

Zimbra

clerk@jacksontwpnj.net

Fwd: Public property?

From : Kenneth Bressi
<councilmanbressi@jacksontwpnj.net>

Mon, May 15, 2017 12:35 PM

Subject : Fwd: Public property?

To : Ann Marie Eden <clerk@jacksontwpnj.net>

----- Forwarded Message -----

From: "Barry Calogero" <councilmancalogero@jacksontwpnj.net>
To: "Optimum" <kamkanis@optonline.net>
Cc: "Helene Schlegel" <hschlegel@jacksontwpnj.net>, "Michael Reina" <mikereina@jacksontwpnj.net>, "Robert Nixon" <councilmannixon@jacksontwpnj.net>, "Kenneth Bressi" <councilmanbressi@jacksontwpnj.net>, "Ann Updegrave" <annieup@jacksontwpnj.net>, "Scott Martin" <councilmanmartin@jacksontwpnj.net>
Sent: Wednesday, May 10, 2017 9:35:46 AM
Subject: Re: Public property?

Ms Schlegel,
Given Mr Pieslak response below, if Infact there is a violation I respectfully request emediate enforcement actions be taken to the fullest extent permitted.

Please keep me posted on any actions taken in this regard.

Respectfully
Councilman

Barry Calogero

----- Original Message -----

From: Optimum <kamkanis@optonline.net>
To: councilmannixon@jacksontwpnj.net, Michael Reina <mikereina@jacksontwpnj.net>, councilmanbressi@jacksontwpnj.net, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, annieup@jacksontwpnj.net
Sent: Tue, 09 May 2017 17:00:51 -0400 (EDT)

Subject: Re: Public property?

Hello, again!

Just wondering when this will be enforced and when the poles and wires will be taken down.

Thank you.

Sent from my iPhone

> On Apr 25, 2017, at 5:50 PM, Optimum <kamkanis@optonline.net> wrote:

>

> Thank you! This is great news. Hopefully all requests to construct these poles will be denied.

> Kelly Kanis

>

> Sent from my iPhone

>

> Begin forwarded message:

>

>> From: Optimum <kamkanis@optonline.net>

>> Date: April 25, 2017 at 5:48:41 PM EDT

>> To: Kenneth Pieslak <kpieslak@jacksontwpnj.net>

>> Subject: Re: Public property?

>>

>> This is great! Thank you for sharing! My only hope NOW is that the township does not give consent to any individuals who ask to put up these poles in the ROW.

>>

>> Sent from my iPhone

>>

>>> On Apr 25, 2017, at 4:38 PM, Kenneth Pieslak

<kpieslak@jacksontwpnj.net> wrote:

>>>

>>> Ms. Kanis :

>>>

>>> After much research the Township Attorney has provided us with legal guidance/direction as follows:

>>>

>>> Jackson Township Ordinance 372-8 prohibits the obstruction of streets:

>>> No person shall encumber or obstruct any street or public place with any article or thing whatsoever unless permission has first been obtained in writing from the Township Committee of the Township of Jackson.

>>>

>>> Placement of a pole in the municipal ROW requires municipal consent. The poles constitute an obstruction and violate 372-8 and violations as set in 372-10 may be issued:

>>> Any person who shall violate any of the terms or provisions of this article shall be subject to a penalty of not less than \$100 and not to exceed \$2000 or imprisonment for a term not to exceed 90 days, or both, in the discretion of the Judge before whom such conviction may be had.

>>>

>>> This prohibition applies to all obstructions in the right of way and should be uniformly applied throughout the Township, to include other obstructions such as basketball nets that are placed in the right of way without permission.

>>>

>>> We will begin enforcing this as outlined. If you have any other questions, please let me know.

>>>

>>>

>>> Kenneth J. Pieslak

>>> Code Compliance Supervisor

>>> Jackson Township

>>> 95 W. Veterans Hwy., Jackson, NJ 08527

>>> 732.928.1200 ext. 1231

>>> 732.833.0603 (fax)

>>>

>>>

>>>

>>> From: "Optimum" <kamkanis@optonline.net>

>>> To: "Helene Schlegel" <hschlegel@jacksontwpnj.net>

>>> Cc: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>, "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>,

councilmannixon@jacksontwpnj.net, "Michael Reina"

<mikereina@jacksontwpnj.net>,

councilmancalogero@jacksontwpnj.net,

councilmanmartin@jacksontwpnj.net,

councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,

"Jean Cipriani" <jlclcgm-law.net>

>>> Sent: Monday, April 24, 2017 8:58:45 PM

>>> Subject: Re: Public property?

>>>

>>> Thank you so much for clarifying that for me. I didn't know how it worked. Hopefully this will be solidified and tightened up, so that when the township denies such requests, the code will be

>>> all that's needed for denial.

>>>

>>> Sent from my iPhone

>>>

>>> On Apr 24, 2017, at 7:26 PM, Helene Schlegel

<hschlegel@jacksontwpnj.net> wrote:

>>>

>>> Dear Ms. Kanis,

>>>

>>> I understand your frustration with receiving conflicting information. This appears to be a complex subject and there seems to be a variety of interpretations.

>>>

>>> The two departments' (code and zoning) deal with two separate areas within our code. This matter is unfortunately not clear cut as we would like. After gathering the legal information, it appears that this is not a zoning issue identified within land use law, but rather a code issue as the property owner, according to legal council, would need the Township's consent to put them in the right of way.

>>>

>>> We are requesting that our Township Attorney provide us with previous legal decisions regarding these wires that will provide a firm answer that we can solidly defend.

>>>

>>> Respectfully,

>>>

>>> Helene Schlegel, MS, MPP, CPM

>>> Business Administrator

>>> Jackson Township

>>> 95 West Veterans Highway

>>> Jackson, NJ 08527

>>> 732-928-1200 ext. 1210

>>>

>>> CONFIDENTIALITY NOTICE: This electronic message contains information from the Jackson Township Mayor's office. This email and any files attached may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it, you are hereby notified that any DISCLOSURE, COPYING, DISTRIBUTION or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please forward same to sender and destroy the original transmission and its attachments without reading or saving in any manner.

>>>

>>>

>>>

>>> On Apr 24, 2017, at 4:57 PM, Optimum

<kamkanis@optonline.net> wrote:

>>>

>>> Thank you for your response. I'm just not clear as I've gotten conflicting messages from the township. One (from code) that is is enforceable and one (from planning and zoning) that it is not. Please clarify.

>>>

>>> Thank you.

>>>

>>> Sent from my iPhone

>>>

>>> On Apr 24, 2017, at 4:24 PM, Jeff Purpuro

<jpurpuro@jacksontwpnj.net> wrote:

>>>

>>> Hello,

>>>

>>> As I've had a few days to, again, research our codes and regulations, I literally went through page by page of our Administrative codes (essentially enforced by Code Enforcement) and the Land Use and Development Regulations (Chapter 244 that is my responsibility), chapter 244 specifically speaks to buffers, easements, yard areas, open spaces, sight triangles and the like, but only deals with all improvements on one's property. So if I were to ask for these wires to be removed, I'd have no black and white codes to cite.

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>>> Our sign ordinance (244-207) notes that signs cannot be installed within the right-of-way, our fence ordinance (244-190) says no fencing or walls may be installed w/in the right-of-ways, but except for 244-219 "Utility installations", nothing seems to exist that would permit nor prohibit anything from being installed within these areas, including mailboxes.

>>>

>>> Bottom line, from a Planning and Zoning perspective, relative to Chapter 244, as nothing seems to exist on this matter, I have nothing to enforce.

>>>

>>> Thank you.

>>>

>>>

>>> Jeffrey Purpuro

>>> Jackson Township Zoning Officer

>>> 95 W.Veterans Hwy. Jackson, NJ 08527

>>> 732.928.1200 ext. 1240

>>> 732.928.1397 (fax)

>>>

>>> From: "Optimum" <kamkanis@optonline.net>

>>> To: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>
>>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>,
councilmannixon@jacksontwpnj.net, "Michael Reina"
<mikereina@jacksontwpnj.net>,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
"Helene Schlegel" <hschlegel@jacksontwpnj.net>
>>> Sent: Sunday, April 23, 2017 10:38:12 AM
>>> Subject: Re: Public property?
>>>
>>> Hello, again!
>>>
>>> Just wondering if these wires will be enforced like other
structures on the ROW since the homeowners do not own that land.
If mailboxes have to follow suit, then I'm sure other items
would as well. If not, I can see this opening up a huge can of
worms for other structures to be placed there.
>>>
>>> Thank you!
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>>> Sent from my iPhone
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>>> On Apr 6, 2017, at 4:41 PM, Optimum <kamkanis@optonline.net>
wrote:
>>>
>>> Thank you for your replies and explanations. I'm not sure
where this will end up as far as preventing these divisive
boundary lines from being installed. Hopefully the tall poles
won't end up being safety hazard and damage cars and property or
hurt anyone if they fall during storms, etc.
>>> I just can't believe these permanent structures do not fall
under a category of things that are already regulated in the
ROW.
>>>
>>> With regards to the signage, I know there are realtors signs
in the BW3 in the ROW area.
>>>
>>> Thanks for your time and energy as you investigate this
matter.
>>> -Kelly Kanis
>>>
>>> Sent from my iPhone
>>>
>>> On Apr 6, 2017, at 10:03 AM, Jeff Purpuro
<jpurpuro@jacksontwpnj.net> wrote:
>>>

>>> Ken,

>>>

>>> While I'm looking into what can and/or cannot be installed within a public r.o.w., but may not be able to find it in the land use regulations, I need to take exception to your thought that area between the sidewalk and street are owned by the homeowner. In most, if not all, cases, the property line ends before the sidewalk, and the sidewalk and curb are outside the property line, but needs to be maintained by the homeowner.

>>>

>>> And while everyone places a mailbox within the r.o.w., there are specific conditions that allow for such installations, but again, won't be found in chapter 244 (land use regs.)

>>>

>>> I will keep you informed. Thank you.

>>>

>>>

>>> Jeffrey Purpuro

>>> Jackson Township Zoning Officer

>>> 95 W.Veterans Hwy. Jackson, NJ 08527

>>> 732.928.1200 ext. 1240

>>> 732.928.1397 (fax)

>>>

>>> From: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>

>>> To: "Optimum" <kamkanis@optonline.net>

>>> Cc: councilmannixon@jacksontwpnj.net, "Michael Reina"

<mikereina@jacksontwpnj.net>,

councilmancalogero@jacksontwpnj.net,

councilmanmartin@jacksontwpnj.net,

councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,

"Helene Schlegel" <hschlegel@jacksontwpnj.net>, "Jeff Purpuro"

<jpurpuro@jacksontwpnj.net>

>>> Sent: Thursday, April 6, 2017 8:58:56 AM

>>> Subject: Re: Public property?

