

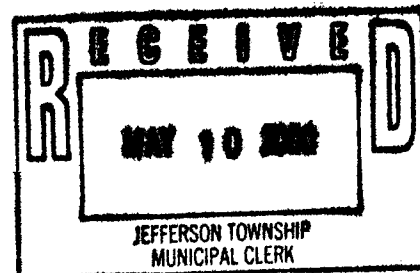
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TOWNSHIP OF JEFFERSON
MORRIS COUNTY

HOUSING ELEMENT
AND
FAIR SHARE PLAN

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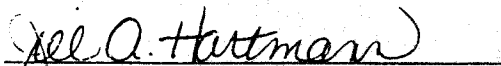


**TOWNSHIP OF JEFFERSON
PLANNING BOARD MEMBERS**

2000

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The original document was appropriately signed and sealed on January 11, 2000 in accordance with Chapter 41 of the State Board of Professional Planners.



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INTRODUCTION

In 1975, in the case of Southern Burlington County NAACP v. Township of Mount Laurel (Mount Laurel I), The New Jersey Supreme Court rules that developing municipalities had a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing. In its 1983 Mount Laurel II decision, the New Jersey Supreme Court reaffirmed and expanded the Mount Laurel doctrine stating that all municipalities must share in the obligation. The Court decision provided guidance in determining a municipality's fair share obligation of affordable housing and authorized specific judicial remedies to ensure that municipalities meet their constitutional obligation.

On July 2, 1985, the Fair Housing Act was enacted creating the Council on Affordable Housing (COAH) as an administrative alternative to the Courts. The Act's basic objective is to encourage municipalities to make affordable housing judgments and choices based on sound land use planning principles. It offers municipalities more flexibility and control in addressing the constitutional obligation than court imposed solutions.

In the New Jersey Supreme Court's 1986 decision Hills Development Corporation v. Bernard's Township (Mount Laurel III), the Court declared the Fair Housing Act constitutional and allowed the transfer to COAH of virtually all litigation then pending before the courts.

COAH consists of a nine-member council and is a bipartisan body appointed by the Governor with the advise and consent of the Senate. The members, by law, must represent the interests of several categories of municipal government, the providers and users of affordable housing, and the general public. Members are appointed to six year terms. The Council is to provide a framework that allows the municipalities to prepare a comprehensive planning and implementation response to the constitutional obligation. This framework is found in N.J.A.C. 5:93-1 et. seq. entitled "New Jersey Council on Affordable Housing Substantive Rules." COAH's primary responsibilities are as follows:

- To establish housing regions;
- To quantify regional housing need; and
- To provide guidelines for municipalities to use in addressing their fair share.

COAH acts as an administrative alternative to the confrontational, often lengthily and costly approach to affordable housing through litigation. It offers substantive certification to municipalities that choose to address their fair share of the regions' need for low and moderate income housing. Once certified, municipalities enjoy the presumption of validity against allegations of exclusionary zoning for a six-year cycle.

In upholding the constitutionality of the Fair Housing Act, on February 20, 1986, the New Jersey Supreme Court also assigned COAH with a quasi-judicial role of imposing scarce resource restraints where necessary to allow a realistic opportunity for affordable housing to emerge. As a result, COAH hears and decides motions for the imposition of building constraints and the related allocation of limited sewer, water and/or vacant land capacity in a municipality.

In addition to establishing COAH (administrative body), the Fair Housing Act also made the housing element a mandatory part of the municipal master plan effective August 1, 1988. The housing element must address the low and moderate income housing needs of the municipality and contain the information required by the Fair Housing Act. The objective of the housing element is to create realistic affordable housing opportunities recognizing the unique character, limitations, resources and growth potential of the municipality.

After the municipal planning board has adopted the housing element and fair share plan, the document may be filed with COAH along with a copy of the governing body's resolution of participation which endorses the housing element and fair share plan and which requests participation in COAH's administrative process. The municipality may petition for substantive certification at the time of filing the housing element and fair share plan or at any time within two years after filing. After entering the COAH process, by filing a housing element and fair share plan, a municipality is afforded the protection offered by COAH from exclusionary development lawsuits, if the municipality petitions for substantive certification within two years of such filing or is sued within the two year period.

