

ON THURSDAY, SEPTEMBER 2, 2021, AT 3:00 P.M. THE JACKSON TOWNSHIP COUNCIL HELD ITS SPECIAL MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

**COUNCILMAN BORRELLI
COUNCILMAN CHISHOLM
COUNCILMAN SAUICKIE
COUNCIL VICE PRESIDENT FLEMMING
COUNCIL PRESIDENT KERN**

**ATTORNEY MCGUCKIN (3:07 p.m.)
TOWNSHIP CLERK KISTY**

**ALSO IN ATTENDANCE: BUSINESS ADMINISTRATOR TERENCE WALL
MAYOR MICHAEL REINA**

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the "Open Public Meetings Act" adequate notice of this meeting of the Jackson Township Council has been advertised in the manner prescribed by law.

3:05 P.M. - CONVENE SPECIAL MEETING IN THE MAIN MEETING ROOM OF THE MUNICIPAL BUILDING

PLEDGE OF ALLEGIANCE

COUNCIL PRESIDENT KERN- Please remain standing for a moment to honor the soldiers who fought so that we could have a meeting like this and our First Responders who keep us safe while we do it.

ROLL CALL:

**COUNCILMAN BORRELLI
COUNCILMAN CHISHOLM
COUNCILMAN SAUICKIE
COUNCIL VICE PRESIDENT FLEMMING
COUNCIL PRESIDENT KERN**

**ATTORNEY MCGUCKIN
TOWNSHIP CLERK KISTY**

**ALSO IN ATTENDANCE: BUSINESS ADMINISTRATOR TERENCE WALL
MAYOR MICHAEL REINA**

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the "Open Public Meetings Act" adequate notice of this meeting of the Jackson Township Council has been advertised in the manner prescribed by law.

COUNCILMAN BORRELLI – Please keep your thoughts and prayers to the families of the 13 brave Americans who were killed by terrorists in Afghanistan while serving our great Country and protecting our freedom.

Please keep in your prayers the people affected by the remnants of Hurricane Ida which hit the Tri-State area yesterday and the families of those who died. Please keep Keith Pinto's family in prayer during this very difficult time the young life guard who died of a lightning strike on Monday in Seaside Park.

He was glad to see Resolution 332R-21 on today's agenda regarding the upcoming mask mandate for school age children. Thanked Councilman Chisholm for his work and efforts on this resolution. He stated parents should be the ones deciding if children should wear masks or not.

COUNCILMAN CHISHOLM- Echo Councilman Borrelli's comments he is excited to see this Resolution 332R-21 in reference to the mask mandates.

COUNCILMAN SAUICKIE- Extended his condolences to the 11 men and 2 service women that were killed in Afghanistan. Along with what is reported, roughly another 170 people were killed. He stated we talk about our service people as we should, but there was another 170 people killed in that incident while making it one of the worst suicide bombings. Felt that the whole incident should have been prevented.

Wished all Jackson residents Happy Labor Day weekend.

COUNCIL VICE PRESIDENT FLEMMING – Mirrored his fellow Council with condolences to losses but he stated how proud he is of the Armed forces we have that are doing a good job under bad circumstances over there.

COUNCIL PRESIDENT KERN- He stated that today’s meeting, after the reading of the resolution and the public comments, will be an Executive Session to go over, receive and discuss updates in closed session.

He mirrored the rest of the Council’s condolences to the members of our Armed Services.

Wished everyone a Happy Labor Day.

MAYOR MICHAEL REINA- Thanked Council for acknowledging everything that has gone on in the past 72 hours including the tragedy in Kabul as well as Ida, from Louisiana all the way up the coast.

He stated he would like everyone to join Council and him this upcoming Friday the third at 12:00 pm to take a moment out of their day for a moment of silence to honor and remember the 13 fallen who gave the ultimate sacrifice for our Country.

Wished everyone a safe and happy Labor Day.

