

ejb:fd (KN-1023)
(Kinn Referendum Ord on Turf Field)-B
071416
071516

ORDINANCE NO.: 13-110

**AN ORDINANCE AUTHORIZING THE
SUBMISSION OF A NON-BINDING
PROPOSITION TO THE LEGAL VOTERS
REGARDING THE INSTALLATION
AND FINANCING OF AN ARTIFICIAL
PLAYING SURFACE ON THE
KINNELON HIGH SCHOOL FIELD
PROPERTY OWNED BY THE
KINNELON BOARD OF EDUCATION
PURSUANT TO N.J.S.A. 19:37-1, et seq.**

WHEREAS, N.J.S.A. 19:37-1 permits the governing body of any municipality to ascertain the sentiment of the legal voters of the municipality upon any question or policy pertaining to the government or internal affairs thereof; and

WHEREAS, the governing body of the Borough of Kinnelon desires to ascertain the sentiment of the legal voters of the Borough upon the question of whether the Borough of Kinnelon should install and finance an artificial playing surface on the Kinnelon High School field property owned by the Kinnelon Board of Education; and

WHEREAS, the Borough of Kinnelon desires to authorize the submission of such a non-binding proposition to the legal voters of the Borough as set forth hereinafter.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Kinnelon, County of Morris, State of Jersey as follows:

SECTION ONE. Pursuant to N.J.S.A. 19:37-1, et seq., the Borough of Kinnelon hereby determines to submit the following non-binding proposition to the legal voters of the Borough at the next general election to be held on November 8, 2016:

_____ YES
_____ NO

PUBLIC QUESTION NO. 1 (Non-Binding Referendum)

Shall the Borough of Kinnelon install an artificial playing surface (commonly known as "Artificial Turf") on the Kinnelon High School field property owned by the Kinnelon Board of Education and issue Bonds in the estimated range of \$1,000,000 to \$1,200,000 to finance the cost of such installation?

INTERPRETIVE STATEMENT.

This non-binding referendum will allow the Mayor and Borough Council of the Borough of Kinnelon to obtain the sentiment of the legal voters of the Borough as to whether the Borough of Kinnelon should install an artificial playing surface commonly referred to as "Artificial Turf" on the Kinnelon High School football field property owned by the Kinnelon Board of Education and fund the cost of such installation through the issuance of Bonds in an estimated range of \$1,000,000 to \$1,200,000. The estimated useful life of the Artificial Turf playing surface is projected to be 8 to 10 years with a currently estimated replacement cost of \$350,000. The replacement cost is not part of the initial installation and will require additional funding at the time of replacement. The Mayor and Borough Council are not required to act in accordance with the results of the vote on this question.

SECTION TWO. Upon the adoption and effectiveness of this Ordinance, the same shall be submitted to the Morris County Clerk, who shall be requested to print the

above Public Question No. 1 and Interpretive Statement on the Official Ballot for the General Election to be held on November 8, 2016.

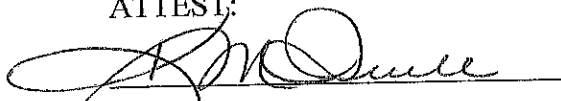
SECTION THREE. The Deputy Borough Clerk, with the advice of the Borough Attorney, is hereby authorized to make any minor and/or insubstantial changes to the form of the Public Question or Interpretive Statement, provided that any such changes shall not modify any of the substantive provisions of the Public Question or the Interpretive Statement.

SECTION FOUR. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

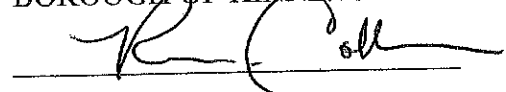
SECTION FIVE. Ordinances, resolutions, and regulations or parts of ordinances, resolutions, and regulations inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION SIX. This Ordinance shall take effect upon passage and publication according to law.

ATTEST:


Karen M. Iuele, Deputy Borough Clerk

BOROUGH OF KINNELON


Robert Collins, Mayor