

These Acts provide the employee with the continuation of health benefits during the leave period as well as reinstatement to his or her position or to a position with equivalent pay, benefits, and other terms and conditions of employment; however, the Executive Director and Human Resources cannot guarantee that an employee will be returned to his or her original job when the leave ends. The Executive Director and Human Resources will determine whether a position is an "equivalent position."

Employees must continue to pay their share of health and dental insurance while on FMLA and/or NJFLA. During periods of unpaid leave, the employee must arrange with Human Resources, prior to taking leave, for payment of the employee's share of the insurance.

Unless an extension is granted by the Executive Director and Human Resources, an employee who fails to return to work upon the expiration of FMLA and/or NJFLA will be subject to termination. Upon exhaustion of the FMLA and/or NJFLA leave, employees will lose their health and dental insurance coverage and may be required to reimburse the Commission for its share of health and dental insurance paid on the employee's behalf during the leave.

If an employee's need for leave is foreseeable, a Request for Family Leave form should be completed and given to Human Resources at least thirty (30) days in advance. If the leave is not foreseeable, the employee must submit a Request for Family Leave at the earliest possible time.

The Request for Family Leave form provides the Executive Director and Human Resources with, among other things, notice that leave will be taken, the amount of leave to be taken and the reason for the leave. In addition, if the leave involves an illness, the employee shall be required to submit a written Certification of Health Care Provider.

The Executive Director and Human Resources may require subsequent recertification on a reasonable basis. Failure to provide any certification is grounds for denial of the leave. If the Executive Director and Human Resources have doubts as to the validity of the certification provided, they may require that the employee obtain a second opinion from a health care provider hired by the New Jersey Pinelands Commission. If the second opinion differs from the first, a third mutually agreeable health care provider shall be selected, whose opinion shall be binding.

As stated in the Sick Leave policy, employees may use earned leave during a family/medical leave. If earned leave is not used during any or all of the period of family/medical leave, the employee will be considered to be on leave without pay. Employees are encouraged to review the section Leaves Without Pay.

The employee should confer with the Human Resources Manager to obtain details of the FMLA and the NJFLA and to be informed of the other implications associated with family leave.

Furlough

If furloughs are instituted, furlough days may be taken in full days (7 hours) or half days (3.5 hours). Except for office-wide furlough dates, furlough days will be scheduled by the employee with prior approval of their supervisor. Upon approval, the supervisor must notify Human Resources in writing when the furlough day will be taken to ensure the accuracy of the employee's paid wages. Once approved, furlough days may not be changed unless the Executive Director determines that an extraordinary circumstance exists.

An employee's wages can be reduced for untaken furlough days.

An employee's term of employment and leave-earning status will not be interrupted due to the use of furlough days.

There will be no loss of pension benefits due to furloughs.

Jury Duty

The Commission recognizes the obligation of all citizens to perform jury duty. Absent with pay leave will be provided to all continuing employees (full-time and part-time) when required to perform jury duty that conflicts with their scheduled working hours. Seasonal employees shall be granted leave without pay to attend jury duty. Each employee called to jury duty must notify their supervisor at least two (2) weeks prior to jury service or within one (1) business day of receipt of the notice for jury service if the notice is not provided two (2) weeks in advance.

A copy of the summons should be given to Human Resources. Since the employee will receive their regular pay while attending jury duty, any monetary consideration for such attendance that is received by the employee is to be reimbursed to the Commission. When jury service is completed prior to 12:00 pm, the employee is required to report to work. The provisions of this policy do not apply when an employee voluntarily seeks jury service.

Upon completion of jury duty, the employee will provide written verification of attendance to Human Resources.

Leave Bank

There may be instances when employees receive leave bank time. Leave bank time is not automatically earned each year. Employees need advance approval from their supervisor prior to using accrued leave bank time. Leave bank time can be used in 30-minute increments. Leave bank time accrued prior to 2015 but not used may be accumulated and will be carried over from one year to the next. Employees will receive a lump sum payment for any accrued but unused leave bank time when employment ends or when an employee retires. As of May 30, 2015, all employees working for the Commission at that time received seven (7) Paid Leave Bank Days.

These Paid Leave Bank Days were required to be used by January 1, 2016, and any Paid Leave Bank days that remained unused after January 1, 2016, will expire.

Leaves Without Pay

Employees who meet the eligibility criteria are entitled to leave without pay under the Family Medical Leave Act of 1993 (FMLA) and/or the New Jersey Family Leave Act (NJFLA).

For leave not covered by the FMLA and/or the NJFLA, an employee may request a leave of absence without pay, not to exceed six (6) months in duration, by submitting in writing. Such request must, at a minimum, contain the following information: reason for request, estimated duration of leave without pay and the expected dates when the leave will begin and end. Leave without pay requests shall be submitted to the employee's supervisor, who will append their recommendation and forward the request to the Human Resources Manager and the Executive Director.

The Executive Director will consider each request for leave without pay based on the effects of such request on Commission operations. A decision on a particular request for leave without pay shall not establish a precedent in another request.

Requests for leave or for extensions of leave shall not be unreasonably denied, but in no event will the Commission be obligated to approve consecutive leaves totaling more than one (1) year in duration.

Employees shall not earn vacation, administrative, or sick leave while on leave without pay status. Where applicable, leave without pay may also affect an employee's entitlement to insurance benefits, crediting of service, the timing of performance evaluations, and other terms of employment in accordance with existing rules. Holidays occurring within the period of a leave of absence without pay are part of the absence and an employee on leave without pay will not be paid for any holidays occurring during such leave.

Military Leave

The Commission will abide by all applicable Federal and State laws in granting military leave. Please see the Human Resources Manager for more information.

Participation in Civic Activities

The Commission, as a public entity, is fully aware of the value of citizen involvement in civic activities and encourages its employees to become active in governmental and nonprofit organizational efforts which promote the public good. Employees may participate in such endeavors provided such participation does not give rise to a conflict of interest or create an appearance of impropriety and provided the employee completes an outside activity questionnaire request and the request shall be submitted to and obtain prior approval from the Ethics Liaison Officer. Employees must use leave time for such activities.

Participation in Emergency Medical or Firefighting Services

The Commission recognizes that some employees may be members of a local volunteer first aid squad and/or fire company. Upon approval of the Executive Director, supervisors can be authorized to provide absent with pay leave for individual incidents. In the event of a local emergency, while that employee is at work and it becomes necessary for that employee to provide emergency volunteer assistance, the employee must receive approval from his or her supervisor before departing. If the supervisor is not available, permission must be obtained from the Executive Director, Program Director, or Division Manager.

A written report of the incident must be prepared and submitted with the employee's bi-weekly timesheet. The time should be documented as absent with pay leave on the timesheet.

Sick Leave

The Commission provides full-time continuing and part-time continuing (more than 25 hours) employees protection against loss of income for absence from work due to bona fide illnesses, injuries, disabilities, exposures to a contagious disease and other related circumstances.

In addition to paid sick leave, the Commission provides disability insurance (refer to Insurance Benefits) to partially compensate employees for lost wages during an extended illness. Since unused sick leave can be carried over from year to year and guarantees that employees are retained in full pay status during a period of frequent or prolonged illnesses, employees are encouraged to consider sick leave as insurance against these more serious conditions.

Use of Sick Leave

Employees reporting sick leave shall notify their supervisor as early as possible, but not later than one (1) hour prior to the start of the workday, or at a reasonable time in case of emergency. Such notice shall be made via email to the supervisor's work email address and shall include the following information:

(1) The date and time of the reported sick leave (e.g., full day of sick leave, delayed arrival, or early departure due to sick leave, etc.).

(2) The telephone number where the employee may be contacted during sick leave.

(3) The expected duration of sick leave, if known.

Supervisors may, at their discretion, request that employees notify them of sick leave by text or phone call to a designated phone number. Such text or phone notifications do not relieve the employee of the obligation to provide an email containing the information required in (1)-(3) above.

The Human Resources Manager may also follow up as necessary to verify medical excuses, confirm an employee's expected date of return to work, discuss FMLA, or for any other legitimate business reason.

When under medical care during sick leave, employees are expected to conform to the instructions of the attending physician if they wish to qualify for salary payment during such period of illness or disability. No employee shall be allowed to work who endangers the health and well-being of other employees, and if the employee's condition warrants, the employee may be directed to a physician selected by the Commission for an opinion as to fitness for duty. Sick leave with pay shall not be allowed while on sick leave under the following conditions:

- When the employee is under medical care while on sick leave and fails to carry out the orders of the attending physician.

- When, in the opinion of a physician hired by the Commission, the disability or illness is not of sufficient severity to justify the employee's absence from duty after being examined by a third doctor. The Executive Director reserves the right, in such cases where there is a difference of professional opinion between the physician hired by the Commission and the employee's personal physician, to require the employee to submit to an examination by a third doctor. The third doctor shall be hired by the Commission.

