

ORDINANCE NO. 4-2018

AN ORDINANCE OF TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER REDUCING THE TWO CENT (\$.02) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DEDICATED OPEN SPACE TRUST FUND TAX RATE TO ONE AND ONE-HALF CENT (\$.015) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DURING CALENDAR YEAR 2018 ONLY AND FURTHER AUTHORIZING THE TOWNSHIP'S CHIEF MUNICIPAL FINANCE OFFICER TO COLLECT THE ONE AND ONE HALF CENT (\$.015) DEDICATED TAX

WHEREAS, on November 2, 1999, by a vote of almost two to one in favor, the voters of Hanover Township approved a binding referendum question concerning the creation of an Open Space Trust Fund for the Township; and

WHEREAS, the binding referendum asked the voters whether the Township should adopt an ordinance establishing an "Open Space and Parkland and Facilities Preservation Trust Fund" and if so, should the Trust Fund be funded through the collection of local property taxes in the amount of two cents (\$.02) for each one hundred (\$100.00) dollars of assessed valuation; and

WHEREAS, the creation of the Open Space Trust Fund would complement any other available funding sources to be used exclusively for the purchase of property or easements within the Township, for the preservation of resource open space and/or the maintenance and improvement of the Township's existing parkland and related facilities for outdoor recreation purposes; and

WHEREAS, the Township Committee, on December 9, 1999, adopted Ordinance No. 32-99 which established an Open Space and Parkland and Facilities Preservation Trust Fund and the Open Space and Parkland and Facilities Preservation Advisory Committee (OSAC); and

WHEREAS, the ordinance also established for the year 2000 and subsequent years, a two cent (\$.02) per hundred (\$100.00) dollar valuation tax which would be specifically dedicated for the acquisition of property for open space and

recreational purposes and the maintenance and improvement to the Township's parkland and related facilities; and

WHEREAS, the two cents (\$.02) dedicated tax is shown as a separate line item on each property owners tax bill and not as part of the municipal tax rate in that the tax was established as a dedicated tax for the purposes described above; and

WHEREAS, since its inception in the year 2000, the two cent (\$.02) dedicated tax rate has not changed with the exception of calendar years 2009, 2010 and 2011 when the governing body reduced the dedicated open space tax rate from two cents (\$.02) to one (\$.01) cent; and

WHEREAS, in 2012, 2013, 2014, 2015 and 2016, the governing body reduced the dedicated open space tax rate from two cents (\$.02) to one-half cent (\$.005); and

WHEREAS, in 2017, the governing body increased the dedicated open space tax rate to one (\$.01) cent; and

WHEREAS, the Township Committee proposes to decrease the two (\$.02) cent dedicated open space tax rate to one and one-half (\$.015) per hundred dollars of assessed valuation for 2018 only; and

WHEREAS, although the Township will receive grant funds through the State Green Acres Program for the forthcoming acquisition of approximately sixty-five (65) acres of excess Route 24/178 open space land, and County grant funds to acquire another parcel of land on Parsippany Road, it will be necessary for the Township to supplement these grant funds with moneys collected through the Township's dedicated open space tax; and

WHEREAS, while the two (\$.02) cent open space tax rate is being reduced to one and one-half (\$.015) cent of assessed valuation, it represents a one-half (\$.005) cent increase over 2017 in order to provide supplemental funds for the acquisition of the properties described above; and

WHEREAS, although the dedicated open space tax is not computed as part of the municipal tax rate which supports municipal operations and services, the reduction in the open space tax rate will help to minimize the impact of the property taxpayers' total 2018 tax bill.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

Section 1. That the Open Space Trust Fund dedicated tax rate, as established by Ordinance No. 32-99, and codified under Chapter 50 of the Code of the Township entitled Open Space, Parkland and Facilities Preservation Trust Fund Advisory Committee, shall be reduced from two cents (\$.02) per hundred (\$100.00) dollars of assessed valuation to one and one-half cent (\$.015) per hundred (\$100.00) dollars of assessed valuation for calendar year 2018.

Section 2. That the Township's Chief Municipal Finance Officer is hereby authorized and directed to collect the one and one half cent (\$.015) per hundred dollars of assessed valuation for calendar year 2018 only. The funds derived from this dedicated tax shall continue to be maintained in a separate account and shall only be utilized for the purposes described in Ordinance No. 32-99 which established the Open Space and Parkland and Facilities Preservation Trust Fund.

Section 3. That certified copies of this ordinance shall be transmitted to the Division of Local Government Services, the Township's Chief Municipal Finance Officer and members of the Township's Open Space Advisory Committee.

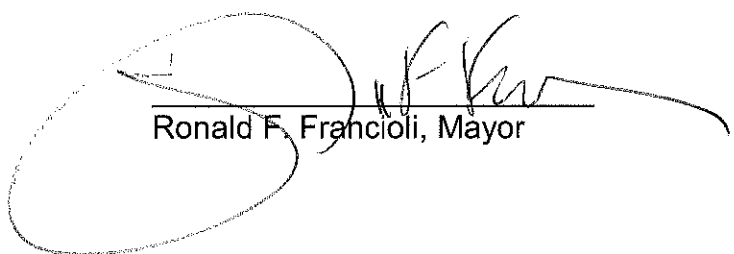
Section 4. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 5. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 6. This ordinance shall take effect in accordance with the law.

ATTEST:

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY



Ronald F. Francioli, Mayor

Joseph A. Giorgio, Township Clerk

DATE OF INTRODUCTION: February 8, 2018

DATE OF ADOPTION: March 22, 2018

CERTIFICATION

I, Joseph A. Giorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 22th day of March, 2018 at a meeting duly convened, of said Body.

Joseph A. Giorgio, Township Clerk