

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 18-2007

AN ORDINANCE AMENDING ORDINANCE NO. 1862-98, AS SUPPLEMENTED BY ORDINANCE 1970-01, OF THE TOWNSHIP OF MOORESTOWN IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWNSHIP OF MOORESTOWN AT THE GENERAL ELECTION ON NOVEMBER 6, 2007 A PROPOSITION AUTHORIZING AN ANNUAL LEVY IN AN AMOUNT BETWEEN ONE AND SIX CENTS (\$0.01 AND \$0.06) PER \$100 OF ASSESSED VALUE OF REAL PROPERTY FOR THE OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND

WHEREAS, N.J.S.A 40:12-15.7 permits the governing body of a municipality to submit to its voters a proposition authorizing the imposition of an annual tax levy for the following purposes:

- (a) acquisition of lands for recreation and conservation purposes;
- (b) development of lands acquired for recreation and conservation purposes;
- (c) maintenance of lands acquired for recreation and conservation purposes;
- (d) acquisition of farmland for farmland preservation purposes;
- (e) historic preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects for historic preservation purposes; and/or
- (f) payment of debt service on indebtedness issued or incurred by the municipality for any of the purposes set forth in subparagraphs (a), (b), (d) or (e) of this paragraph; and

WHEREAS, the Township Council adopted Ordinance No. 1862-98 on August 17, 1998, proposing an annual tax levy for preservation purposes; and

WHEREAS, the Township Council amended Ordinance No. 1862-98 by the adoption of Ordinance No. 1970-01 on August 23, 2001, which proposed an increase and extension of the then-current levy; and

WHEREAS, in accordance with Ordinance 1970-01, the Township Council currently raises, by taxation, for said purposes, a sum of six cents per one hundred dollars (\$0.06 per \$100) of assessed value of real property located in the Township of Moorestown.; and

WHEREAS, said levy shall expire on December 31, 2008; and

WHEREAS, the Township Council proposes to extend the time period of said taxation beyond the year 2008 for a period of twenty (20) additional years; and

WHEREAS, the Township Council proposes to adjust the rate and annually adopt a levy in an amount no less than one cent (\$0.01), but no more than six cents (\$0.06), per \$100 of assessed value of real property; and

WHEREAS, the Township Council wishes to submit to voters of the Township at the General Election on November 6, 2007 the referendum question set forth below authorizing the aforementioned extension and annual levy.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, as follows:

1. Pursuant to N.J.S.A. 40:12-15.7, the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, places the following referendum question on the General Election ballot for consideration by the voters of said Township on November 6, 2007:

MOORESTOWN TOWNSHIP OPEN SPACE BALLOT MEASURE

YES NO

Shall the Township of Moorestown adjust and extend the current levy for the Moorestown Open Space, Recreation, Farmland and Historic Preservation Trust Fund from six cents per one hundred dollars (\$0.06 per \$100) to a levy in an annual amount no less than one cent (\$0.01), but no more than six cents (\$0.06), per one hundred dollars (\$100) of assessed real property valuation for each of the next twenty (20) years, beginning in the year 2009 through and including the year 2028, for the following purposes, or any combination thereof:

- (a) acquisition, development and maintenance of lands for recreation and conservation purposes;
- (b) acquisition of farmland for farmland preservation purposes;
- (c) historic property preservation or acquisition; and/or
- (d) payment of debt service on indebtedness issued or incurred by the municipality for any of the purposes set forth in subparagraphs (a), (b) and (c) above

and allocate the appropriate amount of the revenue so raised to those purposes.

INTERPRETATIVE STATEMENT

This referendum will give the elected officials of the Township of Moorestown the sentiment of the voters concerning extending the time period and adjusting the annual amount of the levy for the “Moorestown Open Space, Recreation, Farmland and Historic Preservation Trust Fund.” The Fund will continue to be used exclusively for the acquisition of lands for recreation and conservation purposes; development and maintenance of such lands; acquisition of farmland for farmland preservation purposes; historic property preservation or acquisition; and/or payment of debt service on indebtedness issued or incurred by the municipality for any of the aforesaid purposes.

The Township Council shall conduct at least one (1) public hearing before allocating the appropriate amount of revenue so raised to each of the permitted purposes. All monies levied shall not be used for any other purpose whatsoever.

2. The Burlington County Clerk is hereby requested to print the above referendum Question and Interpretative Statement on the official ballot for the Township of Moorestown for the General Election to be held on November 6, 2007.

3. A true and certified copy of this ordinance, upon its adoption, shall be forwarded by the Municipal Clerk to the Burlington County Clerk's Office and the Superintendent of Elections so that said referendum question can be placed on the General Election Ballot for November 6, 2007 for the voters of the Township of Moorestown.

4. Any and all other ordinances, or resolutions, inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies

5. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

6. This ordinance shall take effect after final approval and upon proper publication in accordance with law.

7. This Ordinance shall be known as Ordinance 18-2007.

CERTIFICATION

I, Patricia L. Hunt, hereby certify that Ordinance No. 18-2007 was introduced and adopted on first reading by the Township Council at a meeting held on June 11, 2007. This ordinance was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on June 25, 2007.

VOTE:

ABERANT	YES
ROCCATO	YES
BRODER	YES
SEGAL	YES
ERON	YES

Patricia L. Hunt, Township Clerk