

EXPLANATION: This Resolution establishes and authorizes a public question to be presented to the public as a referendum at the next regular election whether to authorize additional uses of the Township's Open Space Trust Fund.

TOWNSHIP OF BEDMINSTER

RESOLUTION NO. 2016 - 094

WHEREAS, the voters of the Township of Bedminster at the November 4, 1997, general election, authorized the creation of Bedminster's Open Space Trust Fund, to be funded through a tax of two cents (\$0.02) per one hundred dollars (\$100.00) of assessed value, which tax was to be utilized for the acquisition of all types of real property which will further the goal of open space acquisition and preservation; and

WHEREAS, the Township thereafter adopted Ordinance No. 98-01 establishing the Township's Open Space Trust Fund pursuant to the referendum; and

WHEREAS, the Township subsequently codified the Open Space Trust Fund Ordinance at Sections 15-2.1 to 15-2.5; and

WHEREAS, N.J.S.A. 40:12-15.7(d) authorizes and requires a municipality to seek voter sentiment on a proposed amendment or supplementation of the proposition previously submitted for the establishment of an open space trust fund and the funding of same through a special tax rate, including adding or removing purposes for which the fund monies may be expended; and

WHEREAS, the form of any public question put to the voters must follow statutory guidelines which require the phrasing of any public question on a ballot to clearly set forth the true purpose of the matter being voted upon, in simple language that can be easily understood by the voter; and

WHEREAS, the Township Committee of the Township of Bedminster finds it in the best interest of the Township and its citizens to submit the public question of whether the permitted uses of the Township's Open Space Trust Fund as set forth in Section 15-2 should be clarified and expanded as follows:

Amend Section 15.2.1 Fund for Open Space to clarify and authorize that the Township Committee may direct funds from the Open Space Trust Fund be utilized for the below purposes authorized by N.J.S.A. 40:12-15.7.

- (a) development of lands acquired for recreation and conservation purposes;
- (b) 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;
- (c) payment of debt service on indebtedness issued or incurred for any of the purposes set forth in (a) and (b) above; and
- (d) eliminate the twenty (20%) limitation of Open Space Trust Funds for the maintenance of lands acquired by the township for recreation and conservation purposes.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bedminster, in the County of Somerset, State of New Jersey as follows:

The Township Committee of the Township of Bedminster requests the Somerset County Clerk print upon the official ballot to be used at the November 8, 2016, general election, the following proposition:

To vote upon the public question printed below:
if you are in favor – push the button next to the word “yes”
if you are opposed – push the button next to the word “no”

BE IT FURTHER RESOLVED that the following Interpretive Statement shall accompany the aforesaid proposition:

INTERPRETIVE STATEMENT:

Amend Section 15.2.1 Fund for Open Space to clarify and authorize that the Township Committee may direct funds from the Open Space Trust Fund be utilized for expanded purposes as authorized by N.J.S.A. 40:12-15.7.

A “Yes” vote on the above question means that you do want the Township Committee to authorize the above uses.

A “No” vote on the above question means that you do not want the Township Committee to authorize the above uses.

BE IT FURTHER RESOLVED that the Bedminster Township Clerk is directed, after adoption of this Ordinance, to forward a certified copy to the Somerset County Clerk by not later than 81 days prior to the November 8, 2016, general election for placement on the official ballot.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

ATTEST:

BEDMINSTER TOWNSHIP

By: _____
Judith A. Sullivan, Township Clerk

By: _____
Steven E. Parker, Mayor

CERTIFICATION

I, Judith A. Sullivan, Township Clerk of Bedminster, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a Regular Meeting of said Committee held on August 15, 2016.

Judith A. Sullivan, Township Clerk

Introduced	Seconded	Township Committee	Aye	Nay	Abstain	Absent
		Steven Parker, Mayor				
		Bernie Pane				
		Larry Jacobs				
		Kenneth Olsen				
		Staci Santucci				