The housing element, as required by N.J.A.C. 5:93-1 et seq. and N.J.S.A. 40:55D-1 et seq. and N.J.S.A. 52:27D-310, shall be designed to achieve the goal of providing affordable housing to meet present and prospective housing need, with particular attention to low and moderate income housing. It shall include the municipality's strategy for addressing its present and prospective need and shall contain the following:

1. An inventory of the Township's housing stock by age, condition, purchase or rental, occupancy characteristics and type, including the number of units affordable to low and moderate income households and substandard units capable of being rehabilitated.
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing for the next six years, taking into account , but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands.
3. An analysis of the municipality's demographic characteristics, including, but not limited to, household size, income level and age.
4. An analysis of the existing and probable future employment characteristics of the municipality.
5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing.
6. If a development fee is imposed pursuant to N.J.A.C. 5:93-8, a copy of the spending plan shall be included.

7. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures appropriate for conversion to, or rehabilitation for low and moderate income housing, including lands of developers who have expressed a commitment to provide low and moderate income housing.
8. A map of all sites designated by the Township for the production of low and moderate income housing and a listing of each site that includes its owner, acreage and lot and block.
9. The location and capacity of existing and proposed water and sewer lines and facilities relevant to the designated sites.
10. Copies of necessary applications for sewer service and water quality management plans submitted pursuant to Section 201 and 208 of the Federal clean water Act, 22 U.S.C. Article 1251 et. seq.
11. A copy of the most recently adopted municipal master plan and the immediately preceding, adopted master plan.
12. For each designated site, a copy of the New Jersey Freshwater Wetland map, where available. Where not available, appropriate copies of the National Wetland Inventory maps provided by the U.S. Fish and Wildlife Service.
13. A copy of appropriate U.S.G.S. Topographic Quadrangle for appropriate sites.
14. Any other documentation as may be required by COAH.

The following document has been prepared in two parts. The first part contains the housing element with all the background data required by COAH and the Municipal Land Use Law. The second part of the document contains the Township's Fair Share Plan in the prescribed format.

COMMUNITY OVERVIEW

The Township of Jefferson is part of Region 2, a four-county housing region (consisting of Morris, Essex, Union and Warren Counties) established by COAH and is located in the far northern section of Morris County. The Township adjoins six other municipalities including Hardyston Township, Sparta Township and Hopatcong Borough in Sussex County to the north and northwest, West Milford in Passaic County to the east, Rockaway to the south/southeast in Morris County and Roxbury in Morris County to the west.

Three major north-south arterial roadways traverse the Township and include Interstate Highway Route 80 to the west, State Highway Route 15 in the center and State Highway Route 23 to the east. These routes carry the bulk of inter/intra-state, county as well as local and commuter traffic through and around the community. The east-west routes are served by local roadways, such as Berkshire Valley Road, Weldon Road, and Cozy Lake Road. The completed connection between Route 23 and Interstate 287 to the south of the community will certainly provide improved accessibility to the eastern side of the community.

Over 44% of the Township is preserved as open space in the form of Federal, State, County and local parkland, as well as watershed properties. The major landholders include: the State of New Jersey Department of Environmental Protection (NJDEP) with State forest/parklands, Morris County Park Commission and the Federal Fish-Game-Wildlife and Picatinney Arsenal. These lands are characterized by steep slopes, streams, wetlands and woodlands.

The residential development pattern is characterized by single family homes. The moderate density residential development centered along the major roadways and higher density residential development centered around the communities lakes. The balance of the community is low and moderate density development scattered throughout. Commercial development has principally been developed as small and moderately sized strip development along Route 15 and Berkshire Valley Road.

Non-residential development, including commercial, office and industrial development is generally confined to the Route 15 corridor, Berkshire Valley Road and the intersection of Berkshire Valley Road, Chamberlain Road and Ridge Road.

HOUSING, POPULATION AND ECONOMIC CHARACTERISTICS

COAH's regulations require that the municipal housing inventory identify the local housing stock characteristics including the number of year-round and seasonal units, housing age, housing conditions, value, occupancy characteristics and type, number of units affordable to low and moderate income households and substandard units capable of being rehabilitated.

Inventory of Municipal Housing Stock

The U.S. Census of Housing in 1990 indicated that there were a total of 7,115 housing units in the Township of Jefferson, of which 540 were identified as seasonal housing units. The 7,115 housing units included 245 year round vacant units, representing a 3.7% vacancy rate. This and associated housing characteristics are presented in Table 1.

