

**BOROUGH OF OLD TAPPAN
ORDINANCE NO. 716-00**

**AN ORDINANCE SUPPLEMENTING CHAPTER II
“ADMINISTRATION” OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF OLD TAPPAN
TO ESTABLISH THE OPEN SPACE ADVISORY COMMITTEE**

WHEREAS, Borough voters, at the November 2, 1999 general election, approved a referendum establishing an Open Space Trust Fund which is to 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 for a period of five years; and

WHEREAS, it is anticipated that the total amount that this tax will yield will be approximately \$70,000.00 per year; and

WHEREAS, these funds are designated for the purchase of open space so as to preserve such land as open space and to keep it in its natural state and, if no open space is available for purchase, then the monies shall be used for such other recreation, conservation, farmland preservation or historic preservation purposes as may be permitted by law, to be determined following a public hearing; and

WHEREAS, the Mayor and Council desires to establish an advisory committee for the purpose of making recommendations to the Mayor and Council for the use of the Open Space Trust Fund monies;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Old Tappan, County of Bergen, State of New Jersey, as follows:

Section 1. Chapter 2 “Administration” of the Revised General Ordinances of the Borough of Old Tappan is hereby supplemented by the addition of the following:

2-32 Open Space Advisory Committee.

2-32.1 *Establishment.* There is hereby established the Open Space Advisory Committee of the Borough of Old Tappan, hereinafter referred to as the "Committee."

2-32.2 *Membership; Term.* The Committee shall consist of seven members appointed by the Mayor, with the advice and consent of the Council. Members shall be appointed for a term of two years except that the terms of four of the initially appointed members shall expire on December 31, 2000, and the terms of the remaining three initially appointed members shall expire on December 31, 2001. No member shall be appointed to serve for more than two consecutive full two year terms.

2-32.3 *Organization.* The Committee shall organize annually and from its members shall elect a chairperson who shall preside over all meetings, and a vice-chairperson.

2-32.4 *Compensation.* No member of the Committee shall receive compensation for his or her service.

2-32.5 *Purpose and Duties.* Borough voters, at the November 2, 1999 general election, approved a referendum establishing an Open Space Trust Fund which is to 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 for a period of five years. It is anticipated that the total amount that this tax will yield will be approximately \$70,000.00 per year. These funds are designated for the purchase of open space so as to preserve such land as open space and to keep it in its natural state and, if no open space is available for purchase, then the monies shall be used for such other recreation, conservation, farmland preservation or historic preservation purposes as may be permitted by law, to be determined following a public hearing. The Committee shall make recommendations to the Mayor and Council for the use of the Open Space Trust Fund monies. The Committee shall have the responsibility of

reviewing suggestions from all sources, including the public, the Planning Board, the Environmental Commission, and the Mayor and Council, regarding the use of the Open Space Trust Funds, and make recommendations to the Mayor Council for the expenditure of such funds consistent with the Borough referendum. The Committee shall maintain minutes of its deliberations and shall report to the Mayor and Council the results of its ongoing activities and determinations on a regular basis.

Section 2. Repealer.

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

Section 3. 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 affect the remaining provisions of this ordinance. The governing body of the Borough of Old Tappan 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 4. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.