>>>

>>> Ms. Kanis :

>>>

>>> My apologies as I received several emails on this subject at the same time and thought I responded to everyone. The Right-of-way area between the sidewalk and the street is owned by the homeowner and not 'public property'. It is designated as such for the purpose of allowing government entities, power, cable, telephone, utility companies access to repair/install utilities as needed. This concern has been looked into by Zoning, Engineering and Code Enforcement. We are aware of the group of homes that have installed the poles connected by the wire in Brookwood land found there to be no violation of any

Ordinance/Law.

>>>

>>> You are correct with signage as there is a specific Code that prohibits most signage from being placed in the Right-of-way.

>>>

>>> Hopefully this answers your questions. Should you have any further questions, please feel free to contact me.

>>>

>>>

>>> Kenneth J. Pieslak
>>> Code Compliance Supervisor
>>> Jackson Township

>>> 95 W. Veterans Hwy., Jackson, NJ 08527

>>> 732.928.1200 ext. 1231

>>> 732.833.0603 (fax)

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>>>

>>>

>>> From: "Optimum" <kamkanis@optonline.net>

>>> To: councilmannixon@jacksontwpnj.net, "Michael Reina"

<mikereina@jacksontwpnj.net>,

councilmancalogero@jacksontwpnj.net,

councilmanmartin@jacksontwpnj.net,

councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net

>>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>

>>> Sent: Wednesday, April 5, 2017 4:45:27 PM

>>> Subject: Re: Public property?

>>>

>>> Please advise as I've had no response.

>>>

>>> Sent from my iPhone

>>>

>>> On Apr 1, 2017, at 5:11 PM, Optimum <kamkanis@optonline.net> wrote:

>>>

>>> I sent this email to code. I'm not sure why this is being allowed in areas of JACKSON. Please advise.

>>>

>>> Sent from my iPhone

>>>

>>> Begin forwarded message:

>>>

>>> From: Optimum <kamkanis@optonline.net>

>>> Date: April 1, 2017 at 5:08:07 PM EDT

>>> To: kpieslak@jacksontwpnj.net

>>> Subject: Public property?

>>>

>>>

>>> Dear Ken,

>>>

>>> I'm not sure what is going on in BW1, but these poles and wires extend across property lines and are permanently affixed to the public sidewalk/grassy area.

>>>

>>> I live in BW3 and was always under the impression that this area was indeed township property even though I had to maintain it. I'll have to see if they are being constructed in my neighborhood.

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>>> It seems as if the Hacidic families are grouping their houses together for some reason bc a non-Hacidic family was asked if they could put poles on their property. No one should even be allowed to ask that or for residents to free pressured to allow them to do so. If this is a cultural or religious symbol, it creates a VERY divided community with physical boundaries of separation.

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>>> Just like the Jim Crow laws labeling "white or black fountains", this is a sign that "Hacidics only" are welcome. In addition, it is NOT separation of church and state with this crossing property lines and on the public areas of the sidewalk.

I didn't even think realtor "for sale" signs were allowed in this strip.

>>>

>>> I'm not sure why this is allowed, but if it is, please direct me to the ordinance that states that permanent structures on this public strip are allowed. I always thought a fence, border, lights, or flag poles would look nice there, so I look forward to constructing some soon since it seems to be allowed.

>>>

>>> Things like this are definitely changing the landscape of Jackson.

>>>

>>> Sincerely,

>>> Kelly Kanis

>>>

>>> <IMG_4523.JPG>

>>>

>>>

>>>

>>> <IMG_4524.JPG>

>>>

>>>

>>>

>>> Sent from my iPhone

>>>

>>>

>>>

>>>

>>>

Zimbra

clerk@jacksontwpnj.net

Fwd: Public property?

From : Kenneth Bressi <councilmanbressi@jacksontwpnj.net>
Subject : Fwd: Public property?
To : Ann Marie Eden <clerk@jacksontwpnj.net>

Mon, May 15, 2017 12:37 PM

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To: "Helene Schlegel" <hschlegel@jacksontwpnj.net>
Cc: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>, "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, "Jean Cipriani" <jlc@gm-law.net>
Sent: Monday, April 24, 2017 8:58:45 PM
Subject: Re: Public property?

Thank you so much for clarifying that for me. I didn't know how it worked. Hopefully this will be solidified and tightened up, so that when the township denies such requests, the code will be all that's needed for denial.

Sent from my iPhone

On Apr 24, 2017, at 7:26 PM, Helene Schlegel <hschlegel@jacksontwpnj.net> wrote:

Dear Ms. Kanis,

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The two departments (code and zoning) deal with two separate areas within our code. This matter is unfortunately not clear cut as we would like. After gathering the legal information, it appears that this is not a zoning issue identified within land use law, but rather a code issue as the property owner, according to legal council, would need the Township's consent to put them in the right of way.

We are requesting that our Township Attorney provide us with previous legal decisions regarding these wires that will provide a firm answer that we can solidly defend.

Respectfully,

Helene Schlegel, MS, MPP, CPM
Business Administrator
Jackson Township
95 West Veterans Highway
Jackson, NJ 08527
732-928-1200 ext. 1210

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Bottom line, from a Planning and Zoning perspective, relative to Chapter 244, as nothing seems to exist on this matter, I have nothing to enforce.

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Jackson Township Zoning Officer
95 W.Veterans Hwy, Jackson, NJ 08527
732.928.1200 ext. 1240
732.928.1397 (fax)

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To: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>

Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, "Helene Schlegel" <hschlegel@jacksontwpnj.net>
Sent: Sunday, April 23, 2017 10:38:12 AM
Subject: Re: Public property?

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With regards to the signage, I know there are realtors signs in the BW3 in the ROW area.

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Sent: Thursday, April 6, 2017 8:58:56 AM
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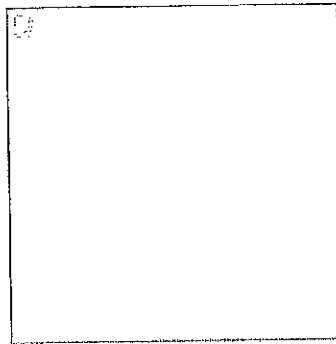
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Township
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To: councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net
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Sincerely,
Kelly Kanis

<IMG_4523.JPG>

<IMG_4524.JPG>

Sent from my iPhone

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Public property?

From : Ann Updegrave <annieup@jacksontwpnj.net> Mon, May 08, 2017 11:13 AM
Subject : Fwd: Re: Public property?
To : "Ann Marie Eden" <clerk@jacksontwpnj.net>

----- Forwarded Message -----

From: Helene Schlegel <hschlegel@jacksontwpnj.net>
To: Optimum <kamkanis@optonline.net>
Cc: Jeff Purpuro <jpurpuro@jacksontwpnj.net>, Kenneth Pieslak <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, Michael Reina <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, Jean Cipriani <jlc@gm-law.net>
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Jackson, NJ 08527
732-928-1200 ext. 1210

CONFIDENTIALITY NOTICE: This electronic message contains information from the Jackson Township Mayor's office. This email and any files attached may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it, you are hereby notified that any DISCLOSURE, COPYING, DISTRIBUTION or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please forward same to sender and destroy the original transmission and its attachments without reading or saving in any manner.

> On Apr 24, 2017, at 4:57 PM, Optimum <kamkanis@optonline.net> wrote:

>

> Thank you for your response. I'm just not clear as I've gotten conflicting messages from the township. One (from code) that is enforceable and one (from planning and zoning) that it is not. Please clarify.

>

> Thank you.

>

> Sent from my iPhone

>

>> On Apr 24, 2017, at 4:24 PM, Jeff Purpuro
<jpurpuro@jacksontwpnj.net> wrote:

>>

>> Hello,

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>> As I've had a few days to, again, research our codes and regulations, I literally went through page by page of our Administrative codes (essentially enforced by Code Enforcement) and the Land Use and Development Regulations (Chapter 244 that is my responsibility), chapter 244 specifically speaks to buffers, easements, yard areas, open spaces, sight triangles and the like, but only deals with all improvements on one's property. So if I were to ask for these wires to be removed, I'd have no black and white codes to cite..

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installed within the right-of-way, our fence ordinance (244-190) says no fencing or walls may be installed w/in the right-of-ways, but except for 244-219 "Utility installations", nothing seems to exist that would permit nor prohibit anything from being installed within these areas, including mailboxes.

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>> Bottom line, from a Planning and Zoning perspective, relative to Chapter 244, as nothing seems to exist on this matter, I have nothing to enforce.

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>> Thank you.

>>

>>

>> Jeffrey Purpuro

>> Jackson Township Zoning Officer

>> 95 W.Veterans Hwy. Jackson, NJ 08527

>> 732.928.1200 ext. 1240

>> 732.928.1397 (fax)

>>

>> From: "Optimum" <kamkanis@optonline.net>

>> To: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>

>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>,

councilmannixon@jacksontwpnj.net, "Michael Reina"

<mikereina@jacksontwpnj.net>,

councilmancalogero@jacksontwpnj.net,

councilmanmartin@jacksontwpnj.net,

councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,

"Helene Schlegel" <hschlegel@jacksontwpnj.net>

>> Sent: Sunday, April 23, 2017 10:38:12 AM

>> Subject: Re: Public property?

>>

>> Hello, again!

>>

>> Just wondering if these wires will be enforced like other structures on the ROW since the homeowners do not own that land. If mailboxes have to follow suit, then I'm sure other items would as well. If not, I can see this opening up a huge can of worms for other structures to be placed there.

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>> I just can't believe these permanent structures do not fall under a category of things that are already regulated in the ROW.

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>> With regards to the signage, I know there are realtors signs in the BW3 in the ROW area.

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>> Thanks for your time and energy as you investigate this matter.

>> -Kelly Kanis

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>> 95 W.Veterans Hwy. Jackson, NJ 08527

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>> From: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>

>> To: "Optimum" <kamkanis@optonline.net>

>> Cc: councilmannixon@jacksontwpnj.net, "Michael Reina"

<mikereina@jacksontwpnj.net>,

councilmancalogero@jacksontwpnj.net,

councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
"Helene Schlegel" <hschlegel@jacksontwpnj.net>, "Jeff Purpuro"
<jpurpuro@jacksontwpnj.net>
>> Sent: Thursday, April 6, 2017 8:58:56 AM
>> Subject: Re: Public property?
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>> Ms. Kanis :
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the same time and thought I responded to everyone. The Right-
of-way area between the sidewalk and the street is owned by the
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telephone, utility companies access to repair/install utilities
as needed. This concern has been looked into by Zoning,
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>> You are correct with signage as there is a specific Code that
prohibits most signage from being placed in the Right-of-way.
>>
>> Hopefully this answers your questions. Should you have any
further questions, please feel free to contact me.
>>
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>> Kenneth J. Pieslak
>> Code Compliance Supervisor
>> Jackson Township

>> 95 W. Veterans Hwy., Jackson, NJ 08527
>> 732.928.1200 ext. 1231
>> 732.833.0603 (fax)
>>
>>
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>> From: "Optimum" <kamkanis@optonline.net>
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councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net
>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>
>> Sent: Wednesday, April 5, 2017 4:45:27 PM
>> Subject: Re: Public property?

