



## Legislation Details (With Text)

**File #:** 13-1545      **Version:** 1      **Name:** Referendum - Open Space Trust Fund  
**Type:** Resolution      **Status:** Filed  
**File created:** 7/29/2013      **In control:** Municipal Council and City Clerk  
**On agenda:** 8/7/2013      **Final action:** 8/7/2013  
**Title:** Dept/ Agency: Offices of Municipal Council/City Clerk  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Request for a binding proposition question  
on the (November 5, 2013) Election ballot  
Purpose: Establishment of a Municipal Open Space and Recreation Trust Fund and the Imposition of  
an Annual Levy  
Sponsor: Ramos  
Additional Information:

**Sponsors:**

**Indexes:**

**Code sections:**

| Date     | Ver. | Action By         | Action | Result |
|----------|------|-------------------|--------|--------|
| 8/7/2013 | 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**, a levy of one-cent per \$100 of assessed real property value would generate an estimated \$1.1 million annually at a cost of \$20.00 annually to the owner of a property assessed at \$200,000.00;

**WHEREAS**, these funds could be used to improve, repair and maintain existing parks, and to acquire and develop new parks, neighborhood playgrounds and playing fields for youth sports to benefit all residents of the City;

**WHEREAS**, dedicated local funds would make the City eligible for a greater match through the State Green Acres Program, and leverage state, county and private funds;

**WHEREAS**, according to the Newark Master Plan adopted in 2012, the park system should expand and improve parks and greenways throughout the city; improve programming; and provide for stewardship to make parks secure, attractive and enjoyable assets;

**NOW, THEREFORE, BE IT RESOLVED BY THE NEWARK MUNICIPAL COUNCIL THAT** the Essex County Clerk is hereby directed to place the following referendum question and interpretive statement on the November 5, 2013 General Election ballot:

**City of Newark Open Space and Recreation Trust Fund**

Shall the City of Newark create a “Municipal Open Space and Recreation Trust Fund”, to be funded through an annual levy of one cent per \$100.00 of assessed valuation of real property for the purposes of acquiring, developing and maintaining lands for recreation and conservation, including providing safe, clean and accessible parks; repairing and improving existing parks; creating neighborhood playgrounds and playfields for youth sports; and for the payment of any debt service incurred by the City for these purposes, with full public disclosure and review of all expenditures?

**INTERPRETIVE STATEMENT**

Approving this referendum will authorize the City of Newark to establish a Municipal Open Space and Recreation Trust Fund to acquire develop and maintain lands for conservation and recreation purposes in order to provide safe, clean and accessible parks, neighborhood playgrounds and playfields for youth sports throughout the City. A “yes” vote will permit the City to establish a Municipal Open Space and Recreation Trust Fund and authorize an annual levy of one cent per \$100.00 of assessed real property value to fund the purposes above, including debt service on any bonds issued for these purposes. Funds raised by the measure, along with any interest or other income earned on monies deposited into the municipal trust account shall be credited to the fund, and could only be used for these purposes and would be eligible for a greater match through the State Green Acres Program and by other state, county and private sources. Full public disclosure and review of all expenditures would be required.