- When the employee does not report to a physician hired by the Commission, as directed.

Other than sick leave used for bereavement purposes, if an employee is absent for reasons that entitle the employee to sick leave or is on Workers' Compensation or Sick Leave Injury because of an injury sustained during their employment, the employee shall remain at their place of confinement during the period in which they are scheduled for work on the day(s) in question unless: reporting for medical attention to a doctor's office or hospital, engaging in the exercise of their right to vote or to attend religious services, and/or if an emergency necessitates their absence.

Sick leave will be charged in 30-minute increments.

In cases where an employee is medically restricted from some but not all normal duties, documentation of the limitations must be provided to Human Resources. The Human Resources Manager will review the documentation and inform the employee's supervisor and the Executive Director of the limitations and their duration. The supervisor will determine whether the employee's responsibilities can be temporarily rearranged or deferred to permit the employee to return or stay at work.

Sick leave may also be used when an employee is required to schedule a medical appointment, tests, or a related matter during normal business hours. Employees are encouraged to avoid this whenever possible so that their leave remains available to cover an illness or injury and to schedule such appointments to minimize time out of the office.

If an employee is required to attend to an ill or injured member of the immediate family (defined as spouse, civil union partner, domestic partner under the law, father, mother, stepmother, stepfather, stepchild, mother-in-law, father-in-law, grandfather, grandmother, grandchild, sister, brother, son, daughter, foster child, or other child under legal guardianship) or another relative permanently residing in the employee's home, sick leave may be used. If the use of sick leave

satisfies the criteria under the Family Medical Leave Act and/or the New Jersey Family Leave Act, it can be designated as Family Leave under one or both Acts.

Once an employee exhausts their sick leave, the employee must use vacation and/or administrative leave.

Sick leave may not be used for any purpose other than those described above.

Medical Certification

A medical certification will be required for any sick leave absence of more than four (4) consecutive workdays. The medical certification must state when the employee is able to return to work and if there are any work limitations. The certification must be presented to the Human Resources Manager before the employee can report for duty.

During protracted periods of illness or disability of an employee, the Human Resources Manager may require interim reports on the condition of the patient from the attending physician and/or a physician hired by the Commission. The Executive Director may waive the certification requirement due to special circumstances.

Except in cases where the employee is entitled to FMLA leave, an employee who has been absent on sick leave for periods totaling more than fifteen (15) days in any calendar year, consisting of multiple periods of less than five (5) days, may have their sick leave record reviewed by the Executive Director or their designee. If sick leave abuse is substantiated, the employee shall be required to submit acceptable medical evidence for any additional sick leave in that year.

In cases where an illness of chronic or recurring nature results in recurring absences of one (1) day or less, only one (1) submission of such proof shall be necessary for a period of six (6) months.

Job-Related Illness or Injury

A short-term absence from work caused by an injury or illness arising out of or caused by an employee's employment with the Commission will be considered a Sick Leave Injury with full pay and shall not be charged against an employee's earned sick leave. Salary benefits for a longer absence from work due to a job-related illness or injury will be covered by the Commission's workers' compensation insurance. The employee must immediately notify the Human Resources Manager and the Business Services Manager of any job-related illness or injury (whether it is slight or severe) in order to provide specific details to the affected employee and the workers' compensation insurance carrier. See section on Workers' Compensation insurance.

Employees may not return to work without a certification from the attending physician confirming that they are capable of returning to work. The certification must note any work limitations. Employees returning from an authorized leave of absence as set forth above will be

restored to their original job classification at the then-appropriate rate of pay with no loss of seniority or other employee rights, privileges or benefits.

Earning Sick Leave

All full-time, continuing employees earn sick leave in 30-minute increments, at a rate of fifteen (l5) days each year. Part-time, continuing employees who are scheduled to work 25 or more hours per week earn sick leave on a proportionate basis. Employees do not earn sick leave for any overtime or while on leave without pay status.

Seasonal employees (full-time and part-time) and part-time, continuing employees who are scheduled to work less than 25 hours per week are not eligible for paid sick leave.

Sick leave will be advanced at the beginning of each calendar year or on a proportionate basis when an employee begins his or her employment. Until employees earn that leave, it will be considered to be advanced and unearned. Moreover, new employees will not vest in any earned sick leave until after six (6) consecutive months of employment.

All sick leave earned but not used will be accumulated without limitation so that employees can build a personal sick leave account as insurance against a serious illness or injury.

An employee who is absent due to illness or injury and who does not have any accumulated sick leave may elect to use any available administrative or vacation leave or request to be placed on a leave without pay status. Employees should be aware that leaves without pay may affect other paid leave allowances, the timing of performance reviews, merit increase amounts and insurance benefits. More on these implications is contained in the sections on Leaves Without Pay, Performance Evaluations, and Insurance Benefits.

Ending Your Employment or Retirement

Any employee who retires from the Commission and is eligible to immediately draw a pension shall receive a lump sum payment for one half of all earned, but unused, sick leave based upon his or her average salary for the last twelve (12) months, up to a maximum of $l5,000. Employees whose employment is ended for any other reason do not receive a payment for earned but unused sick leave.

In the event employment ends before an employee vests in sick leave, the employee is required to reimburse the Commission for any sick leave used. Reimbursement is also required if an employee has used any unearned sick leave advanced in the beginning of the calendar year. Normally, these adjustments will be made to the employee's final paycheck; however, the Executive Director has the authority to approve other repayment arrangements.

Unexcused Absences

Unexcused absences include the use of leave above that to which the employee is entitled and the use of leave without proper cause and authorization. Unless extenuating circumstances exist, an

unexcused absence shall be a cause for disciplinary action. Absence without notice and approval for five (5) or more consecutive workdays or failure to return from any leave of absence for five (5) or more consecutive workdays may be recorded as termination of employment, absent any extenuating circumstances.

Unpaid Holidays

The Commission shall annually provide a total of ten (10) unpaid union leave days to be utilized by employees in the bargaining units to attend conferences, meetings, conventions and training programs as the Union may designate. Such leave will not exceed five (5) consecutive days or five (5) days for an individual over the course of a year. The Union will provide reasonable advance notice to the Commission for such leave requests.

Vacation Leave

Employees should schedule vacation leave in advance to allow supervisors sufficient time to adjust work schedules. Requests may be denied based on business needs. Unless extenuating circumstances exist, new employees should not request vacation leave during their first six (6) months of employment.

All vacation leave must be approved by the employee's supervisor. Changes to previously approved vacation leave require prior supervisory approval. If advance notice is not possible, employees must notify their supervisor via email to the supervisor's work email address as soon as reasonably possible. An employee's failure to provide notice to their supervisor in a timely manner of the need to change previously approved vacation leave may result in such absence being considered unexcused.

When multiple employees request leave for the same period and work schedules cannot accommodate all absences, supervisors will approve leave based on length of service with the Commission.

Vacation leave will be charged in 30-minute increments.

Earning Vacation Leave

All full-time, continuing employees earn vacation leave in 30-minute increments according to the following schedule. Part-time, continuing employees who are scheduled to work 25 or more hours per week earn vacation leave on a proportionate basis.

Years of Commission Service	Number of Vacation Days Each Year
Up to and including 5 years	12 days a year (84 hours)
Over 5 through 12 years	15 days a year (105 hours)
Over 12 through 20 years	20 days a year (140 hours)
Over 20 years	25 days a year (175 hours)

In an effort to attract the most qualified candidates during recruitment or to acknowledge past governmental experience, the Executive Director, with the concurrence of the Personnel and Budget Committee Chairperson, can approve a higher level of vacation leave as part of an offer of employment with the Commission.

Employees do not earn vacation leave for any overtime or while on leave without pay status.

Seasonal employees (full-time and part-time) and part-time, continuing employees who are scheduled to work less than 25 hours per week are not eligible for paid vacation leave.

Vacation leave will be advanced at the beginning of each calendar year or on a proportionate basis when an employee begins his or her employment. Until employees earn that leave, it will be considered to be advanced and unearned. Moreover, new employees will not vest in any earned vacation leave until after six (6) consecutive months of employment.

Vacation leave earned but not used may be accumulated, provided that no more than 30 days (210 hours) are carried over from one year to the next. In exceptional circumstances or when business obligations prevent an employee from using vacation leave, the Executive Director may approve an additional carryover. Any approved leave in excess of 30 days carried over must be used within three months, except as approved by the Executive Director.

Ending Your Employment

Under most circumstances, employees who leave the employ of the Commission will receive a lump sum payment for any earned but unused vacation leave. The exceptions are employees who haven't yet vested in this leave, employees who are dismissed for gross misconduct, and employees who resign without at least two (2) weeks' notice. The rate of vacation pay shall be the employee’s regular straight time rate of pay in effect for the employee’s regular job.