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>> Please advise as I've had no response.
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>> On Apr 1, 2017, at 5:11 PM, Optimum <kamkanis@optonline.net>
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>> I sent this email to code. I'm not sure why this is being
allowed in areas of JACKSON. Please advise.
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>> From: Optimum <kamkanis@optonline.net>
>> Date: April 1, 2017 at 5:08:07 PM EDT
>> To: kpieslak@jacksontwpnj.net
>> Subject: Public property?
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>> Dear Ken,
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wires extend across property lines and are permanently affixed to
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>> Things like this are definitely changing the landscape of Jackson.

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>> Sincerely,

>> Kelly Kanis

>>

>> <IMG_4523.JPG>

>>

>>

>>

>> <IMG_4524.JPG>

>>

>>

>>

>> Sent from my iPhone

>>

>>

>>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Jackson Township: Jackson

From : Ann Updegrave <annieup@jacksontwpnj.net> Mon, May 08, 2017 11:15 AM
Subject : Fwd: Re: Jackson Township: Jackson
To : ""Ann Marie Eden"" <clerk@jacksontwpnj.net>

----- Forwarded Message -----

From: Ann Updegrave <annieup@jacksontwpnj.net>
To: mordy Burnstein <mordyburnstein@gmail.com>
Sent: Fri, 05 May 2017 12:57:47 -0400 (EDT)
Subject: Re: Jackson Township: Jackson

Mr. Burnstein:

This is something to be discussed with Administration as it appears you are requesting to have something permitted in the Township's right-of-ways (my opinion).

This would affect departments that come under the purview of Administration.

Please contact the Administrator at 732-928-1256.

Thank you for contacting me.

Ann Updegrave

----- Original Message -----

From: mordy Burnstein <mordyburnstein@gmail.com>
To: Ann Updegrave <annieup@jacksontwpnj.net>
Sent: Fri, 05 May 2017 11:48:34 -0400 (EDT)
Subject: Re: Jackson Township: Jackson

Thank you. I was under the impression that the council may have to address this in the future and wanted to explain our community's perspective and feelings. I would greatly appreciate the chance to talk.
Mordy 848 240 5316

On Fri, May 5, 2017 at 10:42 AM, Ann Updegrave

<annieup@jacksontwpnj.net>
wrote:

> Mr. Burnstein:
>
> Please contact the Jackson Township Administration Office
regarding your
> below concern.
>
> The number to call is 732-928-1256.
>
> Thank you.
>
> Ann Updegrave.
>
>
> ----- Original Message -----
> From: "Jackson Township Website" <webmaster@jacksontwpnj.net>
> To: annieup@jacksontwpnj.net
> Sent: Friday, May 5, 2017 7:20:46 AM
> Subject: Jackson Township: Jackson
>
> This is an enquiry email via <http://www.jacksontwpnj.net/> from:
> mordy Burnstein <mordyburnstein@gmail.com>
>
> Jewish religious law, or halacha, includes a number of
restrictions on
> observant Jews' behavior on the Jewish Sabbath. Among them is
the
> prohibition of carrying objects in a "public domain," anywhere
not enclosed
> by walls.
>
> An "eruv" is an unobtrusive system of upright poles (often
already
> existent utility poles) connected by thin filaments that
satisfies the
> technical halachic definition of a "wall," thereby permitting
Jews to carry
> objects or push strollers on the Sabbath.
>
> As a resident of Jackson I would like the opportunity to
discuss this
> subject with you and discuss a couple of different ways to go
about this in
> the best possible way. I am very flexible on when we can speak.
> Mordy Burnstein

> 848 240 5316

>

>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Public property?

From : Barry Calogero
<councilmancalogero@jacksontwpnj.net>

Mon, May 08, 2017 04:20 PM

Subject : Fwd: Re: Public property?

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

OPRA request response.

----- Forwarded Message -----

From: Optimum <kamkanis@optonline.net>
To: Helene Schlegel <hschlegel@jacksontwpnj.net>
Cc: Jeff Purpuro <jpurpuro@jacksontwpnj.net>, Kenneth Pieslak
<kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net,
Michael Reina <mikereina@jacksontwpnj.net>,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
Jean Cipriani <jlcl@gm-law.net>
Sent: Mon, 24 Apr 2017 20:58:45 -0400 (EDT)
Subject: Re: Public property?

Thank you so much for clarifying that for me. I didn't know how it worked. Hopefully this will be solidified and tightened up, so that when the township denies such requests, the code will be all that's needed for denial.

Sent from my iPhone

> On Apr 24, 2017, at 7:26 PM, Helene Schlegel
<hschlegel@jacksontwpnj.net> wrote:
>
> Dear Ms. Kanis,
>
> I understand your frustration with receiving conflicting
information. This appears to be a complex subject and there
seems to be a variety of interpretations.
>
> The two departments (code and zoning) deal with two separate
areas within our code. This matter is unfortunately not clear
cut as we would like. After gathering the legal information, it

appears that this is not a zoning issue identified within land use law, but rather a code issue as the property owner, according to legal council, would need the Township's consent to put them in the right of way.

>

> We are requesting that our Township Attorney provide us with previous legal decisions regarding these wires that will provide a firm answer that we can solidly defend.

>

> Respectfully,

>

> Helene Schlegel, MS, MPP, CPM

> Business Administrator

> Jackson Township

> 95 West Veterans Highway

> Jackson, NJ 08527

> 732-928-1200 ext. 1210

>

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>>> Jeffrey Purpuro
>>> Jackson Township Zoning Officer
>>> 95 W.Veterans Hwy. Jackson, NJ 08527
>>> 732.928.1200 ext. 1240
>>> 732.928.1397 (fax)
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>>> From: "Optimum" <kamkanis@optonline.net>
>>> To: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>
>>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, "Helene Schlegel" <hschlegel@jacksontwpnj.net>
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>>> Cc: councilmannixon@jacksontwpnj.net, "Michael Reina"

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>>> Sincerely,

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>>> <IMG_4523.JPG>

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Zimbra

clerk@jacksontwpnj.net

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From : Barry Calogero
<councilmancalogero@jacksontwpnj.net>

Mon, May 08, 2017 04:21 PM

Subject : Fwd: Re: Public property?

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

OPRA response.

----- Forwarded Message -----

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councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
Helene Schlegel <hschlegel@jacksontwpnj.net>
Sent: Mon, 24 Apr 2017 18:27:49 -0400 (EDT)
Subject: Re: Public property?

Thank you, Mr. Calogero!

Sent from my iPhone

> On Apr 24, 2017, at 5:07 PM, Barry Calogero
<councilmancalogero@jacksontwpnj.net> wrote:

>

> I respectfully request we "Council" revisit these Ordinances
and correct the obvious loop holes being exploited.

> CP Bressi, would you mind if I sought legal advice on a
possible revision to these ordinances ?

>

> Regards

> Councilman

> Barry Calogero

>

> ----- Original Message -----

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councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
Helene Schlegel <hschlegel@jacksontwpnj.net>
> Sent: Mon, 24 Apr 2017 17:01:19 -0400 (EDT)
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>> Jeffrey Purpuro

>> Jackson Township Zoning Officer
>> 95 W.Veterans Hwy. Jackson, NJ 08527
>> 732.928.1200 ext. 1240
>> 732.928.1397 (fax)
>>
>> From: "Optimum" <kamkanis@optonline.net>

Zimbra

clerk@jacksontwpnj.net

Fwd: Fwd: Issue

From : Barry Calogero
<councilmancalogero@jacksontwpnj.net>

Mon, May 08, 2017 04:22 PM

Subject : Fwd: Fwd: Issue

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

OPRA response

----- Forwarded Message -----

From: Christina <ck41272@optonline.net>
To: Helene Schlegel <hschlegel@jacksontwpnj.net>, Michael Reina
<mikereina@jacksontwpnj.net>, Robert A Nixon
<councilmannixon@jacksontwpnj.net>,
councilmanbressi@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net, Barry Calogero
<councilmancalogero@jacksontwpnj.net>, Kenneth Pieslak
<kpieslak@jacksontwpnj.net>
Sent: Mon, 24 Apr 2017 16:33:08 -0400 (EDT)
Subject: Fwd: Issue

Hello there. I am just following up on this issue. It's been a few weeks and I have not received a reply since The last email I sent to Ms. Schlegel. Why are signs not allowed in the R O W? Why is the pole like structures permissible ? It appears that a new or revised ordinance needs to be put in place. There is nothing in regards to these poles because it has not been an issue until recently. Thanks.
Christina Kisseberth

Sent from my iPhone

Begin forwarded message:

> From: Christina <ck41272@optonline.net>
> Date: April 6, 2017 at 8:02:48 PM EDT
> To: Helene Schlegel <hschlegel@jacksontwpnj.net>
> Subject: Re: Issue
>
> Hello. Again I thank you very much for the follow up. I would think that the poles together is like a permanent structure so

shouldn't there be a whole set of rules for that? I'm trying to understand why real estate signs and jackson strong signs were ordered to be taken down from code in the past when they were placed in that right of way area? What is the rationale? Why is one different than the other? Please help me understand this better. I think it's along the same principle. I think that the taking signs off in that right of way is on the books and something like these polls are not and needs to be.

> Again I look forward to hearing back from you.

> Christina Kisseberth

>

> Sent from my iPhone

>

>> On Apr 5, 2017, at 9:54 AM, Helene Schlegel

<hschlegel@jacksontwpnj.net> wrote:

>>

>> Dear Ms. Kisseberth,

>>

>> There are 4 adjoining properties that have poles on their property with a wire connecting those poles. These poles are separate from any utility pole and are neatly installed with the wires high enough as to not interfere with any vehicle, bicycle, equipment, etc below. The poles have been placed in the Right-of-Way, which is owned by the private individual homeowner and only designated as such to allow any government, power, cable, telephone entity to utilize for the repair/installation of any services. These poles/wires were discovered several months ago and discussed with by Zoning, Engineering and Code Enforcement. They poles/wires did not appear to pose any safety concerns. Being that the Right-of-Way is the homeowners property, it is allowable for an individual homeowner, or as in this case, a group to install these on their respective properties. Through the connection they do not utilize any public property or any adjoining homeowners properties where they may not be wanted.