Table 1

Housing Characteristics **Township of Jefferson** **1990**

<u>CHARACTERISTICS</u>	<u>NUMBER</u>
Total Housing Units	7,115
Total Year-Round Housing Units	6,624
Seasonal Housing Units	540
Total Occupied Housing Units	6,330
Owner-Occupied	5,430
Renter-Occupied	900
Total Year-Round Vacant Housing Units	245

Table 2 shows the relative age of the housing stock in the Township, as reported in the U.S. Census of Housing. The majority of the Township's housing stock, approximately 48% or 3,401 units, was built between 1950 and 1970. The greatest amount of housing was built between 1960-1969 when approximately 24% or 1,736 units, of the Township's housing stock was constructed. Housing built prior to 1940 totaled 823.

Table 2

YEAR STRUCTURE BUILT
TOWNSHIP OF JEFFERSON

<u>YEAR CONSTRUCTED</u>	<u>NUMBER OF DWELLINGS</u>	<u>PERCENT OF TOTAL</u>
1939 or earlier	823	11.6
1940-1949	893	12.6
1950-1959	1,665	23.4
1960-1969	1,736	24.3
1970-1979	984	13.8
1980-1990	1,014	14.3
TOTAL	7,115	100.0

Source: U.S. Census of Housing, 1990

The 1990 U.S. Census of Housing describes owner-occupied and renter-occupied housing values. Table 3 shows the distribution of housing values for owner-occupied housing units. The median value for such units was \$161,200 in 1990. Similarly, Table 4 shows renter-occupied housing units with an average rental value of \$639.

Table 3

SPECIFIED OWNER-OCCUPIED HOUSING UNITS BY VALUE
TOWNSHIP OF JEFFERSON
1990

<u>VALUE</u>	<u>NO. OF UNITS</u>
Less than \$50,000	49
\$50,000 to \$99,999	328
\$100,000 to \$149,999	1,568
\$150,000 to \$199,999	1,909
\$200,000 to \$299,999	843
\$300,000 or more	209
TOTAL	4,906
MEDIAN VALUE	\$161,200

Source: U.S. Census of Population and Housing, 1990

Table 4

SPECIFIED RENTER-OCCUPIED HOUSING UNITS
TOWNSHIP OF JEFFERSON
1990

<u>RENT</u>	<u>NO. OF UNITS</u>
Less than \$250	29
\$250 to \$499	157
\$500 to \$749	378
\$750 to \$999	181
\$1,000 or more	74
TOTAL	819
MEDIAN RENT	\$639

Source: U.S. Census of Population and Housing, 1990

Table 5 provides an analysis of the number of housing units in structures in the Township. The data shows that a large majority of the housing stock is found in single-family detached structures. A total of 6,187 are located in such structures, representing 87 % of all housing in the Township.

Table 5

UNITS IN STRUCTURES
TOWNSHIP OF JEFFERSON
1990

<u>UNITS IN STRUCTURES</u>	<u>NUMBER</u>	<u>PERCENT</u>
1 unit, detached	6,187	87.0
1 unit, attached	262	3.7
2 to 4 units	244	3.4
5 to 9 units	121	1.7
10 to 19 units	47	0.7
20 units or more	0	0.0
Mobile Home/Trailer	195	2.7
Other	59	0.8
TOTAL	7,115	100.0

Source: Morris County Data Book, 1997

The quality of housing in the Township is generally good. Although the U.S. Census does not measure housing quality directly, the traditional method of estimating deficient housing is through the use of census data known as indicators or "surrogates". Studies of substandard housing revealed that there are seven housing surrogates tabulated by the U.S. Census which can be used to reliably estimate the number of deficient units. The "Housing Quality Surrogates" used to indicate inferior or deficient housing are:

- Constructed prior to 1940;
- Overcrowded (more than one person per room);
- Inadequate plumbing facilities (incomplete plumbing facilities or lack of exclusive use of plumbing facilities);
- Inadequate kitchen facilities (either the shared use of a kitchen or the lack of a stove, refrigerator or sink with piped water);
- Inadequate heating (where no fuel or coal, coke or wood is used for heating);
- Inadequate sewer service (no public sewer, septic tank or cesspool); or
- Inadequate water supply (no public water, drilled well or dug well).