If extraordinary circumstances beyond the control of an employee prevent that employee from providing advance notice of a resignation, the Executive Director may grant an exception to this policy and approve a lump sum payment for earned vacation leave.

In the event employment is ended before an employee vests in vacation leave, the employee is required to reimburse the Commission for any vacation leave used. Reimbursement is also required if an employee has used any unearned vacation leave advanced at the beginning of the calendar year. Normally, these adjustments will be made to the employee's final paycheck; however, the Executive Director may approve other repayment arrangements.

Meal Allowances

This policy does not apply to meal reimbursement associated with overnight or out-of-state travel. Please refer to the Travel Expenses policy in those circumstances.

Exempt employees are entitled to the following meal allowances, unless they are approved for an alternate schedule. Employees cannot receive a meal allowance and be otherwise compensated (as either cash or compensatory time) for the same period of time.

- Dinner when required to attend an evening meeting, either on or off the Commission premises, in addition to performing the normal seven (7) hour workday.

- Dinner when required to work four (4) or more hours at the Commission's office or at another approved work site past their normal ending time in addition to performing the normal seven (7) hour workday.

- Breakfast when required to travel at least one hour prior to their normal departure time from home due to a scheduled business commitment in addition to performing the normal seven (7) hour workday.

- An employee who is required to report to an approved worksite on a holiday or weekend in excess of 4 (four) consecutive hours will be entitled to the corresponding meal. The lower meal allowance will prevail if there is a question as to which meal allowance applies for the hours worked.

Employees should contact Business Services to obtain the current meal allowance rate.

Non-exempt or exempt part-time employees will be reimbursed for the actual reasonable cost of meals at meetings which they are required to attend while in working status.

The allowance can be obtained by completion of a travel expense voucher or through the petty cash fund. The employee's Biweekly Timesheet must show additional hours for the day in which the meal allowance was granted.

Overtime

There will be occasions when Commission business will dictate that employees work overtime.

Management will make every effort to solicit employees on a voluntary basis to work overtime. However, if no employees are available to volunteer for overtime or when the operational needs require it, supervisory and management staff are authorized to direct employees to work overtime.

No overtime pay or compensatory time is earned for union-related activities.

Exempt and Non-exempt Employees

For purposes of determining eligibility for earning overtime or compensatory time, all positions will be classified as exempt or non-exempt. Classifications are designated in accordance with the

Fair Labor Standards Act and are designated based on the position description for each job level and on the Employment Authorization for each employee.

Exempt Employees

Salaried employees occupying exempt positions do not qualify for compensatory time or overtime pay for work beyond their normal workweek.

However, the Executive Director may, at their discretion, grant an exempt employee absent with pay leave or a flexible work schedule in cases where an employee has been required to work particularly unusual hours or excessive periods of time.

An employee occupying an exempt position who is hired on a pay per hour basis shall be compensated for actual hours worked at the straight hourly rate. However, prior approval of the employee's supervisor is required for all time to be worked beyond that for which the employee is scheduled.

Essential Employees

There will be occasions when circumstances dictate that certain employees report to work or stay at work to fulfill the responsibilities of their job positions. This may occur when the rest of the staff is not required to be in the office. Employees who are required to work during these occasions because of the essential nature of their positions are not eligible for additional leave, except as provided for in the Overtime policy. The employee's supervisor or Executive Director will direct the employee to come into or stay at work. For instance, there may be a delayed opening of the Commission offices during a snowstorm. However, certain positions will still be required to report to work to remove the snow and ensure that Commission offices are safe. Other examples include, but are not limited to, inclement weather, early dismissal, Commission office emergencies, facility management, State shutdowns and state of emergencies.

Employees in positions that are required to work will be notified that their positions are considered "essential." A signed acknowledgement will be filed in their personnel file. Other staff members will be notified if circumstances arise that dictate that their positions are essential by the Executive Director or appointed designee in their absence.

Employees whose positions are deemed to be essential should contact Human Resources to inquire if they are an exempt or non-exempt employee. Exempt employees, in accordance with the Fair Labor Standards Act, are not eligible for compensated overtime.

The following applies to non-exempt employees, who are eligible for compensated overtime:

- When possible, the employee's workday will be adjusted, and they will still work seven (7) hours with a one-hour or half-hour lunch break. The starting time will be based on the employee's adjusted schedule, and the workday will end eight (8) hours later, including the lunch break. For example, if an employee's normal schedule is 8:00 a.m. to 4:00 p.m., and they are directed to begin work at 6:30 a.m., the workday would end at 2:30 p.m. with a one-hour lunch break, or 3:00 p.m. with a half-hour lunch break.

- If a workday adjustment is not possible or the needs of the Commission dictate otherwise, compensatory and overtime will be granted in accordance with these personnel policies for any work performed beyond a regular 35-hour workweek. Prior approval will be given by the Supervisor and/or Program Director or Division Manager, unless an emergency situation exists.

Timesheets shall be coded in the designated timekeeping system to accurately reflect the work performed**.** An essential employee who is required to work shall not be entitled to absent with pay leave as described in the Inclement Weather or Adverse Working Conditions policy.

Overtime Pay and Compensatory Time for Non—Exempt Employees

Overtime pay or compensatory time shall be granted to employees occupying non-exempt positions for work performed beyond the 35-hour workweek as follows:

- For the 35th hour through the 40th hour - compensatory time off or cash compensation on an hour-for-hour basis. This work will be kept to a minimum and must have the prior approval of the employee's supervisor. The decision as to whether compensatory time or payment will be granted is to be determined by the employee's supervisor based upon the compensatory time earned to date, time remaining in the calendar year to use the compensatory time, and the workload of the employee's office.

- Above 40 hours - cash compensation at the rate of 1.5 times the hourly proration of the employee's salary. Work performed beyond 40 hours in any workweek must have prior approval of the employee's supervisor and Program Director or Division Manager, which includes a signed Record of Work Performed in Excess of Regular Hours form.

When an employee is required to work hours outside of the employee's normal workday or work week, the Commission will not avoid paying overtime by changing the employee's hours of work within the workday or work week that such hours were worked. There have been and will continue to be occasions when an employee is needed to work outside the normal workweek (on weekends or at night). Thus, the Executive Director is authorized to approve, upon request of the employee's supervisor(s), an alternate schedule for an employee who is affected by this type of working situation in order to fit the Commission's needs. Employees must use all compensatory time by the end of the calendar year in which it is earned unless the Executive Director determines that it cannot be used due to workload, in which case it shall be carried forward to the next calendar year and be used within three months.

There is no guarantee of overtime hours beyond the normal workweek.

Approved leave (vacation, sick*,* administrative, and leave bank) and paid holidays will be counted as hours worked in the calculation of overtime.

Parking

The Commission provides free and ample parking for all its employees. On normal business days, employees may park in any of the Commission's parking lots.

On days when public meetings or events are being held at the Commission's office, or when certain buildings and parking areas are inaccessible for safety reasons, employees may be required to follow an alternative parking plan. The Facilities Operations Supervisor will notify all staff via email in advance whenever an alternate parking plan is needed.

Punctuality

Lateness is disruptive to the Commission's business and may place an unfair burden on other employees.

Consequently, all employees are expected to report to work on time on a regular basis, whether they are working in the office or remotely. If an emergency or other unexpected situation arises that will delay an employee's arrival at the office or beginning of a remote workday by more than 30 minutes, the employee must notify their supervisor via phone call or email at the earliest possible time or, in the supervisor's absence, the receptionist. The employee will also be required to use appropriate leave time for the time out of work.

Chronic lateness and/or failure to provide the required notifications may be considered an unexcused absence and the employee will not be entitled to be compensated for the time missed.

Professional Licenses and Associations

The Commission encourages its employees to participate in professional associations and attain professional licenses to further career development.

Articles and Papers

Employees are encouraged to contribute articles, present papers, or give talks to professional associations. Prior approval must be obtained from the Ethics Liaison Officer and the Executive Director and all activities, fees, etc. must be handled in a manner consistent with the Outside Activities and Employment policies.

Licenses

When an applicable professional license or certification is a condition of employment, or where such is of direct benefit to the Commission as determined by the Executive Director, and funds

permit, the Commission will reimburse employees for the cost of the annual license or certification renewal.

Memberships in Associations

Employees are encouraged to apply for membership and take an active interest in professional associations. Time spent on such activities should be outside of the employee's working hours and will not be considered hours worked for pay purposes. However, time spent participating in professional associations at the Commission's request or under its direction or control shall be considered official business.

If the Commission cannot be an agency member of a professional organization, membership in such an organization would have a benefit to the Commission, and funds permit, the Commission may reimburse employees for their annual membership fee. Reimbursement will be subject to the prior approval of the Executive Director and should generally be limited to two professional memberships per employee.