>>

>>

>> Respectfully,

>>

>> Helene Schlegel, MS, MPP, CPM

>> Business Administrator

>> Jackson Township

>> 95 West Veterans Hwy.

>> Jackson, NJ 08527

>> 732-928-1200 ext. 1210

>>

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>>

>>

>> From: "Christina" <ck41272@optonline.net>

>> To: kpieslak@jacksontwpnj.net,
councilmannixon@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net, mikereina@jacksontwpnj.net,
administrator@jacksontwpnj.net, hschlegel@jacksontwpnj.net

>> Sent: Monday, April 3, 2017 10:00:26 PM

>> Subject: Issue

>>

>> Attention Jackson administration :

>> I have noticed that there are poles with wires connected on public property in the Brookwood one development. I find that to be an eyesore. I would not

>> like that in my neighborhood. If I were looking to move into this town and saw a row of this connected poles and wires

I would not want to move into that neighborhood. I feel that if a person had that in their neighborhood and wanted to sell their house it also may cause a problem with selling it. I also find yard sales signs on telephone poles an eyesore as well. I enjoy going to yard sales and it annoys me that people don't take their signs down after the sale is over. I find that business signs including realtor signs on public property to also be an eyesore. Are these things allowed? For the most part this town has nice clean neighborhoods with well maintained homes. This just changes the character of the neighborhood. Not to mention driving down a main road like County line road and see multiple signs in the ground on public property it looks messy.

>> Now to the next point I would

>> like to make. This kind of thing causes a separation of all the residents in the community. I don't think it would go over well if a block of homes were roped off with signs that say white section or Christian section. This causes a divide in the what is supposed to be a Community. I assume you can't do anything about this on private

>> property but these things are on public property. So I ask
you what are you going to about this? I feel as though this
needs to be addressed now before it gets out of control.

>> Thank you and I look forward to a timely response.

>>

>> Christina Kisseberth

>>

>>

>> Sent from my iPhone

>>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Eruv wires

From : Barry Calogero
<councilmancalogero@jacksontwpnj.net>

Mon, May 08, 2017 04:23 PM

Subject : Fwd: Re: Eruv wires

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

OPRA response.

----- Forwarded Message -----

From: Jennifer Cusanelli <termite027@aol.com>
To: Kenneth Pieslak <kpieslak@jacksontwpnj.net>
Cc: councilmancalogero@jacksontwpnj.net,
councilmannixon@jacksontwpnj.net, mikereina@jacksontwpnj.net,
hschlegel@jacksontwpnj.net, Jeff Purpuro
<jpurpuro@jacksontwpnj.net>, councilmanbressi@jacksontwp.net
Sent: Mon, 24 Apr 2017 22:54:52 -0400 (EDT)
Subject: Re: Eruv wires

White Rd near Galassi Court. As you can see it's attached to the utility pole. There are several others in Kensington Manor.

Sent from my iPhone

> On Apr 24, 2017, at 4:13 PM, Kenneth Pieslak
<kpieslak@jacksontwpnj.net> wrote:
>
> Ms. Cusanelli :
>
> I apologize for the delay, however, as you know, there were
conflicting thoughts/understandings on the ROW that we had to
have Legal do some research. As a result we have been advised
that the area where the poles are is in what is described as a
'public right of way' therefore not allowed in that area. As a
'public right of way' the things allowed would be utility poles,
DOT approved traffic signs, mailboxes and street signs. With
this, we are in the process of notifying the homeowners involved
that these poles must be removed from the ROW.
>
>
> Kenneth J. Pieslak
> Code Compliance Supervisor

> Jackson Township

> 95 W. Veterans Hwy., Jackson, NJ 08527

> 732.928.1200 ext. 1231

> 732.833.0603 (fax)

>

>

>

> From: "Jennifer Cusanelli" <termite027@aol.com>

> To: councilmancalogero@jacksontwpnj.net,
councilmannixon@jacksontwpnj.net, mikereina@jacksontwpnj.net,
hschlegel@jacksontwpnj.net, "Jeff Purpuro"

<jpurpuro@jacksontwpnj.net>, "Kenneth Pieslak"

<kpieslak@jacksontwpnj.net>, councilmanbressi@jacksontwp.net

> Sent: Monday, April 24, 2017 3:12:32 PM

> Subject: Re: Eruv wires

>

> I haven't received a response to my email regarding eruv wires
placement on the row.

> Jennifer Cusanelli

>

> Sent from my iPhone

>

> On Apr 20, 2017, at 10:14 AM, Jennifer Cusanelli
<termite027@aol.com> wrote:

>

> Dear Council members, There seems to be quite a few eruv poles
with wires or ropes being put up on "the row" or "right of way"
in Jackson neighborhoods occupied by Orthodox families.

Apparently they are used to allow an extension of the area in
which Orthodox families can travel on their days of prayer. As
this may be of religious benefit to them it does nothing but
create an eyesore and puts a label on the entire neighborhood. I
have inquired with Ken from code and I am told that there is
currently no ordinances on record regulating their placement. I
respectfully request that this is addressed as soon as possible.
If poles are going to be put up then perhaps they should be
treated like signage and regulated as such. I have personally
had signs removed from the "right of way" on my property and
"destroyed" by township employees because "nothing is allowed on
the right of way other than mailboxes and utility needs. If
religious pole are going to be allowed then they should only be
kept of private property and not be allowed to be placed on the
right of way. Also if they are being installed in the ground
should they not have to have surveys done as to prevent
interference with under ground utilities? Or are they even safe
as far as lightening or high winds are concerned? Please

address this issue. A clear precedent has already been set in regards to the function of "the right of way". Please consider amending it to include that nothing other than what is already permitted is to be put on "the row". Thank You, Jennifer Cusanelli

>

> Sent from my iPhone

>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re:

From : Barry Calogero
<councilmancalogero@jacksontwpnj.net>

Mon, May 08, 2017 04:24 PM

Subject : Fwd: Re:**To :** 'Ann Marie Eden' <clerk@jacksontwpnj.net>

OPRA response

----- Forwarded Message -----

From: mordy Burnstein <mordyburnstein@gmail.com>
To: Barry Calogero <councilmancalogero@jacksontwpnj.net>
Sent: Tue, 25 Apr 2017 07:30:16 -0400 (EDT)
Subject: Re:

Its not always the easiest method to communicate my concerns, as
to put
everything in writing can be difficult.
Mordy

On Tue, Apr 25, 2017 at 7:15 AM, Barry Calogero <
councilmancalogero@jacksontwpnj.net> wrote:

> I think the best most efficient thing to do would be to email
me your
> concerns.

>

> Respectfully
> Councilman

>

> Barry Calogero

>

> ----- Original Message -----

> From: mordy Burnstein <mordyburnstein@gmail.com>
> To: Barry Calogero <councilmancalogero@jacksontwpnj.net>
> Sent: Tue, 25 Apr 2017 06:58:14 -0400 (EDT)
> Subject:

>

> Hi how are you. I was wondering if you had time in the near
future to sit
> down and talk?
> Thanks, Mordy

Zimbra

<https://mail.jacksonnj.net/h/printmessage?id=122537&tz=America...>

>

>

Zimbra

clerk@jacksontwpnj.net

Fwd: Fwd: Public property?

From : Barry Calogero
<councilmancalogero@jacksontwpnj.net>

Mon, May 08, 2017 04:25 PM

Subject : Fwd: Fwd: Public property?

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

OPRA request

----- Forwarded Message -----

From: Optimum <kamkanis@optonline.net>
To: councilmannixon@jacksontwpnj.net, Michael Reina
<mikereina@jacksontwpnj.net>, councilmanbressi@jacksontwpnj.net,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net, annieup@jacksontwpnj.net
Sent: Tue, 25 Apr 2017 17:50:41 -0400 (EDT)
Subject: Fwd: Public property?

Thank you! This is great news. Hopefully all requests to
construct these poles will be denied.
Kelly Kanis

Sent from my iPhone

Begin forwarded message:

> From: Optimum <kamkanis@optonline.net>
> Date: April 25, 2017 at 5:48:41 PM EDT
> To: Kenneth Pieslak <kpieslak@jacksontwpnj.net>
> Subject: Re: Public property?

>

> This is great! Thank you for sharing! My only hope NOW is that
the township does not give consent to any individuals who ask to
put up these poles in the ROW.

>

> Sent from my iPhone

>

>> On Apr 25, 2017, at 4:38 PM, Kenneth Pieslak
<kpieslak@jacksontwpnj.net> wrote:

>>

>> Ms. Kanis :

>>

>> After much research the Township Attorney has provided us with legal guidance/direction as follows:

>>

>> Jackson Township Ordinance 372-8 prohibits the obstruction of streets:

>> No person shall encumber or obstruct any street or public place with any article or thing whatsoever unless permission has first been obtained in writing from the Township Committee of the Township of Jackson.

>>

>> Placement of a pole in the municipal ROW requires municipal consent. The poles constitute an obstruction and violate 372-8 and violations as set in 372-10 may be issued:

>> Any person who shall violate any of the terms or provisions of this article shall be subject to a penalty of not less than \$100 and not to exceed \$2000 or imprisonment for a term not to exceed 90 days, or both, in the discretion of the Judge before whom such conviction may be had.

>>

>> This prohibition applies to all obstructions in the right of way and should be uniformly applied throughout the Township, to include other obstructions such as basketball nets that are placed in the right of way without permission.

>>

>> We will begin enforcing this as outlined. If you have any other questions, please let me know.

>>

>>

>> Kenneth J. Pieslak

>> Code Compliance Supervisor

>> Jackson Township

>> 95 W. Veterans Hwy., Jackson, NJ 08527

>> 732.928.1200 ext. 1231

>> 732.833.0603 (fax)

>>

>>

>>

>> From: "Optimum" <kamkanis@optonline.net>

>> To: "Helene Schlegel" <hschlegel@jacksontwpnj.net>

>> Cc: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>, "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,

"Jean Cipriani" <jlc@gm-law.net>

>> Sent: Monday, April 24, 2017 8:58:45 PM

>> Subject: Re: Public property?

>>

>> Thank you so much for clarifying that for me. I didn't know how it worked. Hopefully this will be solidified and tightened up, so that when the township denies such requests, the code will be

>> all that's needed for denial.

>>

>> Sent from my iPhone

>>

>> On Apr 24, 2017, at 7:26 PM, Helene Schlegel

<hschlegel@jacksontwpnj.net> wrote:

>>

>> Dear Ms. Kanis,

>>

>> I understand your frustration with receiving conflicting information. This appears to be a complex subject and there seems to be a variety of interpretations.

