



Legislation Details (With Text)

File #: 15-1410 **Version:** 1 **Name:** Amendment of the Municipal Open Space and Recreation Trust Fund

Type: Resolution **Status:** Filed

File created: 7/16/2015 **In control:** Economic and Housing Development

On agenda: 7/21/2015 **Final action:** 7/21/2015

Title: Dept/ Agency: Economic & Housing Development
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Request for a binding referendum question on the (November 3, 2015) Election ballot
 Purpose: Amendment of the Municipal Open Space and Recreation Trust Fund to increase the annual levy from one (\$0.01) cent per one hundred (\$100.00) dollars to three (\$0.03) cents per one hundred (\$100.00) dollars, the increase of which shall be specifically for the expansion of the Newark Riverfront Park
 Sponsor
 Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/21/2015	1	Municipal Council	Adopt	Pass

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WHEREAS, N.J.S.A. 40:12-15.7 authorizes the governing body of any New Jersey municipality to submit to the voters of the municipality in a general election a proposition question authorizing the imposition of an annual levy for an amount or at a rate deemed appropriate 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;

(f) payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes set forth in subparagraphs (a), (b), (d), (e) or (g) of this paragraph; or

(g) Blue Acres projects;

WHEREAS, all twenty-one counties and over two-hundred municipalities in New Jersey have established voter-approved open space trust funds for one or more of these purposes;

WHEREAS, on November 5, 2013, the voters of the City of Newark approved the establishment of an Open Space and Recreational Trust Fund tax at a rate of one (\$0.01) cent per one hundred (\$100.00) dollars of assessed valuation of each annual tax levy as authorized by the voters, commencing with the 2015 tax year and the 2015 budget year.

WHEREAS, the funds generated by the Open Space and Recreational Trust Fund levy have allowed the City to preserve land designated for preservation by the City's Open Space Plan; and,

WHEREAS, the Mayor and Council find that it would be in the best interest of the City to amend the Open Space tax to three cents (\$0.03) per one hundred (\$100.00) dollars of assessed valuation of each annual tax levy for a period of thirty (30) years, commencing with the 2016 tax year and the 2016 budget year.

NOW, THEREFORE, BE IT RESOLVED BY THE NEWARK MUNICIPAL COUNCIL THAT they do hereby direct the City Clerk to forward the following question to the Essex County Clerk for the purpose of being placed on the General Election ballot to be held on November 3, 2015:

City of Newark Open Space and Recreation Trust Fund

SHALL THE OPEN SPACE AND RECREATIONAL FUND LEVY, PREVIOUSLY APPROVED BY THE VOTERS IN THE AMOUNT OF ONE (\$0.01) CENT PER ONE HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUE, BE AMENDED TO THREE (\$0.03) CENTS PER ONE HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUE FOR A PERIOD OF THIRTY (30) YEARS, THE INCREASE OF WHICH SHALL BE SPECIFICALLY FOR THE PURPOSE OF THE EXPANSION OF NEWARK RIVERFRONT PARK

INTERPRETIVE STATEMENT

Approval of this question would amend the Open Space and Recreation Trust Fund Levy approved by the voters in November of 2013, which created a dedicated fund to acquire, develop and maintain parks, neighborhood playgrounds, playing fields for youth sports, and other green spaces throughout the City. The amendment would allow the levy to be three (\$0.03) cents per one hundred (\$100.00) dollars assessed value for a period of thirty (30) years rather than the initial one (\$0.01) cent per one hundred (\$100.00) dollars of assessed value. At the end of the thirty-year period the levy shall revert back to one (\$0.01) cent per one hundred (\$100.00) dollars of assessed value. The increase is specifically for the expansion of the Newark Riverfront Park.