Pay Procedures

Direct Deposit

Employees are required to enroll in direct deposit for payment of their wages. Direct Deposit authorization forms may be obtained from Human Resources.

Final Paycheck

An employee's final paycheck will normally be issued at the same time as the regular payroll. Employees are encouraged to consult with Human Resources during their exit interviews to make arrangements for ending direct deposits and to review any pay adjustments which must be made.

Reductions may be necessary because of the use of advanced leave, Commission property not returned, taxable fringe benefits, any prepaid tuition or training which has not been completed, and other unpaid employee obligations.

Payments for earned but unused vacation leave and leave bank time, unused compensatory time, health insurance waivers, and any payable sick leave in accordance with the Personnel Policies will be issued in a separate paycheck following the employee's final regular paycheck.

Payday

The Commission pays its employees on a biweekly basis. Payday is Thursday following the end of the two-week period, which ends on Friday. If a holiday falls on the regular payday, employees will be paid on the preceding workday.

Overtime pay, if applicable, will be paid on a timely basis provided the approved biweekly timesheet has been submitted. Salary adjustments will be paid on a timely basis after final approval (including Personnel and Budget Committee review as appropriate) and shall reflect any retroactive payments, if applicable.

Payroll Deductions

By law, the Commission is required to deduct, when applicable, federal withholding tax, state withholding tax, contributions for social security and Medicare, state unemployment and disability insurance, pension, life insurance, and garnishments. Other deductions can include health insurance premiums, dental insurance premiums, pension loan repayments, pension purchases, union dues or representation fees, or any deduction authorized by the employee and approved by the Executive Director.

Performance Evaluations

The performance of every employee will be evaluated at least once a year as a means to:

- Motivate and guide employees toward greater self-development and improve performance
- Serve as an aid in determining whether an employee is eligible for a merit increase
- Help in the selection of employees for transfer and promotion
- Help determine whether other actions are warranted in terms of education, training, employment, and Commission work plans

Content of Performance Evaluations

Supervisors are responsible for conducting thorough, impartial, and timely performance evaluations with employees who report directly to them. Each employee's performance in certain key performance areas and other performance categories will be evaluated. Based on these and other factors which are identified as having a bearing on performance, an overall performance rating shall be assigned. Actual performance (and not the potential worth of the employee) will be rated according to whether it is "Below Expectations," is "Achieved Expectations," or "Exceeds Expectations." Since each employee's performance is based upon different factors, the performance of one employee is not to be compared or ranked against another.

Matters which relate to employee conduct can be considered in evaluating employee performance; however, performance evaluations shall in no way be considered a substitute for disciplinary action nor preclude disciplinary measures from being taken.

Follow-up Action

The results of the performance evaluation may lead to some follow-up action being taken. These include, but are not necessarily limited to, a merit increase, promotion, transfer, probation, demotion, or termination.

Where the performance of an employee is below expectations, the supervisor(s) and Program Director/Division Manager shall confer with the employee and set forth an improvement plan during the respective evaluation period and goals required to achieve satisfactory performance. In all cases where an employee's overall performance is found to be "Below Expectations," no merit increase shall be awarded, and the employee must either be:

- Placed in a probationary status during which his or her performance and progress will be carefully monitored
- Demoted
- Dismissed
- Transferred
- Suspended (with or without pay) pending final action on a dismissal recommendation

Full and Part-time Employees

Performance evaluations will be completed by the appropriate supervisor on an annual basis using a standard evaluation period. The length of a leave of absence without pay may affect the timing of an employee’s annual performance evaluation.

Approximately six (6) months between annual evaluations, the supervisor shall meet with the employee to discuss the employee’s performance and review established objectives.

As part of the evaluation process, employees are expected to complete the self-evaluation portion of the evaluation form prior to meeting with their supervisors at the interim evaluation stage and the annual (final) evaluation stage.

After completion by the supervisor, each employee shall be notified of their performance evaluation and shall have the opportunity to review it. The supervisor shall meet with the employee to discuss the evaluation. All evaluations must be signed by the employee and the employee’s supervisor. The required signature of the employee on the annual evaluation form, or on any other related form, shall be acknowledgment of receipt but shall not be construed to mean agreement with the content of such form, unless such agreement is stated thereon by the employee. Failure or refusal of the employee to sign the evaluation form shall not prevent the document from becoming part of the employee’s personnel file.

The Commission will periodically evaluate the Executive Director's performance.

Informal Counseling and More Frequent Performance Evaluations

Because an employee's performance may change over time, supervisors and employees are encouraged to engage in informal counseling sessions as needed.

A supervisor may also initiate a special performance evaluation when it is deemed necessary.

Initial and Promotional Probationary Periods

Employees who are promoted or transferred to a new job title shall serve a probationary period of six (6) months from the date of the promotion or transfer. During this period, the supervisor shall evaluate the employee's performance and prepare a written memorandum recommending whether the employee should remain in the new position or be returned to their previous position, where applicable. The memorandum shall be submitted to Human Resources. The Executive Director will review the recommendation and make the final determination.

During this probationary period following a promotion or transfer, the Executive Director reserves the right to return such employee to their previous position.

Employees should also refer to the applicable sections of the policy manual regarding performance evaluations, termination of employment, and any other relevant employment policies.

Procedures for Conducting Performance Evaluations

1) At the end of the evaluation period, the employee shall complete the self-appraisal and submit it to the supervisor.

2) The supervisor may consult with other supervisors and/or employees who have knowledge of the employee's performance in relevant performance areas.

3) The supervisor shall complete the evaluation of the employee's performance and discuss it with the next higher level of supervision and, if appropriate, the Executive Director.

4) The supervisor shall meet with the employee to discuss the evaluation and finalize the review form. At that time, the supervisor shall also discuss any recommended actions resulting from the evaluation (e.g., merit increase, promotion, transfer, demotion, probation, or termination). The supervisor shall then sign and date the form.

5) The employee shall be given a reasonable period of time to submit comments, if desired. After receipt of the employee's comments, or if no comments are submitted, the employee shall sign and date the form. The employee's signature acknowledges receipt and does not necessarily indicate agreement.

6) If an employee wishes to appeal the evaluation, the supervisor shall forward the evaluation, including any employee comments, to the next-level supervisor with notice of the appeal. The next level supervisor shall review the evaluation and comments and

determine whether any modification is warranted. The next-level supervisor may meet with the employee and/or supervisor as part of the review. If the employee remains dissatisfied, the matter shall be referred through successive levels of supervision to the Executive Director for final determination, unless the Executive Director is the employee's immediate supervisor. In that case, the appeal shall be referred to the Personnel and Budget Committee for final disposition.

7) Absent an appeal, the supervisor shall forward the evaluation through the next-level supervisor for signature and to the Executive Director for approval of any recommended action.

8) A copy of the evaluation may be provided to the Personnel and Budget Committee for review at its next scheduled meeting. Any follow-up action may be held pending the Committee's review.

Personnel Records

Access

Personnel files are confidential and are to be treated as such. Employee access to personnel files is limited to the following:

- The employee
- The employee's supervisors or potential supervisors if being considered for a promotion or transfer
- The Executive Director
- The Human Resources Manager

Personnel files can only be reviewed in the presence of Human Resources or the Executive Director. Personnel files are to be secured by the end of each day.

Content

An employee's file contains a variety of personnel documents. The file may include but is not limited to documents relating to employment actions, employee benefits, payroll information, performance evaluations, salary administration, the employee's personal information, annual leave records and any other relevant personnel item.

Employees shall be notified and given the opportunity to review all negative personnel file entries. Failure of the employee to acknowledge, in writing, the negative file entry shall not prevent it from becoming part of the employee's personnel file. The employee shall have the right to respond to any document in their personnel file and to be provided with a copy of same. The employee will have ten (10) working days from the date of notification to file a response to any document placed in the file.

Keeping Your File Current

Every employee is responsible for keeping all employee-provided information current and accurate, including name, address, telephone number, W-4, emergency contacts, and driver's license status.

Verifications of Employment

It is the general policy of the Commission to verbally verify employment and salary information requested by financial institutions. Employees who need written verification of employment or salary information should contact Human Resources, which will provide the information as appropriate.

Prohibiting Discrimination in the Workplace

The NJ Pinelands Commission is an Equal Employment Opportunity Employer and adheres to and follows the New Jersey State Policy Prohibiting Discrimination in the Workplace dated August 19, 2020, which is incorporated by reference here within and any amendments and revisions adopted thereto.

The Model Procedures for Internal Complaints Alleging Discrimination in the Workplace have been tailored for use by the Pinelands Commission and have been reviewed by the Department of Personnel, Division of Equal Employment Opportunity/Affirmative Action.

There shall be no discrimination by the Commission against any employee because of the employee's membership or non-membership or activity or non-activity in the Union.