>>

>> The two departments (code and zoning) deal with two separate areas within our code. This matter is unfortunately not clear cut as we would like. After gathering the legal information, it appears that this is not a zoning issue identified within land use law, but rather a code issue as the property owner, according to legal council, would need the Township's consent to put them in the right of way.

>>

>> We are requesting that our Township Attorney provide us with previous legal decisions regarding these wires that will provide a firm answer that we can solidly defend.

>>

>> Respectfully,

>>

>> Helene Schlegel, MS, MPP, CPM

>> Business Administrator

>> Jackson Township

>> 95 West Veterans Highway

>> Jackson, NJ 08527

>> 732-928-1200 ext. 1210

>>

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>>

>>

>>

>> On Apr 24, 2017, at 4:57 PM, Optimum <kamkanis@optonline.net> wrote:

>>

>> Thank you for your response. I'm just not clear as I've gotten conflicting messages from the township. One (from code) that is is enforceable and one (from planning and zoning) that it is not. Please clarify.

>>

>> Thank you.

>>

>> Sent from my iPhone

>>

>> On Apr 24, 2017, at 4:24 PM, Jeff Purpuro <jpurpuro@jacksontwpnj.net> wrote:

>>

>> Hello,

>>

>> As I've had a few days to, again, research our codes and regulations, I literally went through page by page of our Administrative codes (essentially enforced by Code Enforcement) and the Land Use and Development Regulations (Chapter 244 that is my responsibility), chapter 244 specifically speaks to buffers, easements, yard areas, open spaces, sight triangles and the like, but only deals with all improvements on one's property. So if I were to ask for these wires to be removed, I'd have no black and white codes to cite.

>>

>> Our sign ordinance (244-207) notes that signs cannot be installed within the right-of-way, our fence ordinance (244-190) says no fencing or walls may be installed w/in the right-of-ways, but except for 244-219 "Utility installations", nothing seems to exist that would permit nor prohibit anything from being installed within these areas, including mailboxes.

>>

>> Bottom line, from a Planning and Zoning perspective, relative to Chapter 244, as nothing seems to exist on this matter, I have nothing to enforce.

>>

>> Thank you.
>>
>>
>> Jeffrey Purpuro
>> Jackson Township Zoning Officer
>> 95 W.Veterans Hwy. Jackson, NJ 08527
>> 732.928.1200 ext. 1240
>> 732.928.1397 (fax)
>>
>> From: "Optimum" <kamkanis@optonline.net>
>> To: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>
>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, "Helene Schlegel" <hschlegel@jacksontwpnj.net>
>> Sent: Sunday, April 23, 2017 10:38:12 AM
>> Subject: Re: Public property?
>>
>> Hello, again!
>>
>> Just wondering if these wires will be enforced like other structures on the ROW since the homeowners do not own that land. If mailboxes have to follow suit, then I'm sure other items would as well. If not, I can see this opening up a huge can of worms for other structures to be placed there.
>>
>> Thank you!
>>
>> Sent from my iPhone
>>
>> On Apr 6, 2017, at 4:41 PM, Optimum <kamkanis@optonline.net> wrote:
>>
>> Thank you for your replies and explanations. I'm not sure where this will end up as far as preventing these divisive boundary lines from being installed. Hopefully the tall poles won't end up being safety hazard and damage cars and property or hurt anyone if they fall during storms, etc.
>> I just can't believe these permanent structures do not fall under a category of things that are already regulated in the ROW.
>>
>> With regards to the signage, I know there are realtors signs in the BW3 in the ROW area.

>>
>> Thanks for your time and energy as you investigate this matter.
>> -Kelly Kanis
>>
>> Sent from my iPhone
>>
>> On Apr 6, 2017, at 10:03 AM, Jeff Purpuro <jpurpuro@jacksontwpnj.net> wrote:
>>
>> Ken,
>>
>> While I'm looking into what can and/or cannot be installed within a public r.o.w., but may not be able to find it in the land use regulations, I need to take exception to your thought that area between the sidewalk and street are owned by the homeowner. In most, if not all, cases, the property line ends before the sidewalk, and the sidewalk and curb are outside the property line, but needs to be maintained by the homeowner.
>>
>> And while everyone places a mailbox within the r.o.w., there are specific conditions that allow for such installations, but again, won't be found in chapter 244 (land use regs.)
>>
>> I will keep you informed. Thank you.
>>
>>
>> Jeffrey Purpuro
>> Jackson Township Zoning Officer
>> 95 W.Veterans Hwy. Jackson, NJ 08527
>> 732.928.1200 ext. 1240
>> 732.928.1397 (fax)
>>
>> From: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>
>> To: "Optimum" <kamkanis@optonline.net>
>> Cc: councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, "Helene Schlegel" <hschlegel@jacksontwpnj.net>, "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>
>> Sent: Thursday, April 6, 2017 8:58:56 AM
>> Subject: Re: Public property?
>>
>> Ms. Kanis :
>>

>> My apologies as I received several emails on this subject at the same time and thought I responded to everyone. The Right-of-way area between the sidewalk and the street is owned by the homeowner and not 'public property'. It is designated as such for the purpose of allowing government entities, power, cable, telephone, utility companies access to repair/install utilities as needed. This concern has been looked into by Zoning, Engineering and Code Enforcement. We are aware of the group of homes that have installed the poles connected by the wire in Brookwood land found there to be no violation of any Ordinance/Law.

>>

>> You are correct with signage as there is a specific Code that prohibits most signage from being placed in the Right-of-way.

>>

>> Hopefully this answers your questions. Should you have any further questions, please feel free to contact me.

>>

>>

>> Kenneth J. Pieslak

>> Code Compliance Supervisor

>> Jackson Township

>> 95 W. Veterans Hwy., Jackson, NJ 08527

>> 732.928.1200 ext. 1231

>> 732.833.0603 (fax)

>>

>>

>>

>> From: "Optimum" <kamkanis@optonline.net>

>> To: councilmannixon@jacksontwpnj.net, "Michael Reina"

>> <mikereina@jacksontwpnj.net>,

>> councilmancalogero@jacksontwpnj.net,

>> councilmanmartin@jacksontwpnj.net,

>> councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net

>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>

>> Sent: Wednesday, April 5, 2017 4:45:27 PM

>> Subject: Re: Public property?

>>

>> Please advise as I've had no response.

>>

>> Sent from my iPhone

>>

>> On Apr 1, 2017, at 5:11 PM, Optimum <kamkanis@optonline.net> wrote:

>>

>> I sent this email to code. I'm not sure why this is being

allowed in areas of JACKSON. Please advise.

>>

>> Sent from my iPhone

>>

>> Begin forwarded message:

>>

>> From: Optimum <kamkanis@optonline.net>

>> Date: April 1, 2017 at 5:08:07 PM EDT

>> To: kpieslak@jacksontwpnj.net

>> Subject: Public property?

>>

>>

>> Dear Ken,

>>

>> I'm not sure what is going on in BW1, but these poles and wires extend across property lines and are permanently affixed to the public sidewalk/grassy area.

>>

>> I live in BW3 and was always under the impression that this area was indeed township property even though I had to maintain it. I'll have to see if they are being constructed in my neighborhood.

>>

>> It seems as if the Hacidic families are grouping their houses together for some reason bc a non-Hacidic family was asked if they could put poles on their property. No one should even be allowed to ask that or for residents to free pressured to allow them to do so. If this is a cultural or religious symbol, it creates a VERY divided community with physical boundaries of separation.

>>

>> Just like the Jim Crow laws labeling "white or black fountains", this is a sign that "Hacidics only" are welcome. In addition, it is NOT separation of church and state with this crossing property lines and on the public areas of the sidewalk.

I didn't even think realtor "for sale" signs were allowed in this strip.

>>

>> I'm not sure why this is allowed, but if it is, please direct me to the ordinance that states that permanent structures on this public strip are allowed. I always thought a fence, border, lights, or flag poles would look nice there, so I look forward to constructing some soon since it seems to be allowed.

>>

>> Things like this are definitely changing the landscape of Jackson.

>>

>> Sincerely,
>> Kelly Kanis
>>
>> <IMG_4523.JPG>
>>
>>
>>
>> <IMG_4524.JPG>
>>
>>
>>
>> Sent from my iPhone
>>
>>
>>
>>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Quality of life

From : Barry Calogero
<councilmancalogero@jacksontwpnj.net>

Mon, May 08, 2017 04:25 PM

Subject : Fwd: Re: Quality of life

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

OPRA request

----- Forwarded Message -----

From: mordy Burnstein <mordyburnstein@gmail.com>
To: Barry Calogero <councilmancalogero@jacksontwpnj.net>
Sent: Thu, 27 Apr 2017 11:47:14 -0400 (EDT)
Subject: Re: Quality of life

I understand, but I would like to give you the perspective that I and so many other residents feel and get a chance to explain it from our point of view.
Respectfully, Mordy

On Thu, Apr 27, 2017 at 10:33 AM, Barry Calogero <councilmancalogero@jacksontwpnj.net> wrote:

> I have done significant research regarding "Ervus" and understand the
> purpose.
> If you have questions regarding compliance with Jacksons building and
> Zonning laws
> Please let me know and I will put you in contact with administration to
> explain.
>
> Respectfully
> Councilman
>
> Barry Calogero
>
>
> ----- Original Message -----

> From: mordy Burnstein <mordyburnstein@gmail.com>
> To: Barry Calogero <councilmancalogero@jacksontwpnj.net>
> Sent: Thu, 27 Apr 2017 06:58:25 -0400 (EDT)
> Subject: Quality of lifHi I would the opportunity to discuss
with you a
> quality of life issue that
> affects thousands of Jackson residents and explain the
background behind
> "Eruvs'" and the reason why they are so important to our life.
The
> explanation and conversation really must begin with our
community so I ask
> you again for that opportunity please.
> Mordy 848 240 5316
>
>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Eruv wires

From : Robert A Nixon
<councilmannixon@jacksontwpnj.net>

Thu, May 11, 2017 12:47 PM

Subject : Fwd: Re: Eruv wires**To :** 'Ann Marie Eden' <clerk@jacksontwpnj.net>

Per both OPRA

Rob Nixon
Councilman

----- Forwarded Message -----

From: Kenneth Pieslak <kpieslak@jacksontwpnj.net>
To: Jennifer Cusanelli <termite027@aol.com>
Cc: councilmancalogero@jacksontwpnj.net,
councilmannixon@jacksontwpnj.net, mikereina@jacksontwpnj.net,
hschlegel@jacksontwpnj.net, Jeff Purpuro
<jpurpuro@jacksontwpnj.net>, councilmanbressi@jacksontwp.net
Sent: Mon, 24 Apr 2017 16:13:41 -0400 (EDT)
Subject: Re: Eruv wires

Ms. Cusanelli :

I apologize for the delay, however, as you know, there were conflicting thoughts/understandings on the ROW that we had to have Legal do some research. As a result we have been advised that the area where the poles are is in what is described as a 'public right of way' therefore not allowed in that area. As a 'public right of way' the things allowed would be utility poles, DOT approved traffic signs, mailboxes and street signs. With this, we are in the process of notifying the homeowners involved that these poles must be removed from the ROW.

