



NOTICE OF HEARING

PLEASE TAKE NOTICE that the Governing Body of the Borough of Atlantic Highlands introduced Ordinance 07-2011, at their Regular Meeting held on April 27, 2011. This Ordinance is scheduled to have a Second Reading and Public Hearing on May 25, 2011 at 7:00 PM at Borough Hall, 100 First Avenue, Atlantic Highlands, NJ, in the Public Meeting Room. Anyone interested shall be given the opportunity to be heard concerning this ordinance. Immediately following the Public Hearing, final Adoption will be considered. This Ordinance is available for public inspection at Borough Hall in the Municipal Clerk's office during regular business hours, 8:30 AM to 4:30 PM, Monday through Friday.

Dwayne M. Harris
Municipal Clerk

ORDINANCE 07-2011

ORDINANCE REQUESTING PLACEMENT OF A NON-BINDING REFERENDUM QUESTION ON THE OFFICIAL BALLOT FOR THE GENERAL ELECTION ON NOVEMBER 8, 2011

WHEREAS, by a Referendum Question on the November 1999 Ballot, the voters of Atlantic Highlands approved the Borough establishing an annual special dedicated municipal tax of \$.01 per \$100 of assessed value of real estate, to be dedicated to the funding of an Open Space program for the Borough to acquire and maintain properties for open space and passive recreation, and

WHEREAS, after the Referendum approval, the Borough by Ordinance 9-99 adopted the annual dedicated open space tax and established the dedicated "Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Fund" to retain the dedicated tax funds and fund the various permitted property acquisitions and expenditures and, pursuant to said Referendum and Ordinance, the Borough each year since 2000 has levied the dedicated tax of \$.01 per \$100 of assessed value for this Open Space Fund, and

WHEREAS, as is well known, in recent years there has been a significant economic downturn in the State and many citizens and residents are incurring reductions in income and are having difficulties in sustaining their financial obligations, including real estate property taxes, and

WHEREAS, provision exists under N.J.S.A. 40:12-15.7, which authorizes the Open Space Tax referendum process and fund, for the Governing Body to submit to the electorate a further Referendum proposition regarding the amendment of the previously approved Referendum proposition approving the Levy of the Open Space Tax each year, and the Borough Governing Body has determined that it is appropriate under the current economic and property tax circumstances to present to the electorate on the November 8, 2011 Election Ballot the Question of the Borough authorizing a temporary suspension of the levy and collection of the Open Space

Tax for a period of three (3) years (2012, 2013, and 2014), with the final action on such temporary suspension being subject to formal action as required by law by the Borough Governing Body subsequent to the Ballot proposition.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Atlantic Highlands that the Borough of Atlantic Highlands hereby requests the Monmouth County Clerk to include and print on the Official Ballot for the Borough of Atlantic Highlands in the General Election to be held on November 8, 2011 the following Question:

Atlantic Highlands Borough Question #1

Shall the Borough of Atlantic Highlands temporarily suspend for a three (3) year period (2012, 2013, and 2014) the imposition and collection of the dedicated Open Space Tax of \$.01 per \$100 of assessed value on real property in the Borough.

Interpretive Statement

This non-binding Question affects only the Borough of Atlantic Highlands. In the November 1999 Election, the majority of the Atlantic Highlands voters by referendum approved the Borough establishing and collecting an annual dedicated open space tax of \$.01 per \$100 of assessed property value, as a line item on the annual Real Estate Property Tax Bill. The tax began in the year 2000 and the dedicated funds have been used to partially fund the acquisition and preservation of open space and passive recreation properties, such as Lenape Woods. Due to present economic conditions effecting Borough residents and taxpayers, this Question solicits the voters' position on the Borough temporarily suspending the imposition and collection of this open space tax of \$.01 per \$100 of assessed property value on real property for a three (3) year period (2012, 2013, and 2014).