

ORDINANCE NO. 2022-25

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, PETITIONING THE CLERK OF WARREN COUNTY TO PLACE ON THE BALLOT A REFERENDUM TO GAUGE PUBLIC SENTIMENT FOR CONTINUING THE ANNUAL TAX LEVY FOR MUNICIPAL OPEN SPACE AND RECREATION TRUST FUND

WHEREAS, the Town of Phillipsburg is desirous of improving the recreational and conservational efforts of lands for the enjoyment of its residents; and

WHEREAS, the Town of Phillipsburg is interested in continuing the annual tax levy for Municipal Open Space and Recreation Trust Fund to be allocated toward improving recreational facilities, protecting water quality in rivers and streams, historic preservation, conserving natural areas, and developing, maintaining and acquiring lands for recreation and conservation; and

WHEREAS, the proposed funds would be dedicated from an annual tax levy not to exceed 0.02 per \$100 of assessed real property value; and

WHEREAS, the proposed annual tax levy would be imposed for a period not to exceed five years; and

WHEREAS, pursuant to N.J.S.A. 40:12-15.7, the question of the annual tax level for Open Space and Recreation Trust funds shall be submitted to the voters of the municipality.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council, of the Town of Phillipsburg, County of Warren, State of New Jersey, as follows:

Section 1: That Holly Mackey, Warren County Clerk, be requested to place a referendum on the ballot asking whether the voters in Town of Phillipsburg desire to continue the annual tax levy for Municipal Open Space Trust Fund.

Section 2: The question to be placed on the ballot shall read as follows:

Shall the Town of Phillipsburg enact an Ordinance authorizing the continuation of the Open Space and Recreation Fund through an annual levy of \$0.02 per \$100 of assessed real value for a period not to exceed five years, for the purposes of improving recreational facilities; protecting water quality in rivers and streams; historic preservation; conserving natural areas; and developing, maintaining, and acquiring lands for recreation and conservation in the Town of Phillipsburg only; with spending based on the recommendations of a citizens oversight committee and full public disclosure?

Yes No

Interpretative Statement:

A “yes” vote will permit the Town of Phillipsburg to continue the funding of the Open Space and Recreation Trust Fund via the annual levy of \$0.02 per \$100 assessed real property value. The average owner would pay \$22 per year, which is equal to \$1.83 per month. After five years, the Fund would expire and require voter approval for it to continue. Funds can only be used for development, maintenance and acquisition of lands for recreation and land and water conservation purposes, as well as historic preservation in the Town of Phillipsburg. An oversight committee of local citizens would advise the Town on how the funds should be spent. There would be full public disclosure of all spending, and every year there would be a public audit of all expenditures. The fund would enable the Town of Phillipsburg to leverage matching grants from Warren County and the State of New Jersey.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4. Effective Date. This Ordinance shall take effect upon final passage and publication.

ATTEST:

TOWN OF PHILLIPSBURG

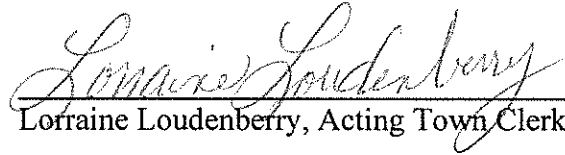

LORRAINE LOUDENBERRY,
Acting Town Clerk


TODD M. TERSIGNI,
Mayor

DATED: July 19, 2022

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Town Council on the first reading at a meeting of the Town Council of the Town of Phillipsburg, held July 19, 2022, and will be considered for a second reading and final passage at a regular meeting of the Town Council to be held on August 2, 2022, at 7:00 p.m., located at PHA Community Bldg., 535 Fisher Avenue, Phillipsburg, NJ 08865, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



Lorraine Loudenberg, Acting Town Clerk