This is the method employed by the Council on Affordable Housing (COAH) to determine the present needs of low or moderate income families for standard housing.

According to the 1990 Census and as shown in Table 6, 1,271 housing units, in the Township of Jefferson, were included in one and/or another of the seven surrogates. It should be strongly emphasized that an unknown quantity of units may have been counted more than once, since the Census data does not account for overlapping data. Moreover, in order for a housing unit to be considered substandard by COAH and included as an "indigenous need" unit, it must exhibit at least two of the seven surrogates and be occupied by a qualified low or moderate income household.

Table 6

NUMBER OF DEFICIENT UNITS BY
HOUSING QUALITY SURROGATE
TOWNSHIP OF JEFFERSON
1990

<u>HOUSING SURROGATE</u>	<u>NO. OF UNITS</u>
Constructed Prior to 1940	823
Overcrowded	75
Inadequate Plumbing Facilities	72
Inadequate Kitchen Facilities	67
Inadequate Heating	7
Inadequate Sewer Service	107
Inadequate Water Supply	120
TOTAL	1,217

Unlike many communities, Jefferson's development can be partially attributed to the construction of second homes or vacation homes. The community is blessed with open spaces and many lakes and as a result, some of the housing was constructed as seasonal housing. As a result, the quality of the housing stock varies widely as the conversion of a home used seasonally to a year round abode typically requires more than a greater degree of occupancy. Seasonal homes typically do not have heating, plumbing, insulation and sanitary facilities that are found in year round dwellings and their conversion to year round dwellings require substantial retrofitting. In Jefferson, this translates into homes with surrogates that are considered substandard.

The units with deficiencies in Table 6 cannot be added to produce a total number of substandard units in 1990, since many units have more than one deficiency. In addition, this number only reflects occupied housing and does not account for the 785 vacant units. Thus, the number of 1990 units with one or more of these deficiencies is less than the total deficiencies shown in the Table 6. In addition, there also may be some units with none of these deficiencies which have structural defects.

The actual number of housing units that are theoretically affordable to low and moderate income households can be grossly estimated with the data that is available. Based upon the COAH 1996 Regional Median Income Limits for Region 2, a household of four persons can earn \$30,250 and \$48,400 for a low and moderate income household, respectively.

Using the established income limits discussed above and available Census data, and assuming certain monthly costs as required by COAH rules and regulations, it is possible to estimate the number of housing units in the Township of Jefferson that are available to low and moderate income households. As shown in Table 7, a number of existing housing units, particularly rental units, are affordable to low and moderate income households.

TABLE 7

**EXISTING HOUSING THEORETICALLY AVAILABLE
TO LOW AND MODERATE INCOME HOUSEHOLDS
TOWNSHIP OF JEFFERSON**

	<u>Sales Housing Units</u>	
	<u>Low Income</u> (Year/Month)	<u>Moderate Income</u> (Year/Month)
Total Income(\$)	30,250/2,521	48,400/4,033
28% for Housing	8,470/706	13,552/1,129
Less Property Taxes	1,829/152	3,266/272
Less Property Insurance	250/21	400/33
Net Available For Mortgage:	6,391/532*	9,886/823**
Number of Housing Units Available	49	328

(*) For a low income household of four persons, assuming a fixed 30-year mortgage at 8.5%, a \$72,000 mortgage could be obtained. Adding 5% as a down payment would result in a unit valued at \$75,600. Of the 7,115 owner occupied units in the Township of Jefferson, listed in the 1990 Census, 49 (less than 1%) are indicated to be valued at less than \$50,000 and 328 (4.6%) are indicated to be valued at between \$50,000 and \$100,000.

(**) For moderate income households of four persons, assuming a fixed 30-year mortgage at 8.5%, a \$114,000 mortgage could be obtained. Adding 5% as a down payment would result in a unit valued at \$119,700. Of the 7,115 owner occupied units in the Township of Jefferson, listed in the 1990 Census, 1,568 (22%) are indicated to be valued between \$100,000 and \$149,000.