Furthermore, the Commission complies with the New Jersey Law Against Discrimination (NJLAD) and the Americans with Disabilities Act (ADA). The Commission will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's inclusion within a protected class or physical or mental disability.

The Commission will also provide reasonable accommodations wherever necessary for all employees or job applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and responsibilities of the position.

Provisional Status of New Employees

All new employees are placed in provisional status for a period of six (6) months. During that period, the employee's job performance will be carefully observed by their immediate supervisor.

Weaknesses in performance or attitude shall be brought to the employee's attention in a manner appropriate for understanding and self-correction.

Employees should also be aware that vacation leave, sick leave, and administrative leave benefits are limited during their provisional employment period. More on these limitations is contained in the section concerning Leave.

Prior to the completion of the first six (6) months of employment, the employee's supervisor will prepare a written evaluation of the employee's job performance and include a recommendation as to whether employment should be continued or terminated. The recommendation shall be provided to the Executive Director for approval, with a copy to the Human Resources Manager. The provisional period may be extended at the discretion of the Program Director/Division Manager with approval of the Executive Director for two extensions of forty-five (45) days each.

Recruitment

In order to afford employees an opportunity to build their careers with the Commission, efforts will be made to recruit from current employees whenever a sufficient pool of potential candidates exists. When this pool of current employees is limited, the supervisor and Human Resources will share the responsibility to broaden the Commission's recruitment efforts so that the best-qualified person is hired.

All job vacancies shall be emailed to all current Commission employees.

In no event shall the hiring of an employee be considered as creating a contractual relationship between the employee and the Commission; and, unless otherwise provided in writing, such relations shall be defined as "employment at will," where either party, with appropriate notice, may dissolve the relationship.

Reporting Accidents

All employees are responsible for immediately reporting any job-related accidents to the Facilities Operations Supervisor so that arrangements can be made for payment, repairs, or other necessary actions. If the accident involves an employee injury, the employee must also report the incident to the Human Resources Manager.

Following the initial notification of the accident, the employee must submit a written report to Facilities Operations Supervisor and, if the accident involves an employee injury, to the Human Resources Manager. The report must state the facts and circumstances surrounding the accident.

Employees may wish to review sections regarding Job-Related Illness or Injury and Workers' Compensation.

Resignation

In the event an employee resigns, there are several administrative matters, such as insurance benefits and work scheduling matters, which both the employee and the Commission must address. Consequently, employees are expected to provide written notice of their resignation in advance to their supervisors and the Human Resources Manager. A minimum of two (2) weeks notice must be provided; however, four (4) weeks notice is preferred.

Exit Interview

An exit interview must be held on or before the employee's last day at work. More on this is contained in the section concerning Exit Interviews.

Insurance Benefits

Because of State requirements, life insurance benefits will end within a short period after employment ends. However, employees will be afforded an opportunity to convert life insurance benefits from our group policy to individual policy. Additionally, under the Federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA), employees and their dependents may be eligible to continue their health and dental insurance benefits at their own cost for a specified number of months.

Employees are encouraged to consult with Human Resources on the details of these arrangements.

Leave Benefits

Employees shall receive payment for all unused compensatory time. In addition, payment will be received for accrued but unused leave bank time received prior to April 27, 2015. Refer to Leave Bank for more information. An employee who has vested in vacation leave and resigns with proper advance notice (a minimum of two weeks) will receive a lump sum payment for all earned but unused vacation leave. More information on payments for earned vacation leave is contained in the section on Leave. Employees are not eligible to receive payment for earned but unused administrative leave or sick leave.

Any vacation, administrative, or sick leave which is not vested is considered to be advanced and unearned. Consequently, the employee must reimburse the Commission for any leave used which is not vested. The same holds true for other employees who have used any leave advanced at the beginning of the calendar year, but which is unearned at the time of resignation. Normally, these adjustments will be made in the employee's final paycheck; however, the Executive Director has the authority to approve other repayment arrangements.

Pension

Employees have the option to retain membership in, if eligible, or withdraw their contributions from the pension system

Additional information regarding this topic is covered in the Retirement Plan section.

Retirement Plan

Employees whom the State Division of Pensions and Benefits determine are eligible for membership in the Public Employees Retirement System (PERS) shall be enrolled in this contributory retirement plan.

Retirement benefits are calculated according to the retiring employee's salary, their age, and the length of membership.

The information presented here is intended to highlight the retirement plan but should not be construed as a substitute for the policies of the PERS program. Employees are encouraged to obtain additional information about these benefits from Human Resources or the State Division of Pensions and Benefits.

Contributions

The rate of contribution is determined by the State Division of Pensions and Benefits. This rate of contribution will be applied to the employee’s reportable wages to arrive at the contribution amount. Thus, the amount of each employee's contribution and the Commission's contribution will vary.

If an employee was previously a member of PERS, a member of certain other public retirement plans, not previously eligible for enrollment in PERS, or a veteran, the employee may be eligible to "purchase" credible service toward his or her retirement plan.

Deferred Compensation

Commission employees may also be eligible to participate in the New Jersey Employee Deferred Compensation Plan (NJSEDCP), administered by Empower Retirement. This voluntary plan allows employees to save for retirement on a tax-deferred or Roth after-tax basis, in addition to any other retirement benefits for which they are eligible.

Employees who wish to participate in the Deferred Compensation Plan may obtain enrollment forms and plan information from Empower Retirement or through the Commission’s Human Resources office. Additional details regarding contribution limits, withdrawals, loans, and other plan provisions are available in the official plan documents or from Empower Retirement directly.

Ending Your Employment

Depending upon whether employees have vested in the retirement program, they will have certain options concerning their retirement plan. The Division of Pensions and Benefits should be consulted concerning these options and their implications.

Leaves Without Pay

Contributions toward retirement plans may be suspended for employees during leaves without pay. However, under certain circumstances, employees may purchase credible service for all or a portion of the absence when they return to pay status. There will be no loss of pension benefits due to furloughs.

Planning Your Retirement

The PERS program is necessarily detailed, and employees are encouraged to become familiar with the benefits early in their careers with the Commission. For example, health benefits may be continued when employees have twenty-five (25) years in PERS, of which at least seven (7) years are Commission employment, life insurance coverage may continue subject to some limitations, and the Commission will pay its employees for one-half of all earned but unused sick leave, up to a maximum of $l5,000.

As an employee approaches retirement, more detailed preparations should take place. Unless there are extenuating circumstances, employees must notify Human Resources and are encouraged to consult with a PERS counselor at least six (6) months in advance to begin the retirement process.

Supplemental Activity

In addition to the regular retirement plan, PERS members may elect to participate in the supplemental annuity trust program. Contributions are made on an after-tax basis.

Safety

The Commission recognizes the need for a safe and healthy work environment for all employees and agrees to comply with federal, state and local health and safety laws and regulations. Employees should also refer to the Workplace Weapons Policy attachment for additional safety requirements.

Safety consciousness and accident prevention are a part of every job at the Commission. All unsafe work conditions and practices should be reported to Facilities Operations Supervisor so that proper arrangements can be made to remedy the situation.

Salary Administration

It is the Commission's policy to attract the most qualified people available and encourage them to build their careers with us. In keeping with this policy, and to the extent that finances permit, it is the Commission's intent to classify positions according to job responsibilities, maintain internal consistency and external competitiveness of salary structures, and to compensate employees within the established salary structure based on performance and contribution to the Commission's objectives.

Pay Comparability

The Commission’s salary ranges are based upon comparative salaries for similar positions in other governmental organizations. In order to apply the same rationale to current salaries, the Commission strives to adjust the salaries and hourly rates for all employees by the same percentage adjustment made by the State for most State employees. The exact percentage of these salary adjustments will be dictated by the agreement with the Union and the availability of funding from the State.

The minimum and maximum salary for each position type of each salary range will be raised by the same percentage as the salary adjustment. The effective date of the changes to the salary ranges will coincide with the effective date of the salary adjustment. Any other changes to the Commission's Salary Structure must be reviewed and approved by the Personnel and Budget Committee.

Promotions

Whenever an employee is promoted to a new or higher-level position, the employee will receive a salary increase of at least 5% of base salary, the percentage specified in any agreement with the Union, or the minimum salary for the new or higher position, whichever is greater.

Salary Ranges

An employee's salary may not be less than or exceed the salary range for the specific position or level they occupy.

The Executive Director shall be responsible for ensuring that salary ranges for specific positions fall within the Salary Structure established by the Commission and are based upon comparative salaries for similar positions in other governmental organizations.

Seniority

Seniority is defined as continuous employment with the Commission from the date of last hire, including employee's paid leave of absence. Seniority dates are adjusted for all unpaid leaves. Seniority shall be considered when approving requests for vacation and administrative leave.

Smoking in the Workplace

Smoking or vaping is only permitted in an employee's personal vehicle. In all other locations at the Commission's offices, including but not limited to all buildings, parking lots, porches, entryways, walkways to or between buildings, etc., smoking or vaping is prohibited.

