

AUTHORIZING BALLOT QUESTION AMENDING A PREVIOUSLY APPROVED PROPOSITION IMPOSING ANNUAL LEVY FOR THE ACQUISITION OF LAND FOR CONSERVATION, PUBLIC RECREATION AND FARMLAND PRESERVATION PURPOSES WITHIN THE TOWNSHIP OF ROBBINSVILLE

WHEREAS, P.L. 1997, Chapter 24 of the laws of New Jersey permits the governing body of the municipality to submit to the voters of the municipality in a general election or in a special election a proposition authorizing imposition of an annual levy for an amount or at a rate deemed appropriate for any or all the following purposes, or a combination thereof, as determined by the governing body:

- (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; or
- (f) payment of debt service or indebtedness issued or incurred by a municipality for any of the purposes set forth above in (a), (b), (d) or (e); and

WHEREAS, N.J.S.A. 40:12-15.7(d) permits the governing body of a municipality to submit to the voters of the municipality in a general or special election a proposition amending or supplementing a proposition previously submitted, approved and implemented either (1) changing the amount or rate of the annual levy, or (2) adding or removing purposes previously authorized for which the levy may be expended; and

WHEREAS, the governing body of the Township of Robbinsville presently and has, in the past, supported the acquisition of open space for conservation, recreation, and farmland purposes and in that regard sought to ascertain the sentiment of the legal voters of the Township regarding the dedication of tax revenues for the acquisition of lands for conservation, public recreation and farmland preservation purposes, together with the development of lands acquired for recreation, maintenance of lands acquired for recreation and conservation purposes, and the preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas or objects; and

WHEREAS, in 1998, the legal voters within the Township of Robbinsville, Mercer County, approved a proposition authorizing the establishment of an annual levy at the rate of \$0.01 per \$100 assessed valuation for the purposes of dedicating said tax revenues for the acquisition of lands for conservation, public recreation and farmland preservation purposes, together with the development of lands acquired for recreation, maintenance of lands acquired for recreation and conservation purposes, and the preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas or objects; and

WHEREAS, in 2000, the Township Committee sought to amend the proposition approved in 1998 by increasing the annual levy from one cent (\$.01) to five cents (\$.05) annually for the same purposes approved in 1998, and the legal voters of the Township of Robbinsville, Mercer County approved said proposition; and

WHEREAS, in 2016, the Township Council sought to amend the proposition approved in 1998 and amended in 2000 by increasing the annual levy from five cents (\$.05) to six and a half cents (\$.065) annually for the same purposes approved in 1998, and the legal voters of the Township of Robbinsville, Mercer County approved said proposition; and

WHEREAS, in 2022, the Township Council sought to amend the proposition approved in 1998 and amended in 2000 and 2016 by increasing the annual levy from six and a half cents (\$.065) to eight and a half cents (\$.085) annually for the same purposes approved in 1998, and the legal voters of the Township of Robbinsville, Mercer County, disapproved said proposition; and

WHEREAS, the Township Council of the Township of Robbinsville again desires to ascertain the sentiment of the legal voters of the Township of Robbinsville regarding the dedication of additional tax revenues for the acquisition, improvement, maintenance and/or preservation of farmland, open space, recreational and historic properties within the Township of Robbinsville, and for payment of the debt service on indebtedness issued or incurred for any of the purposes set forth herein;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Robbinsville, County of Mercer, State of New Jersey that the following question be placed on the official ballot to be used in the next general election to be held on November 7, 2023:

“Should the Township of Robbinsville increase its annual levy by one cent (\$.01) per One Hundred Dollars (\$100.00) of the assessed value of real property within the Township, so that the total annual levy shall be seven and a half cents (\$.075) per One Hundred Dollars (\$100.00) of the assessed value of real property within the Township in order to provide additional revenue for the acquisition, improvement, maintenance and/or preservation of farmland, open space, recreational and historic properties, or payment of debt service or indebtedness issued or incurred by a municipality for the purposes set forth herein, pursuant to N.J.S.A. 40:12-15.7, and to annually appropriate that revenue for those purposes?”

INTERPRETIVE STATEMENT

The intent of this proposition is to increase the Township's Open Space Tax by one cent (\$.01) per One Hundred Dollars (\$100.00) of assessed value of real property within the Township so that the total annual levy would be increased from six and a half cents (\$.065) to seven and a half cents (\$.075) per One Hundred Dollars (\$100.00) of assessed value of real property within the Township. This would allow the Township to continue to replenish a fund previously established for the purpose of acquiring, improving, maintaining and/or preserving farmland, open space, recreational and historic land, easements, development rights or other interests in such real property, and to pay the debt service on indebtedness issued or previously incurred by the Township for any of the purposes stated above. The revenue will be used to acquire, improve, maintain and/or preserve open space, recreational and historic properties for future generations to enjoy, as well as either purchase or deed restrict property so that it remains farmland. The revenue may also be used to pay the debt service on indebtedness issued or incurred for acquisition, improvement, maintenance and/or preservation of open space, recreational and historical properties. This proposal is a decision that your Township Council believes should be made with input from the residents of this community. This dedication is authorized by New Jersey Statute 40:12-15.7.

BE IT FURTHER RESOLVED, that a copy of this Resolution certified by the Township Clerk to be a true copy, shall be forwarded to each of the following so that the referendum question can be placed on the General Election ballot for November 7, 2023, for consideration by the voters of Robbinsville Township, Mercer County:

1. Director, Division of Local Government Services, New Jersey Department of Community Affairs;
2. Mercer County Clerk; and
3. Mercer County Superintendent of Elections.

I certify this to be a true copy of a Resolution adopted by the Township Council of the Township of Robbinsville at a meeting held on July 27, 2023.


Kaitlyn Macellaro, Deputy Municipal Clerk