Kenneth J. Pieslak
Code Compliance Supervisor
Jackson Township
95 W. Veterans Hwy., Jackson, NJ 08527
732.928.1200 ext. 1231
732.833.0603 (fax)

----- Original Message -----

From: "Jennifer Cusanelli" <termite027@aol.com>
To: councilmancalogero@jacksontwpnj.net,
councilmannixon@jacksontwpnj.net, mikereina@jacksontwpnj.net,
hschlegel@jacksontwpnj.net, "Jeff Purpuro"
<jpurpuro@jacksontwpnj.net>, "Kenneth Pieslak"
<kpieslak@jacksontwpnj.net>, councilmanbressi@jacksontwp.net
Sent: Monday, April 24, 2017 3:12:32 PM
Subject: Re: Eruv wires

I haven't received a response to my email regarding eruv wires
placement on the row.
Jennifer Cusanelli

Sent from my iPhone

On Apr 20, 2017, at 10:14 AM, Jennifer Cusanelli <
termite027@aol.com > wrote:

<blockquote>

<blockquote>

<blockquote>

<blockquote>

<blockquote>

Dear Council members, There seems to be quite a few eruv poles
with wires or ropes being put up on "the row" or "right of way"
in Jackson neighborhoods occupied by Orthodox families.
Apparently they are used to allow an extension of the area in
which Orthodox families can travel on their days of prayer. As
this may be of religious benefit to them it does nothing but
create an eyesore and puts a label on the entire neighborhood. I
have inquired with Ken from code and I am told that there is
currently no ordinances on record regulating their placement. I
respectfully request that this is addressed as soon as possible.
If poles are going to be put up then perhaps they should be
treated like signage and regulated as such. I have personally

had signs removed from the "right of way" on my property and "destroyed" by township employees because "nothing is allowed on the right of way other than mailboxes and utility needs. If religious pole are going to be allowed then they should only be kept of private property and not be allowed to be placed on the right of way. Also if they are being installed in the ground should they not have to have surveys done as to prevent interference with under ground utilities? Or are they even safe as far as lightening or high winds are concerned? Please address this issue. A clear precedent has already been set in regards to the function of "the right of way". Please consider amending it to include that nothing other than what is already permitted is to be put on "the row". Thank You, Jennifer Cusanelli

</blockquote>

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</blockquote>

</blockquote>

</blockquote>

Sent from my iPhone

</blockquote>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Issue

From : Robert A Nixon
<councilmannixon@jacksontwpnj.net>

Thu, May 11, 2017 12:49 PM

Subject : Fwd: Re: Issue**To :** 'Ann Marie Eden' <clerk@jacksontwpnj.net>

Per OPRA

Rob Nixon
Councilman

----- Forwarded Message -----

From: Helene Schlegel <hschlegel@jacksontwpnj.net>
To: Christina <ck41272@optonline.net>
Cc: kpieslak@jacksontwpnj.net, councilmannixon@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net, mikereina@jacksontwpnj.net,
administrator@jacksontwpnj.net
Sent: Tue, 04 Apr 2017 07:41:30 -0400 (EDT)
Subject: Re: Issue

Dear Ms. Kisseberth,

We will investigate the situation with regards to public
property and address it as appropriate.

Respectfully,

Helene Schlegel, MS, MPP, CPM
Business Administrator
Jackson Township
95 West Veterans Highway
Jackson, NJ 08527
732-928-1200 ext. 1210

CONFIDENTIALITY NOTICE: This electronic message contains
information from the Jackson Township Mayor's office. This email
and any files attached may contain confidential information that
is legally privileged. If you are not the intended recipient, or
a person responsible for delivering it, you are hereby notified

that any DISCLOSURE, COPYING, DISTRIBUTION or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please forward same to sender and destroy the original transmission and its attachments without reading or saving in any manner.

> On Apr 3, 2017, at 9:57 PM, Christina <ck41272@optonline.net> wrote:

>

> Attention Jackson administration :

>

> I have noticed that there are poles with wires connected on public property in the Brookwood one development. I find that to be an eyesore. I would not

>

> like that in my neighborhood. If I were looking to move into this town and saw a row of this connected poles and wires I would not want to move into that neighborhood. I feel that if a person had that in their neighborhood and wanted to sell their house it also may cause a problem with selling it. I also find yard sales signs on telephone poles an eyesore as well. I enjoy going to yard sales and it annoys me that people don't take their signs down after the sale is over. I find that business signs including realtor signs on public property to also be an eyesore. Are these things allowed? For the most part this town has nice clean neighborhoods with well maintained homes. This just changes the character of the neighborhood. Not to mention driving down a main road like County line road and see multiple signs in the ground on public property it looks messy.

>

> Now to the next point I would

>

> like to make. This kind of thing causes a separation of all the residents in the community. I don't think it would go over well if a block of homes were roped off with signs that say white section or Christian section. This causes a divide in the what is supposed to be a Community. I assume you can't do anything about this on private

>

> property but these things are on public property. So I ask you what are you going to about this? I feel as though this needs to be addressed now before it gets out of control.

>

> Thank you and I look forward to a timely response.

>

>

>

> Christina Kisseberth

>

>

>

> Sent from my iPhone

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Issue

From : Robert A Nixon
<councilmannixon@jacksontwpnj.net>

Thu, May 11, 2017 12:50 PM

Subject : Fwd: Re: Issue**To :** 'Ann Marie Eden' <clerk@jacksontwpnj.net>

Per OPRA

Rob Nixon
Councilman

----- Forwarded Message -----

From: Helene Schlegel <hschlegel@jacksontwpnj.net>
To: Christina <ck41272@optonline.net>
Cc: kpieslak@jacksontwpnj.net, councilmannixon@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net, mikereina@jacksontwpnj.net,
administrator@jacksontwpnj.net
Sent: Wed, 05 Apr 2017 09:54:11 -0400 (EDT)
Subject: Re: Issue

Dear Ms. Kisseberth,

There are 4 adjoining properties that have poles on their property with a wire connecting those poles. These poles are separate from any utility pole and are neatly installed with the wires high enough as to not interfere with any vehicle, bicycle, equipment, etc below. The poles have been placed in the Right-of-Way, which is owned by the private individual homeowner and only designated as such to allow any government, power, cable, telephone entity to utilize for the repair/installation of any services. These poles/wires were discovered several months ago and discussed with by Zoning, Engineering and Code Enforcement. They poles/wires did not appear to pose any safety concerns. Being that the Right-of-Way is the homeowners property, it is allowable for an individual homeowner, or as in this case, a group to install these on their respective properties. Through the connection they do not utilize any public property or any adjoining homeowners properties where they may not be wanted.

Respectfully,

Helene Schlegel, MS, MPP, CPM
Business Administrator
Jackson Township
95 West Veterans Hwy.
Jackson, NJ 08527
732-928-1200 ext. 1210

CONFIDENTIALITY NOTICE: This electronic message contains information from the Jackson Township Mayor's office. This email and any files attached may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it, you are hereby notified that any DISCLOSURE, COPYING, DISTRIBUTION or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please forward same to sender and destroy the original transmission and its attachments without reading or saving in any manner.

----- Original Message -----

From: "Christina" <ck41272@optonline.net>
To: kpieslak@jacksontwpnj.net, councilmannixon@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net, mikereina@jacksontwpnj.net,
administrator@jacksontwpnj.net, hschlegel@jacksontwpnj.net
Sent: Monday, April 3, 2017 10:00:26 PM
Subject: Issue

Attention Jackson administration :

I have noticed that there are poles with wires connected on public property in the Brookwood one development. I find that to be an eyesore. I would not

like that in my neighborhood. If I were looking to move into this town and saw a row of this connected poles and wires I would not want to move into that neighborhood. I feel that if a person had that in their neighborhood and wanted to sell their

house it also may cause a problem with selling it. I also find yard sales signs on telephone poles an eyesore as well. I enjoy going to yard sales and it annoys me that people don't take their signs down after the sale is over. I find that business signs including realtor signs on public property to also be an eyesore. Are these things allowed? For the most part this town has nice clean neighborhoods with well maintained homes. This just changes the character of the neighborhood. Not to mention driving down a main road like County line road and see multiple signs in the ground on public property it looks messy.

Now to the next point I would

like to make. This kind of thing causes a separation of all the residents in the community. I don't think it would go over well if a block of homes were roped off with signs that say white section or Christian section. This causes a divide in the what is supposed to be a Community. I assume you can't do anything about this on private

property but these things are on public property. So I ask you what are you going to about this? I feel as though this needs to be addressed now before it gets out of control.

Thank you and I look forward to a timely response.

Christina Kisseberth

Sent from my iPhone

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Public property?

From : Robert A Nixon
<councilmannixon@jacksontwpnj.net>

Thu, May 11, 2017 12:50 PM

Subject : Fwd: Re: Public property?

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

Per OPRA

Rob Nixon
Councilman

----- Forwarded Message -----

From: Kenneth Pieslak <kpieslak@jacksontwpnj.net>
To: Optimum <kamkanis@optonline.net>
Cc: councilmannixon@jacksontwpnj.net, Michael Reina
<mikereina@jacksontwpnj.net>,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
Helene Schlegel <hschlegel@jacksontwpnj.net>, Jeff Purpuro
<jpurpuro@jacksontwpnj.net>
Sent: Thu, 06 Apr 2017 08:58:56 -0400 (EDT)
Subject: Re: Public property?

Ms. Kanis :

My apologies as I received several emails on this subject at the same time and thought I responded to everyone. The Right-of-way area between the sidewalk and the street is owned by the homeowner and not 'public property'. It is designated as such for the purpose of allowing government entities, power, cable, telephone, utility companies access to repair/install utilities as needed. This concern has been looked into by Zoning, Engineering and Code Enforcement. We are aware of the group of homes that have installed the poles connected by the wire in Brookwood land found there to be no violation of any Ordinance/Law.

You are correct with signage as there is a specific Code that prohibits most signage from being placed in the Right-of-way.

Hopefully this answers your questions. Should you have any further questions, please feel free to contact me.