Suggestions

The Commission welcomes any suggestion which makes operations more efficient, effective, faster, safer or easier. Suggestions do not have to save money. Recommendations that reduce unnecessary "red tape" are also encouraged. Suggestions should be submitted to the Human Resources Manager.

After reviewing suggestions, the Human Resources Manager will forward them, along with recommended actions, to the Executive Director for review.

Travel Expenses

The Commission will pay or reimburse employees for all reasonable costs associated with overnight or out-of-state travel related to Commission business.

Approval

Employees must receive authorization for travel from their supervisors. The Executive Director's approval is required prior to undertaking any overnight and out-of-state travel. Approval of the Governor's office may also be required for out-of-state travel. Once approved, the employee shall confer with Business Services for details on reimbursable expenses and the required documentation and process associated with such reimbursement.

Expenses

Transportation and related costs will be paid at the actual reasonable expense, except when a personally owned vehicle is used, in which case an allowance equal to the current approved State mileage reimbursement rate will be paid based on miles driven.

Meal reimbursement while on an official travel status for less than a 24-hour period will be based on the current meal allowance rate established by the State. In cases where a fixed fee for a meal is specified for attendance at a business function or when unusual travel circumstances exist, the Executive Director may approve payment based on actual reasonable costs. Meal reimbursement while on an official travel status for 24 hours or more will be based upon the federal per diem allowances.

Lodging expenses shall be based on actual reasonable costs not to exceed the federal per diem rates. Employees are encouraged to patronize hotels and motels that offer special rates for governmental entities.

Other miscellaneous expenses are generally not covered by the Commission unless the nature of the travel is such that the expense would normally be associated with the business travel.

Payment

Allowable costs will generally be reimbursed; however, a travel advance for extended travel can be provided by Business Services with reasonable advance notice.

A travel expense voucher, along with all supporting receipts, must be submitted within thirty (30) days after the trip is completed, and in no case later than the end of the fiscal year in which the trip occurred.

Union Activities on the Work Site

A limited number of union activities are permitted on the work site during non-working hours, such as at lunch breaks and before/after work. Each union employee is responsible for reviewing their union agreement in order to fully understand what union activities are permitted during the workday and what is not permitted.

Upward Mobility

Employees sometimes show great potential for assuming higher-level positions but do not possess the necessary education and experience to apply for an available position.

It is the Commission's policy to provide an opportunity for these employees to assume higher-level positions when doing so does not unduly infringe upon Commission business objectives and responsibilities.

Whenever the Executive Director believes that an available position may be filled through an upward mobility program, they will prepare a plan and advise the Personnel and Budget Committee of this opportunity.

The purpose of the plan will be to afford an employee an opportunity to gain both the education and experience necessary for the position and, while doing so, assume job responsibilities and receive compensation commensurate with the stage of the employee's development.

Consideration of Applicants

Since the selected candidate is not currently qualified for the target position, it is crucial that the primary criteria for selection be the employee's potential to successfully complete the training and successfully perform in the target position. An employee's potential can, in large part, be judged by their:

- Performance in the current position
- Recognition for exceptional work
- Experience related to the target position
- Education related to the target position
- Career and self-development initiatives

Structure of the Program

Every upward mobility plan must:

- Identify the positions that are eligible for employees to apply to
- Provide for objective selection of the candidate after due evaluation of all applicants
- Specify the duration of the program
- Establish a training program
- Specify the points during the training period where an employee may advance to a bridge position(s) between their current job and the target position
- Specify what continued employment rights, if any, an employee will have if the program is not successfully completed

Whistleblower Policy

The Commission encourages its employees to discuss with their supervisors any concerns they may have regarding work-related matters. If such matters involve potential violations of State or Federal laws, rules and regulations promulgated pursuant to law, the employee is expected to also report their concerns to the Human Resources Manager. In either case, the employee should give the Commission a reasonable opportunity to correct the activity, policy or practice.

Disclosure is not required where (1) the employee is reasonably certain that the violation is already known to the Executive Director and/or Human Resources Manager; (2) the employee reasonably fears physical harm; or (3) the situation is emergent in nature.

Neither the Commission nor any of its employees will retaliate against any employee who makes a good faith report pursuant to this policy, even if an investigation reveals that no violation

occurred. More specifically, the Commission or any of its employees will not take any retaliatory action or tolerate any reprisal against an employee for:

- Disclosing or threatening to disclose to a supervisor, other official or to a public body, as defined in the Conscientious Employee Protection Act (N.J.S.A. § 34:19-1 et seq.), an activity, policy, or practice that the employee reasonably believes is in violation of a law, rule or regulation promulgated pursuant to law;

- Providing information to, or testifying before any public body conducting an investigation, hearing, inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or

- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety or welfare.

Workweek

The workweek for employees will begin at 12:01 a.m. on Saturday and end at midnight the following Friday and shall consist of a minimum of thirty-five (35) working hours.

The Commission's core business hours are from 8 a.m. to 6 p.m., Monday through Friday.

Employees, with supervisor approval, may work a seven (7) hour workday between 8 a.m. and 10 a.m., ending between 4 pm and 6 pm, Monday through Friday, with an hour lunch break each day.

Employees may also request approval of a work schedule with a half-hour lunch, thereby providing the opportunity to end the workday at 3:30 p.m. If a half-hour lunch is approved, employees must remain on the premises during the lunch period.

The Executive Director, in their sole discretion, is authorized to establish working hours that are outside of the Commission’s normal business hours to fit Commission needs or when otherwise beneficial to the Commission.

Biweekly Time Sheets

Employees will record all hours worked and any leave taken in the designated time keeping system the Commission implements. The time sheet will be submitted to the appropriate supervisor by the close of business on the Monday following the end of each pay period. The timesheet is used for legal representation of hours worked; therefore, failure to submit an

accurate timesheet may impact the employee's pay, benefits, and his or her performance evaluation.

Flexible Schedule

The Executive Director is authorized to establish a flexible work schedule for full-time employees. Provided that it does not impair the operations of the Commission, full-time employees, with the approval of their supervisor, may take a half (3.5 hours) or whole (7 hours) day off every two (2) weeks by working longer hours on the remaining workdays of the pay period to compensate for the time taken off.

Telework

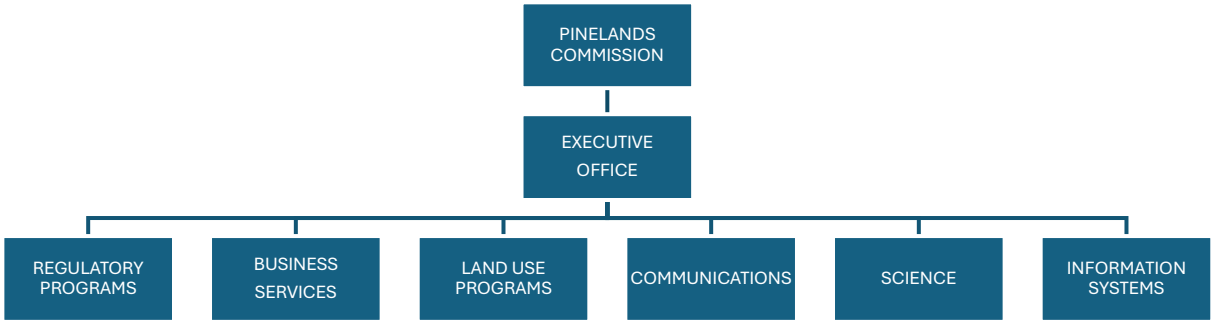
Eligible employees may participate in a hybrid telework schedule, working remotely up to two (2) days per week, subject to supervisor approval and operational needs. Telework arrangements must comply with all applicable State and Commission policies, including work schedules, productivity expectations, and communication requirements.

Participation in telework is voluntary and may be modified or discontinued at the discretion of the supervisor or Executive Director based on business needs or performance considerations.

Appendix A

PINELANDS COMMISSION
TABLE OF ORGANIZATION

October 2026



VIOLENCE IN THE WORKPLACE POLICY

I. **Purpose**

To set forth the Pinelands Commission's Workplace Violence Policy and procedures concerning violence in the workplace pursuant to Executive Order 49 (1996). New Jersey State employees have a right to work in a safe and secure environment.

II. **Policy Statement**

The Pinelands Commission is committed to promoting a safe environment for employees, applicants and visitors and to working with its employees to maintain a work atmosphere that is free from violence, harassment, intimidation, and other disruptive behavior. The Pinelands Commission has zero tolerance for such behavior in the workplace. Employees at all levels are encouraged to report threatening or intimidating behavior to the appropriate authorities in and outside the Pinelands Commission, which, in turn, will be promptly investigated and, if substantiated, remedied with appropriate administrative or disciplinary action.