	<u>Rental Housing Units</u>	
	<u>Low Income</u> (Year/Month)	<u>Moderate Income</u> (Year/Month)
Total Income(\$)	30,250/2,521	48,400/4,033
30% For Housing	9,075/756	14,520/1,210
Less Utilities	1,800/150	2,000/167
Net Available for Rent:	7,275/606(*)	12,520/1,043(**)
Number of Apartments Available	186	745

(*) For low income households of four persons, of the 819 renter occupied units in the Township of Jefferson, listed in the 1990 Census, 186 (23%) are indicated to be rented for less than \$500.

(**) For moderate income households of four persons, of the 819 renter occupied units in the Township of Jefferson, listed in the 1990 Census, 745 (91%) are indicated to be rented for less than \$1,000.

Future Construction of Housing

COAH regulations require a community's projection of future housing to be based on an assessment of data which minimally must include the number of housing units constructed or has been issued building permits during the last 10 years, the number of low and moderate income housing units constructed previously, the number of low and moderate income housing units previously rehabilitated, a projection of the community's housing stock for the next six year period, and the number of subdivisions and site plans approved for residential purposes during the last six years.

Table 8 shows building permits issued during the past ten years from 1985-1994. A total of 896 building permits were issued during this period, of which 788 were for single family detached residential units and 108 were for multi-family residential units (including single family attached units). This resulted in an average rate of 100 housing units per year.

TABLE 8
NUMBER OF RESIDENTIAL BUILDING PERMITS ISSUED
TOWNSHIP OF JEFFERSON
1985-1994

<u>YEAR</u>	<u>SINGLE</u>	<u>MULTI</u>	<u>DEMOLITION</u>	<u>TOTAL</u>
1985	20	108	2	128
1986	137	0	2	137
1987	317	0	1	317
1988	68	0	6	68
1989	49	0	11	49
1990	32	0	5	32
1991	31	0	4	31
1992	38	0	0	38
1993	45	0	1	45
1994	51	0	3	51
TOTAL	788	108	35	896

Source: New Jersey Residential Building Permits,
N.J. Department of Labor 1980-1994.

Between 1990 and June of 1999, a total of 949 new residential lots were created through subdivision approvals. Of these newly created residential lots, 61% are found within two developments, Jefferson Village (417 lots) and Waters Edge (160 lots). Several development plans have been approved, or are before the Township Boards.

Population, Households and Income Analysis

COAH requires an analysis of the municipality's socio-economic characteristics, including an assessment of population size, rate of population growth, age and sex characteristics, income levels and household size.

In 1990, the Township's population was 17,825 persons. Table 9 shows the historic population trends for the Township from 1950 to 1990. This data reveals that Jefferson Township has continued to grow over the last 40 years and experienced its greatest growth between 1960 and 1970 with a 51% population increase during this decade. Over the next two decades, the Township's population has continued to grow steadily.

Table 9

RATE OF POPULATION GROWTH
TOWNSHIP OF JEFFERSON
1990

<u>YEAR</u>	<u>POPULATION</u>	<u>POPULATION CHANGE</u>
1950	2,744	*****
1960	6,884	4,140
1970	14,122	7,238
1980	16,413	2,291
1990	17,825	1,412
1996*	18,874	1,049

* Estimate, Morris County Planning Board
Source: Morris County Data Book, 1997

Table 10 shows the breakdown of age by sex for the Township's 1990 population. The data indicates that 8,894 or 49.9% of the population was female and 8,931 or 50.1% was male. As stated previously, the total population for the Township of Jefferson in 1990 was 17,825, of which 17,766 resided in residences as households and 59 in group quarters. Overall the Township's median age was 33.2.

Table 10

AGE CHARACTERISTICS
TOWNSHIP OF JEFFERSON
1990

<u>AGE GROUP</u>	<u>TOTAL</u>	<u>PERCENT</u>
4 and Under	1,490	8.3
5-18	3,308	18.6
19-24	1,302	7.3
25-34	3,509	19.7
35-44	3,324	18.6
45-54	2,149	12.1
55-64	1,350	7.6
65 and Over	1,393	7.8
TOTAL	17,825	100.0

Source: Morris County Data Book, 1997

Table 11 shows the breakdown for household income by category. The median income for a Jefferson Township household in 1989 was \$48,889 and the median family income was \$ 52,590. The largest income group, those earning between \$50,000 and \$75,000 annually, included 1,789 households or 28% of the total. A clear majority of households (70%) earned over \$35,000 with approximately 17% earning \$25,000 or less. Approximately 43 individuals or 2.43% of Jefferson Township's population was at or below the poverty level in 1990.