RESOLUTION 332R-21

TITLE: RESOLUTION OPPOSING GOVERNOR MURPHY’S EXECUTIVE ORDER 251, ANNOUNCED AUGUST 6, 2021

MOTION TO APPROVE BY: CHISHOLM

MOTION SECONDED BY: BORRELLI

YES: BORRELLI, CHISHOLM, SAUICKIE, FLEMMING, KERN

WHEREAS, the Governor of New Jersey, Philip Murphy, has enacted a new mask mandate, by way of Executive Order (EO 251) for New Jersey school children, announced on August 6, 2021; and

WHEREAS, the governor has decreed that all New Jersey school children will wear masks upon the return to school in September 2021, unless specific exemption criteria is met; and

WHEREAS, while the Township Council of the Township of Jackson acknowledges potential risks to children from Covid 19, the governing body also acknowledges that it is the right and responsibility of individual parents and caregivers to make appropriate healthcare decisions for their own children, including the right to assess both the benefits and detriments of mask wearing; and

WHEREAS, this in no way detracts from the potential seriousness of Covid-19, but rather affirms parental autonomy and authority in making appropriate decisions for their own children.

WHEREAS, that the Township Council acknowledges that parents and guardians, along with the consultation of their healthcare providers, are in the best position and authority to make this determination for their own children; and

NOW, THEREFORE, BE IT RESOLVED, this 2nd day of September, 2021, by the Township Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Township hereby endorses the fundamental rights of parents and guardians to make the decision of whether or not to send their children to school in a mask, based on the individual child’s healthcare needs and potential risks to others.

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to provide a copy of this Resolution to Governor Philip Murphy, the New Jersey State Senate, the New Jersey State Assembly, the Jackson Board of Education, the Jackson School District Superintendent Nicole Pormilli, Business Administrator Terence Wall.

**JANICE KISTY, R.M.C.
TOWNSHIP CLERK**

DATED: 9-2-2021

PUBLIC COMMENT, ANY TOPIC

JEFF NEMETH– 397 Perrineville Road – Mr. Nemeth stated he attended the Board of Education meeting and wanted to know if there was more information about the upcoming mask wearing during the school year. There was little information given and residents are concerned.

Council President Kern stated the school board and Township are separate entities. He said that this one public resolution was to make sure we had it in before school starts. He mentioned that this meeting was originally scheduled to be a closed session. He wanted to make sure this resolution was read so that the Government knew where we stood.

Mayor Michael Reina addressed the statement he made was not only for Administration, but for Council. The Board of Education, after asking the Township Council and Administration for the money that we gave them a little over a year ago, was the last communication we had for any input on what the school is going to do with it. Approximately two weeks after Council gave him the okay to sign the check, the schools were closed [due to COVID]. Our office and BA Wall will tell you that there has been zero communication between the Board of Education asking for any input, an opinion, suggestion or recommendation [for the money]. Stated he stands right alongside with Council that we are as much in the dark as the residents who went to that meeting. He stated that the few people he has spoken to are upset about their children and grandchildren wearing the masks. The latest information received was that it was not only unhealthy but it’s psychologically affecting our children and grandchildren.

Councilman Sauickie told Mr. Nemeth that a copy of the resolution is going to the Superintendent and our intent here was to pass the word on to them.

Mr. Nemeth wanted to know what the update was for Jackson Parke with the connector road between Cassville Road and Perrineville Road, and whether litigation has been settled.

Council Vice President Flemming stated that the connecting roads have to be done before they can do anything else and it is part of the settlement process.

Attorney Greg MCGUCKIN- Stated as of today there’s no settlement although those discussions continue. They have certain approvals that they’ve already received the south side and the court ordered on the north side that approval allows the applicant developer to take certain actions including the clearing connecting road. The improvement of the connector road is that is a key component of any potential resolution in the matter.

Mr. Nemeth had concerns about the widening of the road floods of the swamp and the high water table. He is worried about who will be responsible if and when something goes wrong with environmental issues.

Attorney Greg MCGUCKIN the property owner would be responsible for any problems on their own property the applicant would have to post bonds for any public improvements that are being done.

Mr. Nemeth third concern was Rova Farms about its historical building.

BA Wall- Stated that there has been a delay due to asbestos. The review of the property for historic value, intrinsic value of that nature it needs to be taken down through the assessment process and through the engineer to bid. For asbestos there are two different ways to handle that - one is removing the asbestos first, and then removing the rest of the building; the other option which he stated is the one we are going with because it's more efficient and effective, will be one bid for both objectives and it should be going out to bid 30 to 60 days. That property with that much historical significance is measured twice and cut once. Making sure we do everything appropriately being secure and it's the ownership of the taxpayers. It will be out to bid shortly and advertise.

Mr. Nemeth final question was about updating the schools and their curb appeal.

BA Wall- Stated that it is with the Board of Education.

Elenor Hannum- 7 Evergreen Court- Asked Council who is determining what is going to be preserved at Rova Farms.