III. **Definitions**

Workplace may be any location, either permanent or temporary, where an employee performs any work-related duty (any field location, any approved alternate work site, any off-site business-related meeting, function or site visit, or any facility where state business is conducted.) More specifically, a workplace includes, but is not limited to, office buildings and surrounding perimeters, including parking lots, field locations as well as traveling to and from work assignments.

Workplace Violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the workplace. It ranges from threats and verbal abuse to physical assaults and even homicide. It can involve employees, Commission members, applicants, contractors, vendors and visitors.

The following acts are considered situations involving workplace violence:

- Violent acts by anyone who has no other connection with the workplace but enters with the intent to commit a robbery or another crime.

- Violence directed at employees or Commission members by applicants, visitors or any others to whom an organization provides access to its buildings.

- Violence by an employee against other employees, Commission members, applicants, contractors, vendors, visitors or any others to whom an organization provides access to its buildings.

- Violence against co-workers, supervisors, or managers by a present or former employee(s).

- Violence committed in the workplace by someone who does not work there but has a personal relationship with an employee (for example, this can be an abusive spouse or domestic partner).

Threats or Threatening Behavior is overt expression, verbal or nonverbal, of an intent to cause physical or mental harm. It is intended to instill fear in the recipient thereof. An expression constitutes a threat without regard to whether the party communicating it has the present ability to carry out the threat or without regard as to whether the expression of harm is one of an immediate or future nature.

Harassment or Intimidation is threats or other conduct, which in any way, create a hostile environment; impair agency or department operations; or frighten, alarm or inhibit others. Psychological intimidation or harassment includes making statements which are false, malicious, disparaging, derogatory, rude, disrespectful, abusive, obnoxious, insubordinate, or which have the intent to hurt others' reputations. Physical intimidation or harassment may include holding, impeding or blocking movement, following, stalking, touching, or any other inappropriate physical contact or advances.

> Note: Harassment or intimidation based on an individual's protected class are also covered by the New Jersey State Policy Prohibiting Discrimination in the Workplace and should therefore be reported to the Commission's Human Resources Manager.

Stalking is a malicious course of conduct that includes approaching or pursuing another person with intent to place that person in reasonable fear of serious bodily injury or death to him/herself or to a third party.

Physical Assault is the act of inflicting physical harm or unwanted or hostile physical contact of a non-sexual or sexual nature, including but not limited to, hitting, fighting, pushing, shoving or throwing objects.

> Note: Physical assault of a sexual nature such as sexual assault or rape are also covered by the New Jersey State Policy Prohibiting Discrimination in the Workplace and should therefore be reported to the Commission's Human Resources Manager. Such conduct should also be reported to the appropriate law enforcement.

Property Damage is damage to property which includes property owned or utilized by the State, the Commission and its employees, Commission members, applicants and visitors.

Weapon shall mean any instrument which will cause bodily harm, physical damage, or death when used in the ordinary and usual manner contemplated by its design and construction and includes, but is not limited to: firearms, clubs, knives, stun guns, brass knuckles and martial arts weapons.

Employee Advisory Services provides professional assessment, referral, assistance, and

counseling services to employees, members of their families, and the organization for everyday and serious personal and/or work-related issues that may be adversely impacting work performance including situations involving workplace violence.

IV. **Prohibited Actions**

Prohibited behaviors that are considered "acts or threats of violence" under this policy include, but are not limited to, the following:

- Disruptive or aggressive behavior intended to disturb, frighten, interfere or prevent normal work activities (such as yelling at others, use of abusive language, shaking fists at another person, punching a wall).

- Any type of physical contact to cause harm (hitting, shoving, slapping, punching or other physical attack).

- Threatening to harm an individual or his/her family, friends, or property. This includes direct or indirect threats such as sending threatening letters, making threatening phone calls or sending threatening emails.

- Conduct that includes repeated verbal abuse and intimidation, profanity, or unwanted sexual comments, advances or physical contact. It should be noted that allegations of unwelcome or unwanted sexual comments, advances, or physical contact are covered under the New Jersey State Policy Prohibiting Discrimination in the Workplace and should be reported to the Commission's Human Resources Manager and appropriate law enforcement as it may also subject the aggressor to criminal charges.

- Breaking or throwing objects.

- Making harassing or threatening telephone calls or sending harassing or threatening written or electronic communications.

- Intimidating or attempting to coerce an employee to do wrongful acts.

- Concealing or using a weapon.

Other Forms of Violence

Bullying is a form of repeated aggressive, humiliating, and intimidating behavior over time to intentionally hurt another person, physically or mentally. Bullying is characterized by an individual behaving in a certain way to gain power over another person. Examples of this behavior include but are not limited to outbursts of anger, using derogatory names, withholding necessary work information, spreading rumors, or ridiculing someone in front of another. Like any other disruptive or violent behavior, conduct that undermines an employee's right to dignity at work is a violation of this policy.

Obsession/Stalking is another form of workplace violence which occurs when an individual repeatedly seeks to establish a personal relationship with another, contrary to the wishes of the

victim. The offender simply refuses to stop the escalating attempts to maintain attachment with the victim, even when the victim tries to set limits or end the attachment. Obsessed individuals have been known to be a threat to the safety of the individual with whom they are obsessed.

Employees are encouraged to seek assistance from their supervisor and the Commission's Human Resources Manager if they believe that someone has an obsessive attachment, or they are being stalked.

Domestic Violence is a pattern of abusive and controlling behaviors used by one person in an intimate relationship over another to gain power and control. This may include verbal, emotional and physical abuse. Employees who are victims of domestic violence are strongly encouraged to seek assistance. The Employee Advisory Service is available to help at 1-866-EAS-9133.

Victims of domestic violence, or other personal problems, who believe that violence may extend to the workplace are encouraged to notify the Commission's Human Resources Manager. The Pinelands Commission understands the sensitivity of the requested information and will maintain confidentiality, to the extent possible, to respect the employee's privacy. In accordance with N.J.S.A. 11A:2-6a, the Human Resources Manager shall follow the Uniform Domestic Violence Policy issued by the Civil Service Commission.

V. **Policy Provisions**

The Pinelands Commission will not tolerate any behavior of any employee, Commissioner, applicant, contractor, vendor, member of the visiting public or any other person that reasonably poses a threat to the safety and security of, or that harms any Commissioner or Commission employee or property. In furtherance of this policy, all employees have a responsibility to adhere to work practices designed to make the workplace safer and more secure. All employees are responsible for using safe work practices; for following all Commission directives, policies and procedures, and for assisting in maintaining a safe and secure work environment. Employee reports of violence or threats of violence will be held in confidence to the maximum extent possible and subject to all applicable laws. The Commission will not tolerate any form of retaliation against an employee for making a report under this policy.

A. Protective or Restraining Orders

Pinelands Commission employees who have been granted court-ordered protection which extends to the workplace must notify their supervisor and the Human Resources Manager, who will work together to develop a plan to ensure compliance with the order and maintain the safety of the employee and others at the workplace.

B. Weapons in the Workplace

Under no circumstances shall a Commissioner, Commission employee, applicant, contractor, vendor or member of the public (other than an appropriately licensed law enforcement officer, who is at the worksite for the purposes of law enforcement) possess any form of weapon such as a firearm, knife (with a blade longer than 3 inches) or explosive device on their person or in their vehicle or in state vehicles. If an individual has a permit to carry such type of weapon, this policy shall supersede that permit. In addition, use of or intent to use any other object as a weapon is

also a violation of this policy. If the above situation exists, such individuals will be asked to remove any form of weapon from the worksite. Employees who become aware of the presence of a weapon should immediately report it to a member of the crisis management team. If the member of the crisis management team is unsuccessful in obtaining voluntary consent to this request, law enforcement assistance shall be sought.

C. Imminent or Actual Violence Situations

Actual threats should always be taken seriously and responded to immediately. If an employee feels that someone presents a danger or demonstrates peculiar behavior, he or she should take proper precautions, and promptly report such behavior to a member of the crisis management team.

Moreover, if circumstances indicate imminent or actual danger involving weapons or personal injury, employees should take the necessary precautions to ensure their own safety and the safety of others by dialing 9-911 from state phone lines (911 from cell phones) for immediate law enforcement and medical assistance.

D. Establishment of a Crisis Management Team

As part of this policy the Pinelands Commission hereby establishes a Crisis Management Team to oversee the development of a workplace violence prevention plan, to respond to emergency situations involving workplace violence, and to ensure that this policy is implemented. The Commission's Facilities/Operations Supervisor is hereby identified and designated as the authorized point person for the Crisis Management Team. S/he will receive the incident reports and, if appropriate, provide such reports to the Human Resources Manager for investigation. In the event of a violent incident, members of the Crisis Management Team, present at the Commission's Offices at that time, will assemble and direct the Commission's response. Following that incident, the members who were present during the incident shall prepare an incident report and submit it to the Executive Director.