Table 11

HOUSEHOLD INCOME
JEFFERSON TOWNSHIP OF JEFFERSON
1990

<u>INCOME CATEGORY</u>	<u>NO. OF HOUSEHOLDS</u>	<u>PERCENT</u>
Less than \$5,000	82	1.3
\$5,000 to \$9,999	240	3.8
\$10,000 to \$14,999	282	4.5
\$15,000 to \$24,999	475	7.5
\$25,000 to \$34,999	795	12.6
\$35,000 to \$49,999	1,391	22.0
\$50,000 to \$74,999	1,789	28.3
\$75,000 to \$99,999	792	12.6
\$100,000 to \$149,999	362	5.7
\$150,000 or more	114	1.7
TOTAL	6,322	100.0

Source: Morris County Data Book, 1997

Consistent with the general trend, household size in Jefferson Township has been declining over the last several decades. Table 12 illustrates this general decline in household size.

Table 12

AVERAGE HOUSEHOLD SIZE
TOWNSHIP OF JEFFERSON
1960-1990

<u>YEAR</u>	<u>HOUSEHOLD SIZE</u>
1960	3.34
1970	3.40
1980	3.05
1990	2.81

Source: Morris County Planning Department & Data Book, 1997

Existing and Probable Future Employment

The COAH Rules and Regulations require an analysis of the existing and probable future employment characteristics of the Township, including the current employment in the municipality and historic trends from 1980 to the current year, employment characteristics and occupational patterns of the residents of the Township, other community or regional factors which may impact municipal employment, and the probable future employment in the community.

Tables 13 and 14 describe the employment characteristics and occupational trends of Jefferson Township residents. Table 13 indicates that 52% of all jobs are concentrated in three fields: manufacturing, retail trade and professional and related services. Manufacturing accounts for 14.7% of all employment in the Township, while retail trade accounts for 15.7% and professional services accounts for 21.7%.

Table 14 identifies resident employment by occupation. It indicates that 63.4% of the resident population is mainly employed in two categories: managerial and professional specialty, and technical sales and administrative support. Managerial and professional specialty accounts for 30% of all occupations, while technical sales and administrative supports accounts for 33.7%.

Table 13

EMPLOYED PERSONS 16 AND OVER BY INDUSTRY
TOWNSHIP OF JEFFERSON
1990

<u>INDUSTRY</u>	<u>NUMBER</u>	<u>PERCENT</u>
Agriculture, Forestry and Fisheries	70	0.7
Mining	23	0.2
Construction	966	9.5
Manufacturing:		
Non-durable goods	690	6.8
Durable goods	801	7.9
Transportation	551	5.4
Communication other public utilities	395	3.9
Wholesale Trade	504	5.0
Retail Trade	1,598	15.7
Finance, Insurance, Real Estate	933	9.2
Business & Repair Services	534	5.3
Personal Services	246	2.4
Entertainment and Recreation Services	86	0.8
Professional & Related Services		
Health Services	624	6.1
Educational services	925	9.2
Other Professional & Related Services	649	6.4
Public Administration	553	5.5
TOTAL	10,148	100.0

Source: U.S. Census of Population and Housing, 1990.

Table 14

EMPLOYED PERSONS 16 AND OVER BY OCCUPATION
TOWNSHIP OF JEFFERSON
1990

<u>OCCUPATION</u>	<u>NUMBER</u>	<u>PERCENT</u>
Managerial and professional specialty:		
Executive, administrative, managerial	1,558	15.3
Professional specialty	1,489	14.7
Technical, sales, administrative support:		
Technicians and related support	322	3.2
Sales	1,130	11.1
Administrative support, including clerical	1,936	19.1
Service		
Private household	10	0.1
Protective Service	224	2.2
Service, except protective & household	866	8.5
Farming, Forestry & Fishing	63	0.6
Precision production, craft & repair	1,448	14.3
Operators, fabricators, & laborers		
Machine operators, assemblers, inspectors	288	2.3
Transportation and material moving	443	4.4
Handlers, equipment cleaners, helpers, & laborers	371	3.7
TOTAL	10,148	100.0

Source: U.S. Census of Population and Housing, 1990.