Kenneth J. Pieslak
Code Compliance Supervisor
Jackson Township
95 W. Veterans Hwy., Jackson, NJ 08527
732.928.1200 ext. 1231
732.833.0603 (fax)

----- Original Message -----

From: "Optimum" <kamkanis@optonline.net>
To: councilmannixon@jacksontwpnj.net, "Michael Reina"
<mikereina@jacksontwpnj.net>,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net
Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>
Sent: Wednesday, April 5, 2017 4:45:27 PM
Subject: Re: Public property?

Please advise as I've had no response.

Sent from my iPhone

On Apr 1, 2017, at 5:11 PM, Optimum <kamkanis@optonline.net >
wrote:

I sent this email to code. I'm not sure why this is being
allowed in areas of JACKSON. Please advise.

Sent from my iPhone

Begin forwarded message:

<blockquote>

From: Optimum <kamkanis@optonline.net >
Date: April 1, 2017 at 5:08:07 PM EDT

To: kpieslak@jacksontwpnj.net
Subject: Public property?

<blockquote>

Dear Ken,

I'm not sure what is going on in BW1, but these poles and wires extend across property lines and are permanently affixed to the public sidewalk/grassy area.

I live in BW3 and was always under the impression that this area was indeed township property even though I had to maintain it. I'll have to see if they are being constructed in my neighborhood.

It seems as if the Hacidic families are grouping their houses together for some reason bc a non-Hacidic family was asked if they could put poles on their property. No one should even be allowed to ask that or for residents to free pressured to allow them to do so. If this is a cultural or religious symbol, it creates a VERY divided community with physical boundaries of separation.

Just like the Jim Crow laws labeling "white or black fountains", this is a sign that "Hacidics only" are welcome. In addition, it is NOT separation of church and state with this crossing property lines and on the public areas of the sidewalk. I didn't even think realtor "for sale" signs were allowed in this strip.

I'm not sure why this is allowed, but if it is, please direct me to the ordinance that states that permanent structures on this public strip are allowed. I always thought a fence, border, lights, or flag poles would look nice there, so I look forward to constructing some soon since it seems to be allowed.

Things like this are definitely changing the landscape of Jackson.

Sincerely,
Kelly Kanis

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<IMG_4524.JPG>

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<blockquote>

Sent from my iPhone

</blockquote>

</blockquote>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Eruv wires

From : Robert A Nixon
<councilmannixon@jacksontwpnj.net>

Thu, May 11, 2017 12:51 PM

Subject : Fwd: Re: Eruv wires**To :** 'Ann Marie Eden' <clerk@jacksontwpnj.net>

Per OPRA

Rob Nixon
Councilman

----- Forwarded Message -----

From: Kenneth Pieslak <kpieslak@jacksontwpnj.net>
To: Jennifer Cusanelli <termite027@aol.com>
Cc: councilmancalogero@jacksontwpnj.net,
councilmannixon@jacksontwpnj.net, mikereina@jacksontwpnj.net,
hschlegel@jacksontwpnj.net, Jeff Purpuro
<jpurpuro@jacksontwpnj.net>, councilmanbressi@jacksontwp.net
Sent: Mon, 24 Apr 2017 16:13:41 -0400 (EDT)
Subject: Re: Eruv wires

Ms. Cusanelli :

I apologize for the delay, however, as you know, there were conflicting thoughts/understandings on the ROW that we had to have Legal do some research. As a result we have been advised that the area where the poles are is in what is described as a 'public right of way' therefore not allowed in that area. As a 'public right of way' the things allowed would be utility poles, DOT approved traffic signs, mailboxes and street signs. With this, we are in the process of notifying the homeowners involved that these poles must be removed from the ROW.

Kenneth J. Pieslak
Code Compliance Supervisor
Jackson Township
95 W. Veterans Hwy., Jackson, NJ 08527
732.928.1200 ext. 1231
732.833.0603 (fax)

----- Original Message -----

From: "Jennifer Cusanelli" <termite027@aol.com>
To: councilmancalogero@jacksontwpnj.net,
councilmannixon@jacksontwpnj.net, mikereina@jacksontwpnj.net,
hschlegel@jacksontwpnj.net, "Jeff Purpuro"
<jpurpuro@jacksontwpnj.net>, "Kenneth Pieslak"
<kpieslak@jacksontwpnj.net>, councilmanbressi@jacksontwp.net
Sent: Monday, April 24, 2017 3:12:32 PM
Subject: Re: Eruv wires

I haven't received a response to my email regarding eruv wires
placement on the row.
Jennifer Cusanelli

Sent from my iPhone

On Apr 20, 2017, at 10:14 AM, Jennifer Cusanelli <
termite027@aol.com > wrote:

<blockquote>

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<blockquote>

Dear Council members, There seems to be quite a few eruv poles
with wires or ropes being put up on "the row" or "right of way"
in Jackson neighborhoods occupied by Orthodox families.
Apparently they are used to allow an extension of the area in
which Orthodox families can travel on their days of prayer. As
this may be of religious benefit to them it does nothing but
create an eyesore and puts a label on the entire neighborhood. I
have inquired with Ken from code and I am told that there is
currently no ordinances on record regulating their placement. I
respectfully request that this is addressed as soon as possible.
If poles are going to be put up then perhaps they should be
treated like signage and regulated as such. I have personally

had signs removed from the "right of way" on my property and "destroyed" by township employees because "nothing is allowed on the right of way other than mailboxes and utility needs. If religious pole are going to be allowed then they should only be kept of private property and not be allowed to be placed on the right of way. Also if they are being installed in the ground should they not have to have surveys done as to prevent interference with under ground utilities? Or are they even safe as far as lightening or high winds are concerned? Please address this issue. A clear precedent has already been set in regards to the function of "the right of way". Please consider amending it to include that nothing other than what is already permitted is to be put on "the row". Thank You, Jennifer Cusanelli

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Sent from my iPhone

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Zimbra

<https://mail.jacksonaj.net/h/printmessage?id=122991&tz=America...>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Public property?

From : Robert A Nixon
<councilmannixon@jacksontwpnj.net>

Thu, May 11, 2017 12:52 PM

Subject : Fwd: Re: Public property?

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

Per OPRA

Rob Nixon
Councilman

----- Forwarded Message -----

From: Barry Calogero <councilmancalogero@jacksontwpnj.net>
To: Optimum <kamkanis@optonline.net>
Cc: Jeff Purpuro <jpurpuro@jacksontwpnj.net>, Kenneth Pieslak
<kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net,
Michael Reina <mikereina@jacksontwpnj.net>,
councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
Helene Schlegel <hschlegel@jacksontwpnj.net>
Sent: Mon, 24 Apr 2017 17:07:41 -0400 (EDT)
Subject: Re: Public property?

I respectfully request we "Council" revisit these Ordinances and correct the obvious loop holes being exploited.
CP Bressi, would you mind if I sought legal advice on a possible revision to these ordinances ?

Regards
Councilman
Barry Calogero

----- Original Message -----

From: Optimum <kamkanis@optonline.net>
To: Jeff Purpuro <jpurpuro@jacksontwpnj.net>
Cc: Kenneth Pieslak <kpieslak@jacksontwpnj.net>,
councilmannixon@jacksontwpnj.net, Michael Reina
<mikereina@jacksontwpnj.net>,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,

Helene Schlegel <hschlegel@jacksontwpnj.net>
Sent: Mon, 24 Apr 2017 17:01:19 -0400 (EDT)
Subject: Re: Public property?

Thank you for your response. I'm just not clear as I've gotten conflicting messages from the township. One (from code) that is is enforceable and one (from planning and zoning) that it is not. Please clarify.

Thank you.

Sent from my iPhone

> On Apr 24, 2017, at 4:24 PM, Jeff Purpuro
<jpurpuro@jacksontwpnj.net> wrote:

>

> Hello,

>

> As I've had a few days to, again, research our codes and regulations, I literally went through page by page of our Administrative codes (essentially enforced by Code Enforcement) and the Land Use and Development Regulations (Chapter 244 that is my responsibility), chapter 244 specifically speaks to buffers, easements, yard areas, open spaces, sight triangles and the like, but only deals with all improvements on one's property. So if I were to ask for these wires to be removed, I'd have no black and white codes to cite.

>

> Our sign ordinance (244-207) notes that signs cannot be installed within the right-of-way, our fence ordinance (244-190) says no fencing or walls may be installed w/in the right-of-ways, but except for 244-219 "Utility installations", nothing seems to exist that would permit nor prohibit anything from being installed within these areas, including mailboxes.

>

> Bottom line, from a Planning and Zoning perspective, relative to Chapter 244, as nothing seems to exist on this matter, I have nothing to enforce.

>

> Thank you.

>

>

> Jeffrey Purpuro
> Jackson Township Zoning Officer
> 95 W.Veterans Hwy. Jackson, NJ 08527
> 732.928.1200 ext. 1240
> 732.928.1397 (fax)

>
> From: "Optimum" <kamkanis@optonline.net>
> To: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>
> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, "Helene Schlegel" <hschlegel@jacksontwpnj.net>
> Sent: Sunday, April 23, 2017 10:38:12 AM
> Subject: Re: Public property?
>
> Hello, again!
>
> Just wondering if these wires will be enforced like other structures on the ROW since the homeowners do not own that land. If mailboxes have to follow suit, then I'm sure other items would as well. If not, I can see this opening up a huge can of worms for other structures to be placed there.
>
> Thank you!
>
> Sent from my iPhone
>
> On Apr 6, 2017, at 4:41 PM, Optimum <kamkanis@optonline.net> wrote:
>
> Thank you for your replies and explanations. I'm not sure where this will end up as far as preventing these divisive boundary lines from being installed. Hopefully the tall poles won't end up being safety hazard and damage cars and property or hurt anyone if they fall during storms, etc.
> I just can't believe these permanent structures do not fall under a category of things that are already regulated in the ROW.
>
> With regards to the signage, I know there are realtors signs in the BW3 in the ROW area.
>
> Thanks for your time and energy as you investigate this matter.
> -Kelly Kanis
>
> Sent from my iPhone
>
> On Apr 6, 2017, at 10:03 AM, Jeff Purpuro

<jpurpuro@jacksontwpnj.net> wrote:

>

> Ken,

>

> While I'm looking into what can and/or cannot be installed within a public r.o.w., but may not be able to find it in the land use regulations, I need to take exception to your thought that area between the sidewalk and street are owned by the homeowner. In most, if not all, cases, the property line ends before the sidewalk, and the sidewalk and curb are outside the property line, but needs to be maintained by the homeowner.

>

> And while everyone places a mailbox within the r.o.w., there are specific conditions that allow for such installations, but again, won't be found in chapter 244 (land use regs.)

>

> I will keep you informed. Thank you.