BA Wall stated that we are working with our planning team, as well as some of the folks who are familiar with the history of the town. He has been in the site himself but the building is falling apart and very dangerous; as far as artifacts other than a couple of items there it's been planning and local departments.

Ms. Hannum asked if there is an art historian involved with the artwork or the murals that are in that building. Will someone like her be told what will be preserved?

BA Wall stated that we are not at that stage of demo but we did identify there's a piece by a bar up on the wall with a couple of other artifacts. He stated based on Mrs. Hannum's input, he would like to be in touch after the meeting. To have a safe visit of the site with the planner and folks that have a part of history; we can facilitate that for the last look to make sure it is done appropriately and perhaps Mrs. Hannum can be a part of that.

Ms. Hannum next concern was why Council had to make a resolution about Executive Order 251. It is for the Jackson Board of Education.

Council President Kern stated that he wanted to let the Governor know where we stood with this resolution.

Ms. Hannum other question was about the Soil Ordinance.

Councilman Sauickie stated that we're close and is under review now and he expects to resubmit it for the Council's consideration. It was based on a EPA and DEP recommended format. It was unanimously passed by Council less than six months after recommendation by the DEP and it was struck down by a judge.

Ms. Hannum understood it was more than the procedural issues.

Councilman Sauickie said we've revisited it and wants to make sure it means something and it will be resubmitted for council's reconsideration.

Ms. Hannum had concerns about clear-cutting of land and preserving the well water in town.

Council President Kern stated that this council has been very aggressive with preserving as much land as possible.

Councilman Sauickie stated that if Ms. Hannum knows of another town which has an ordinance similar that addresses clear cutting to bring it to his attention. In the last two years this Council, in his own opinion, has supported the environment more than any group before. Stated that animal cruelty ordinance that in part protected the endanger species within the town limits as well as passing the soil fill and we will attempted to resubmit that. As Council President had mentioned the approval of the town increased the open space tax and the council has purchased more land in the past two years.

Jeff Nemeth- 397 Perrineville Road- Mr. Nemeth mentioned that he has a menu from Rova Farms that he would be more than happy to donate.

Mr. Nemeth address council about the noise statute for hours when construction can start and there are laws that construction abide by. The hours are Monday through Friday start 7 AM and on Saturday and Sunday construction can start at 8 AM.

Mr. Nemeth asked Council if the Natural Gas lines on Perrineville Road is to provide to the other streets or is it for the project for Jackson Park.

Councilman Vice President Flemming stated the Township Engineer would know that.

Mr. Nemeth next question was for the Anderson Road project is there supposed to be buffers?

Council President Kern stated he wouldn't be able to speak about that.

Mr. Nemeth final question was does this town have a research for a population project will more schools be built?

Council President Kern stated that will be a School Board issue.

**MOTION TO CLOSE PUBLIC COMMENT ON ANY TOPIC BY: SAUICKIE
MOTION SECONDED BY: FLEMMING
YES: BORRELLI, CHISHOLM, SAUICKIE, FLEMMING, KERN**

**RESOLUTION 333R-21
TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE TOWNSHIP
COUNCIL TO ENTER INTO CLOSED DISCUSSIONS CONCERNING MATTERS
AS NOTED BELOW
MOTION TO APPROVE BY: SAUICKIE
MOTION SECONDED BY: CHISHOLM
YES: BORRELLI, CHISHOLM, SAUICKIE, FLEMMING, KERN**

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a public meeting under certain circumstances; and

WHEREAS, this governing body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jackson, County of Ocean, and State of New Jersey, as follows:

- 1.The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
- 2.The general nature of the subject matter to be discussed is as follows:
 - b) Personnel/Professionals:
 - c) Litigation/Potential Litigation: **Update on lawsuits**
 - d) Potential Land Sale/Land Acquisition:
 - e) Contracts/Agreements:
- 3.It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 9-2-2021

**JANICE KISTY, R.M.C.
TOWNSHIP CLERK**

Township Clerk Kisty announced that this concludes the live stream portion of the meeting.

**5:30P.M. - RECONVENE PUBLIC MEETING IN THE MAIN MEETING ROOM
OF THE MUNICIPAL BUILDING**

MOTION TO ADJOURN BY: SAUICKIE

MOTION SECONDED BY: FLEMMING

YES: BORRELLI, CHISHOLM, SAUICKIE, FLEMMING, KERN

5:30P.M.

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT KERN

**JANICE KISTY, R.M.C.
TOWNSHIP CLERK**

JK/je