

Introduction date: June 10, 2019  
Adoption date: June 24, 2019

**ORDINANCE 2019-13  
TOWNSHIP OF EASTAMPTON  
BURLINGTON COUNTY**

**AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON AUTHORIZING A  
BINDING REFERENDUM PURSUANT TO N.J.S.A. 40:69A-185 ET SEQ. AND IN  
COMPLIANCE WITH N.J.S.A. 40:12-15.7 AS TO WHETHER THE TOWNSHIP  
COUNCIL OF THE TOWNSHIP OF EASTAMPTON SHOULD CONTINUE TO  
DEDICATE A PORTION OF THE LOCAL TAX LEVY FOR THE ACQUISITION OF  
LAND AND CONSTRUCTION OF RECREATIONAL IMPROVEMENTS THROUGH  
USE OF THE TOWNSHIP'S OPEN SPACE TRUST FUND**

WHEREAS, the Township of Eastampton has established an Open Space Trust Fund pursuant to the authority granted to the Township in N.J.S.A. 40:12-15.1 et seq and Resolution 1998-90; and

WHEREAS, when established, the Township's Open Space Trust Fund was created for the acquisition of land and construction of recreational improvements on open space areas; and

WHEREAS, when established, the Township's Open Space Trust Fund, pursuant to a binding referendum, dedicated a portion of the local tax levy for these open space uses for a period not to exceed twenty (20) years; and

WHEREAS, as this twenty (20) year period is now expiring, it is necessary for the Township to again authorize this binding referendum to determine if the citizens of the Township desire to continue to dedicate a portion of the local tax levy for these open space uses; and

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Eastampton, County of Burlington, State of New Jersey, that a binding Referendum be submitted to the voters of the Township of Eastampton, pursuant to N.J.S.A. 40:69A-185 and N.J.S.A. 40:12-15.7, presenting the question as to whether the Township Council should continue to dedicate a portion of the local tax levy to fund the Township's Open Space Trust Fund.

**SECTION 1A. THE QUESTION**

“Shall the Township of Eastampton continue to dedicate a portion of the local tax levy to fund the Township of Eastampton's Open Space Trust Fund for a period of no more than twenty (20) years?”

**SECTION 1B. INTERPRETIVE STATEMENT**

In 1998, Eastampton Township residents approved a referendum to dedicate a portion of the local tax levy for a period of no more than twenty (20) years for the acquisition of open space, farmland preservation, and the creation of active and passive recreational facilities. This referendum approval created Eastampton Township’s Open Space Trust Fund. Through another binding referendum in 2009, the permitted uses of the Open Space Trust Fund were amended to now also include allowing the Open Space Trust Fund to be used for maintenance of open space and recreational improvements constructed in such areas within the Township.

A “yes” response to the above question would permit the Township to continue dedicating a portion of the local tax levy to fund the Township of Eastampton’s Open Space Trust Fund for another period of no more than twenty (20) years with the permitted uses of the Open Space Trust Fund remaining unchanged. A “no” response to the above question would terminate the dedication of the local tax levy to fund the Open Space Trust Fund. Funds currently in the Open Space Trust Fund would be permitted to be used for the Fund’s purpose but no additional funds would be raised.

**SECTION 2.** Upon final passage of this ordinance, the Township Clerk shall transmit a certified true copy of same to the Clerk of the County of Burlington for inclusion on the November 5, 2019 general election ballot pursuant to N.J.S.A. 40:69A-185 et seq.

**SECTION 3.** Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

**SECTION 4.** Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of Eastampton declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

**SECTION 5.** Effective Date. The ordinance shall take effect immediately upon passage and publication according to law and the continued funding of the Open Space Trust Fund shall become effective upon the approval of the referendum question described herein by the voters of the Township of Eastampton.

ATTEST:

  
\_\_\_\_\_  
Kim-Marie White  
Municipal Clerk

  
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Jay Springer  
Deputy Mayor

Introduction: June 10, 2019

Council	Motion	2 <sup>nd</sup>	Ayes	Nays	Abstain	Absent
Councilman Apgar			X			
Councilman Besko			X			
Councilman Santillo		X	X			
Councilman Springer	X		X			
Mayor Zeno			X			
		<b>VOTE</b>	5	0		

Adoption: June 24, 2019

Council	Motion	2 <sup>nd</sup>	Ayes	Nays	Abstain	Absent
Councilman Apgar	X		X			
Councilman Besko		X	X			
Councilman Santillo						X
Councilman Springer			X			
Mayor Zeno						X
		<b>VOTE</b>	3	0		