>

>

> Jeffrey Purpuro
> Jackson Township Zoning Officer
> 95 W.Veterans Hwy. Jackson, NJ 08527
> 732.928.1200 ext. 1240
> 732.928.1397 (fax)

>

> From: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>
> To: "Optimum" <kamkanis@optonline.net>
> Cc: councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net, "Helene Schlegel" <hschlegel@jacksontwpnj.net>, "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>

> Sent: Thursday, April 6, 2017 8:58:56 AM

> Subject: Re: Public property?

>

> Ms. Kanis :

>

> My apologies as I received several emails on this subject at the same time and thought I responded to everyone. The Right-of-way area between the sidewalk and the street is owned by the homeowner and not 'public property'. It is designated as such for the purpose of allowing government entities, power, cable, telephone, utility companies access to repair/install utilities as needed. This concern has been looked into by Zoning, Engineering and Code Enforcement. We are aware of the group of

homes that have installed the poles connected by the wire in Brookwood land found there to be no violation of any Ordinance/Law.

>
> You are correct with signage as there is a specific Code that prohibits most signage from being placed in the Right-of-way.

>
> Hopefully this answers your questions. Should you have any further questions, please feel free to contact me.

>
>
> Kenneth J. Pieslak
> Code Compliance Supervisor
> Jackson Township

> 95 W. Veterans Hwy., Jackson, NJ 08527
> 732.928.1200 ext. 1231
> 732.833.0603 (fax)

>
>
>
> From: "Optimum" <kamkanis@optonline.net>
> To: councilmannixon@jacksontwpnj.net, "Michael Reina" <mikereina@jacksontwpnj.net>, councilmancalogero@jacksontwpnj.net, councilmanmartin@jacksontwpnj.net, councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net
> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>
> Sent: Wednesday, April 5, 2017 4:45:27 PM
> Subject: Re: Public property?

>
> Please advise as I've had no response.

>
> Sent from my iPhone

>
> On Apr 1, 2017, at 5:11 PM, Optimum <kamkanis@optonline.net> wrote:

>
> I sent this email to code. I'm not sure why this is being allowed in areas of JACKSON. Please advise.

>
> Sent from my iPhone

>
> Begin forwarded message:

>
> From: Optimum <kamkanis@optonline.net>
> Date: April 1, 2017 at 5:08:07 PM EDT

> To: kpieslak@jacksontwpnj.net

> Subject: Public property?

>

>

> Dear Ken,

>

> I'm not sure what is going on in BW1, but these poles and wires extend across property lines and are permanently affixed to the public sidewalk/grassy area.

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> I live in BW3 and was always under the impression that this area was indeed township property even though I had to maintain it. I'll have to see if they are being constructed in my neighborhood.

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> It seems as if the Hacidic families are grouping their houses together for some reason bc a non-Hacidic family was asked if they could put poles on their property. No one should even be allowed to ask that or for residents to free pressured to allow them to do so. If this is a cultural or religious symbol, it creates a VERY divided community with physical boundaries of separation.

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> Just like the Jim Crow laws labeling "white or black fountains", this is a sign that "Hacidics only" are welcome. In addition, it is NOT separation of church and state with this crossing property lines and on the public areas of the sidewalk.

I didn't even think realtor "for sale" signs were allowed in this strip.

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> I'm not sure why this is allowed, but if it is, please direct me to the ordinance that states that permanent structures on this public strip are allowed. I always thought a fence, border, lights, or flag poles would look nice there, so I look forward to constructing some soon since it seems to be allowed.

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> Things like this are definitely changing the landscape of Jackson.

>

> Sincerely,
> Kelly Kanis

>

> <IMG_4523.JPG>

>

>

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> <IMG_4524.JPG>

>
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>
> Sent from my iPhone
>
>
>

Zimbra

clerk@jacksontwpnj.net

Fwd: Re: Public property?

From : Robert A Nixon
<councilmannixon@jacksontwpnj.net>

Thu, May 11, 2017 12:55 PM

Subject : Fwd: Re: Public property?

To : 'Ann Marie Eden' <clerk@jacksontwpnj.net>

Per OPRA

Rob Nixon
Councilman

----- Forwarded Message -----

From: Helene Schlegel <hschlegel@jacksontwpnj.net>
To: Optimum <kamkanis@optonline.net>
Cc: Jeff Purpuro <jpurpuro@jacksontwpnj.net>, Kenneth Pieslak
<kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net,
Michael Reina <mikereina@jacksontwpnj.net>,
councilmancalogero@jacksontwpnj.net,
councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
Jean Cipriani <jlc@gm-law.net>
Sent: Mon, 24 Apr 2017 19:26:48 -0400 (EDT)
Subject: Re: Public property?

Dear Ms. Kanis,

I understand your frustration with receiving conflicting information. This appears to be a complex subject and there seems to be a variety of interpretations.

The two departments (code and zoning) deal with two separate areas within our code. This matter is unfortunately not clear cut as we would like. After gathering the legal information, it appears that this is not a zoning issue identified within land use law, but rather a code issue as the property owner, according to legal council, would need the Township's consent to put them in the right of way.

We are requesting that our Township Attorney provide us with previous legal decisions regarding these wires that will provide a firm answer that we can solidly defend.

Respectfully,

Helene Schlegel, MS, MPP, CPM
Business Administrator
Jackson Township
95 West Veterans Highway
Jackson, NJ 08527
732-928-1200 ext. 1210

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> On Apr 24, 2017, at 4:57 PM, Optimum <kamkanis@optonline.net> wrote:
>
> Thank you for your response. I'm just not clear as I've gotten conflicting messages from the township. One (from code) that is is enforceable and one (from planning and zoning) that it is not. Please clarify.
>
> Thank you.
>
> Sent from my iPhone
>
>> On Apr 24, 2017, at 4:24 PM, Jeff Purpuro <jpurpuro@jacksontwpnj.net> wrote:
>>
>> Hello,
>>
>> As I've had a few days to, again, research our codes and regulations, I literally went through page by page of our Administrative codes (essentially enforced by Code Enforcement) and the Land Use and Development Regulations (Chapter 244 that is my responsibility), chapter 244 specifically speaks to buffers, easements, yard areas, open spaces, sight triangles and

the like, but only deals with all improvements on one's property. So if I were to ask for these wires to be removed, I'd have no black and white codes to cite.

>>

>> Our sign ordinance (244-207) notes that signs cannot be installed within the right-of-way, our fence ordinance (244-190) says no fencing or walls may be installed w/in the right-of-ways, but except for 244-219 "Utility installations", nothing seems to exist that would permit nor prohibit anything from being installed within these areas, including mailboxes.

>>

>> Bottom line, from a Planning and Zoning perspective, relative to Chapter 244, as nothing seems to exist on this matter, I have nothing to enforce.

>>

>> Thank you.

>>

>>

>> Jeffrey Purpuro

>> Jackson Township Zoning Officer

>> 95 W.Veterans Hwy. Jackson, NJ 08527

>> 732.928.1200 ext. 1240

>> 732.928.1397 (fax)

>>

>> From: "Optimum" <kamkanis@optonline.net>

>> To: "Jeff Purpuro" <jpurpuro@jacksontwpnj.net>

>> Cc: "Kenneth Pieslak" <kpieslak@jacksontwpnj.net>, councilmannixon@jacksontwpnj.net, "Michael Reina"

<mikereina@jacksontwpnj.net>,

councilmancalogero@jacksontwpnj.net,

councilmanmartin@jacksontwpnj.net,

councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,

"Helene Schlegel" <hschlegel@jacksontwpnj.net>

>> Sent: Sunday, April 23, 2017 10:38:12 AM

>> Subject: Re: Public property?

>>

>>

>> Hello, again!

>>

>> Just wondering if these wires will be enforced like other structures on the ROW since the homeowners do not own that land. If mailboxes have to follow suit, then I'm sure other items would as well. If not, I can see this opening up a huge can of worms for other structures to be placed there.

>>

>> Thank you!

>>

>> Sent from my iPhone

>>
>> On Apr 6, 2017, at 4:41 PM, Optimum <kamkanis@optonline.net> wrote:
>>
>> Thank you for your replies and explanations. I'm not sure where this will end up as far as preventing these divisive boundary lines from being installed. Hopefully the tall poles won't end up being safety hazard and damage cars and property or hurt anyone if they fall during storms, etc.
>> I just can't believe these permanent structures do not fall under a category of things that are already regulated in the ROW.
>>
>> With regards to the signage, I know there are realtors signs in the BW3 in the ROW area.
>>
>> Thanks for your time and energy as you investigate this matter.
>> -Kelly Kanis
>>
>> Sent from my iPhone
>>
>> On Apr 6, 2017, at 10:03 AM, Jeff Purpuro <jpurpuro@jacksontwpnj.net> wrote:
>>
>> Ken,
>>
>> While I'm looking into what can and/or cannot be installed within a public r.o.w., but may not be able to find it in the land use regulations, I need to take exception to your thought that area between the sidewalk and street are owned by the homeowner. In most, if not all, cases, the property line ends before the sidewalk, and the sidewalk and curb are outside the property line, but needs to be maintained by the homeowner.
>>
>> And while everyone places a mailbox within the r.o.w., there are specific conditions that allow for such installations, but again, won't be found in chapter 244 (land use regs.)
>>
>> I will keep you informed. Thank you.
>>
>>
>> Jeffrey Purpuro
>> Jackson Township Zoning Officer
>> 95 W.Veterans Hwy. Jackson, NJ 08527
>> 732.928.1200 ext. 1240
>> 732.928.1397 (fax)

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councilmanmartin@jacksontwpnj.net,
councilmanbressi@jacksontwpnj.net, annieup@jacksontwpnj.net,
"Helene Schlegel" <hschlegel@jacksontwpnj.net>, "Jeff Purpuro"
<jpurpuro@jacksontwpnj.net>
>> Sent: Thursday, April 6, 2017 8:58:56 AM
>> Subject: Re: Public property?
>>
>> Ms. Kanis :
>>
>> My apologies as I received several emails on this subject at
the same time and thought I responded to everyone. The Right-
of-way area between the sidewalk and the street is owned by the
homeowner and not 'public property'. It is designated as such
for the purpose of allowing government entities, power, cable,
telephone, utility companies access to repair/install utilities
as needed. This concern has been looked into by Zoning,
Engineering and Code Enforcement. We are aware of the group of
homes that have installed the poles connected by the wire in
Brookwood land found there to be no violation of any
Ordinance/Law.
>>
>> You are correct with signage as there is a specific Code that
prohibits most signage from being placed in the Right-of-way.
>>
>> Hopefully this answers your questions. Should you have any
further questions, please feel free to contact me.
>>
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>> Kenneth J. Pieslak
>> Code Compliance Supervisor
>> Jackson Township

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