Permanent Members
Facilities/Operations Supervisor
Business Services Manager
Chief, Legal & Legislative Affairs
Director, Regulatory Program
Director, Land Use Programs
Chief Scientist

Responsibilities of the Crisis Management Team

The Pinelands Commission's Facilities/Operations Supervisor will manage the Team and ensure that the Team fulfills the following responsibilities:

- Develops guidelines outlining how crisis incidents should be responded to and managed. The guidelines and procedures should relate to the severity level of the incident and include a protocol for reporting incidents to State Police and/or law enforcement authorities.

- Identifies and develops procedures for securing work areas where an incident occurred and a plan for ensuring the safety of employees and others remaining in the area.

- Identifies and develops procedures that designate the ways that crisis communications should be managed. This should include distinct modes of communication with employees, family members of the victim(s), the media, etc.

- On an annual basis, reviews the various workplace violence incident report forms, and the administrative, disciplinary, and/or legal actions that may be administered in response to an incident to ensure they are appropriate and current.

- Identifies the specific roles and responsibilities of each team member.

VI. **Consequences for Those Who Violate This Policy**

Appropriate disciplinary, administrative, or criminal action shall be taken against any person who violates the provisions of this policy. Administrative or disciplinary action can take many forms depending on the circumstances, up to and including suspension without pay and dismissal.

Any person who engages in any act of violence in the Pinelands Commission's offices may be removed from the workplace as quickly as safety permits and may be banned from the Commission's property or entering the Commission's offices until an investigation is completed.

VII. **Incident Reporting and Investigating**

All incidents or alleged incidents of workplace violence shall be reported immediately to the Facilities/Operations Supervisor within 24 hours of an alleged workplace violence infraction.

All reported incidents of workplace violence shall be investigated by the Commission's Human Resources Manager. No employee bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy shall be subjected to adverse employment consequences based upon such involvement or be the subject of other retaliation.

Roles and Responsibilities

It is important to understand the roles and responsibilities necessary to support and sustain a work environment in which violent or potentially violent situations are effectively addressed. There should be a focus on prevention by increasing employee understanding of the nature of workplace violence, how to respond to it, and how to prevent it.

It is up to each employee, supervisor or manager to assist with making the Commission a safe workplace free of violence, harassment, intimidation, and other disruptive behavior for all.

Employee Responsibilities:

Employees should familiarize themselves with the policy and are responsible for following the process set forth below:

- Immediately notify their supervisor or manager and the Facilities/Operations Supervisor if they are a victim or witness an act of violence or other violation of this policy. If the supervisor or manager is the perpetrator of the violence, the incident should be reported only to Facilities/Operations Supervisor and the Human Resources Manager.

- Document the incident (in writing) as soon as possible after it occurs.

- Complete and forward an incident report ("Workplace Violence Incident Report Form" Part 1) to the supervisor or manager and the Facilities/Operations Supervisor. If the supervisor or manager is the perpetrator of the violence, the report should be forwarded only to the Facilities/Operations Supervisor and the Human Resources Manager. All reports should be submitted within (24) hours of an alleged workplace violence infraction.

- If applicable, complete and forward a "State of New Jersey Employer's First Report of Accidental Injury or Occupational Disease Form" to the supervisor or manager and the Facilities/Operations Supervisor. If the supervisor or manager is the perpetrator of the violence, the report should be forwarded only to the Facilities/Operations Supervisor and the Human Resources Manager. All reports should be submitted within (24) hours upon sustaining any injury related to workplace violence.

- Be familiar with the services provided by the Employee Advisory Services.

- Inform managers or supervisors and the Human Resources Manager about restraining or protective court orders related to domestic situations so that assistance can be offered at the workplace.

<u>Supervisor/ Manager Responsibilities:</u>

Acts of aggression and violent behavior require immediate action. Managers and Supervisors are responsible for assessing situations to ensure the safety and security of employees and are responsible for the following actions:

- Obtain emergency police intervention or medical response, as needed.
- Take all reported incidents of workplace violence seriously.
- Immediately notify the Facilities/Operations Supervisor.
- Cooperate with any subsequent investigation(s) of workplace violence
- Human Resources Manager Responsibilities:
- Interview and obtain written statements from witnesses once the situation is brought under control.
- Conduct, any subsequent investigations of workplace violence.
- Provide feedback to employees regarding the outcome of their reports concerning violent or potentially violent incidents.
- Encourage employees who demonstrate signs of stress or evidence of possible domestic violence to speak to them and make them aware of available resources.

Facilities/Operations Supervisor:
The following actions should be taken by the Facilities/Operations Supervisor within (48) hours following alleged incidents:

- Respond immediately to the incident.
- Assess reported incident(s) to determine the need to involve other members of the Crisis Management Team and the Executive Director.
- Advise supervisors/management on appropriate incident response measures.
- Assist the Human Resources Manager with conducting investigations, including obtaining interviews, written statements and other documentary evidence from the victim, the accused and all witnesses to the incident.
- Ensure a final report is issued after the investigation to the Executive Director. Such report shall include a summary of the interviews, findings of facts, analysis, conclusion, and recommendation for appropriate administrative and/or disciplinary action.
- Recommend, in consultation with the Human Resources manager appropriate administrative/disciplinary or other action within 60 days of the initial reported incident/allegations to the Executive Director, or his or her designee.
- Track workplace violence incidents/allegations in accordance with State Policy.

VIII. **Maintenance and Support**

A. Employee Advisory Service (EAS)

Professional counseling services, provided by the Employee Advisory Service (EAS), will be used to assist in the assessment of violent or potentially violent situations, to assess an employee's fitness for work and to counsel victims of violence in the workplace. Private medical services provided by State-appointed doctors may also be used to assess an employee's fitness for work, following a verified incident of workplace violence covered by this policy.

B. Health and Safety

With the Occupational Safety and Health Act of 1970, Congress created the Occupational Safety and Health Administration (OSHA) to assure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance.

C. Recordkeeping

The Commission will maintain records on incidents of workplace violence. Injuries resulting from workplace violence shall be reported to the Department of the Treasury, Division of Risk Management and shall be recorded as required under the Public Employees Occupational Health and Safety (PEOSHA) procedures. All incident reports shall be maintained as confidential records, to the extent practicable and appropriate, and kept on file in accordance with the Commission's document retention schedules.

D. Training and Education

Training and education will be provided to all employees to increase awareness about workplace

violence. This will include information to help employees understand what workplace violence is, and how it can be prevented. Employees are also encouraged to take *Active Shooter* training annually and *New Jersey State Workplace Violence: Recognize, Prevent, and Report* training upon hire and biennial thereafter. Any other associated training on this topic is encouraged.

E. Communications

Revisions and/or additions made to this policy shall be distributed to all current and future employees.
A copy of the Commission's Policy on Violence in the Workplace shall be made accessible to all employees via the Commission's intranet.

Public information regarding any incident of workplace violence involving a Commission employee, or occurring at the Commission's offices or offsite workplace, shall be released only by, or with approval of the Executive Director, and in accordance with the requirements of the Open Public Records Act (OPRA).

IX. **Supplemental Policies and Procedures**

Additional Employee, Unit Supervisor and Manager Responsibilities:

The Facilities/Operations Supervisor conducts interviews, investigations and obtains written statements concerning any reports of violence in the workplace with the cooperation and assistance of the relevant supervisor and manager.

Employees, Supervisors and Managers are also responsible for the following:

- Employees should cooperate with any subsequent investigation of the workplace violence incident. Employees may be asked to provide statements regarding an incident of violence to which they were witnesses.

- Supervisors and/or Managers should submit reports if violence occurs within their office. Such reports shall contain their findings, actions taken and any recommendations. The reports must be submitted to the Facilities/Operations Supervisor within 10 days of the incident.

Utilization of Employee Advisory Service

In situations considered to be potentially volatile or where an employee's fitness for duty is of concern, management should utilize the services of the NJDOP's Employee Advisory Service (EAS) as available. If such personnel are not available, management should seek other qualified assistance through the Human Resources Manager.

Depending on the circumstances, the Commission shall also utilize EAS personnel, qualified Commission personnel, or outside assistance to ensure the safety, psychological comfort and support of the victims of violence and their co-workers in the workplace.

Public Employees Occupational Safety and Health Act Reporting

Pursuant to the Public Employees Occupational Safety and Health Act and Regulations, all work-related employee fatalities must be reported to PEOSH within 8 hours of the occurrence. Work-related in-patient hospitalizations, amputations, and loss-of-eye incidents must be reported to PEOSH within 24 hours of the occurrence. This information must be called in to the office of Public Employees Occupational Safety and Health at 800-624-1644 and faxed to 609-292-3749.

Questions should be addressed to the Commission's Facilities/Operations Supervisor.