



Township Council

c/o Township Clerk
Teaneck, NJ 07666

Meeting: 08/22/24 06:30 PM

Department: Township Clerk

Category: Authorization

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RESOLUTION 259-2024

**AUTHORIZING THE SUBMISSION OF A BINDING PUBLIC QUESTION FOR THE
2024 GENERAL ELECTION REGARDING THE MUNICIPAL OPEN SPACE TRUST
FUND (MOST)**

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Michael S Pagan, Councilman

SECONDER: Mark J. Schwartz, Councilman

AYES: Katz, Schwartz, Orgen, Pagan, Belcher, Gee, Goldberg

TOWNSHIP OF TEANECK
BERGEN COUNTY, NJ

259-2024

**AUTHORIZING THE SUBMISSION OF A BINDING PUBLIC
QUESTION FOR THE 2024 GENERAL ELECTION REGARDING THE
MUNICIPAL OPEN SPACE TRUST FUND (MOST)**

WHEREAS, N.J.S.A. 40:12-15.7 authorizes the governing body of any municipality to submit to the voters a proposition authorizing imposition of an annual tax levy 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) for (g); and
- g. Blue Acres projects; and

WHEREAS, any amounts raised by such tax levy shall be deposited into a “Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund;” and

WHEREAS, upon approval of the proposition by a majority of the votes cast by the voters of the Township of Teaneck, the Township Council may annually raise by taxation a sum not to exceed the amount or rate set forth in the proposition approved by the voters for the purposes specified therein, provided that if the amount or rate set forth in the proposition was not subdivided among the various purposes, the Township Council may determine the appropriate amount or rate to be allocated to each purpose after conducting at least one public hearing; and

WHEREAS, pursuant to a resolution adopted by the Township Council on June 7, 2004, the voters of the Township of Teaneck approved a referendum establishing a dedicated tax program and imposing an annual tax levy at the rate of \$0.01 per \$100.00 of assessed value for a period not to exceed four (4) years, for the aforesaid purposes; and

WHEREAS, pursuant to Resolution 307-08, adopted by the Township Council on July 22, 2008, the voters of the Township of Teaneck approved a referendum on November 4, 2008, to continue a dedicated tax program and imposing an annual tax levy at the rate of \$0.01 per \$100.00 of assessed value for a period not to exceed four (4) years, for the aforesaid purposes; and

WHEREAS, pursuant to Resolution 171-12, adopted by the Township Council on July 24, 2012, the voters of the Township of Teaneck approved a referendum on November 6, 2012, to continue a dedicated tax program and imposing an annual tax levy at the rate of \$0.01 per \$100.00 of assessed value for a period not to exceed four (4) years, for the aforesaid purposes; and

WHEREAS, pursuant to Resolution 175-2016, adopted by the Township Council on July 19, 2016, the voters of the Township of Teaneck approved a referendum on November 8, 2016, to continue a dedicated tax program imposing an annual tax levy at the rate of \$0.01 per \$100 of assessed value for a period not to exceed four (4) years, for the aforesaid purposes; and

WHEREAS, pursuant to Resolution 162-2020, adopted by the Township Council on August 11, 2020, the voters of the Township of Teaneck approved a referendum on November 3, 2020, to continue a dedicated tax program imposing an annual tax levy at the rate of \$0.01 per \$100 of assessed value for a period not to exceed four (4) years, for the aforesaid purposes; and

WHEREAS, the Township of Teaneck has heretofore appropriated from said “Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund” funds to develop and maintain land acquired for recreation purposes including the construction of an inclusive (accessible) playground at Votee Park, improvements to the soccer field at Votee Park and the upgrade of various parks and playgrounds; and

WHEREAS, the Township Council of the Township of Teaneck wishes to submit to the voters of the Township of Teaneck as a binding referendum question whether to continue a dedicated tax program and extend the imposition of an annual tax levy at the rate of \$0.01 per \$100.00 of assessed value, effective for the calendar year 2025, for a period not to exceed four (4) years, unless a proposition extending the same is approved by the voters for the aforesaid purposes;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Teaneck, in accordance with the provisions of N.J.S.A. 40:12-15.7, that the following question be submitted to the voters of the Township of Teaneck at the General Election to be held on November 5, 2024, as a binding referendum question:

BINDING QUESTION

Shall the Township of Teaneck continue to allocate the Open Space Trust Fund, which will be funded in the following manner for the following purposes:

A. The Open Space Trust Fund shall be funded through the collection of local property taxes in an amount of one cent (\$.01) per one hundred (\$100.00) dollars of assessed value per year for a period not to exceed four (4) years, unless a proposition extending the same is approved by the voters.

B. These funds shall be designated for acquisition (no less than 50%) and development (no more than 50%) of recreation, conservation or historic preservation purposes, and payment of debt service on indebtedness issued or incurred by the Township of Teaneck for any of the foregoing purposes as may be permitted by law, to be determined following a public hearing.

() Yes

() No

INTERPRETIVE STATEMENT

This binding referendum will continue the Township's Municipal Open Space Trust Fund for a period of four (4) years, beginning in calendar year 2025. This fund shall collect a tax levy through property taxes, the proceeds of which would be used for recreation, conservation or historic preservation purposes, and payment of debt service on indebtedness issued or incurred by the Township of Teaneck for any of the foregoing purposes, as permitted by law; provided, however, that all or any portion of the tax collected over the four (4) year period may be devoted to a specific site or project regardless of the aforesaid allocation as determined by the Township Council by the affirmative vote of at least five (5) members of the Council after conducting at least one public hearing thereon. No less than 50% of the total tax collected will be dedicated to the acquisition of land for recreation and conservation purposes; and the payment of debt service for such purposes. No more than 50% of the total tax collected will be dedicated to the development of land for recreation and conservation purposes; and the payment of debt service for such purposes. As an example, the owner of a house assessed at \$630,000.00 would pay an additional tax of approximately \$63 per year for a period of four (4) years. The total amount the tax would yield each year would be approximately \$3.4 million, which in turn will allow the Township to apply for and potentially receive matching state or county grants.

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized and directed to forward this binding referendum question to the Bergen County Clerk for the submission to the voters of the Township of Teaneck at the November 5, 2024 election.

CERTIFICATION

I, Doug Ruccione, Township Clerk for the Township of Teaneck, do hereby certify that the foregoing resolution was duly adopted by the Township of Teaneck at a meeting held on June 18, 2024, with a quorum being present and voting in the majority.

Clerk, Township of Teaneck

This is to certify that the above Resolution was adopted by the
Township Council on August 22, 2024

Doug Ruccione

Doug Ruccione
Township Clerk