

UPPER SOUTHAMPTON TOWNSHIP

RESOLUTION 2001-16

A RESOLUTION OF THE TOWNSHIP OF UPPER SOUTHAMPTON, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA DETERMINING THE ADVISABILITY OF INCREASING THE DEBT OF THE MUNICIPALITY WITH THE ASSENT OF THE ELECTORS, CALLING FOR AN ELECTION FOR THE PURPOSE OF OBTAINING THAT ASSENT, AND APPROVING THE CONTENT AND FORM OF NOTICE OF ELECTION SPECIFICALLY FOR THE PURPOSE OF LAND PRESERVATION.

WHEREAS, the Board of Supervisors recognizes the significance of open space and the preservation of natural resources can increase property values and, consequently, tax revenues; and

WHEREAS, the Board of Supervisors recognizes that open space can provide Township residents with a variety of active and passive recreational opportunities; and

WHEREAS, the Board of Supervisors recognizes that the preservation of unique land for open space is in the Township's best interest and is necessary to preserve the quality of life for Upper Southampton Township residents; and

WHEREAS, the Board of Supervisors recognizes that acquisition of unique land is necessary to protect the Township and its residents against flood water; and

WHEREAS, the Second Class Township Code and Act 153 of 1996 specifically authorizes the Board of Supervisors to preserve and acquire unique lands for open space, recreational purposes, and storm water management.

NOW THEREFORE, be it resolved that the Upper Southampton Township Board of Supervisors hereby determines that it is advisable to increase the debt of the Township for the purpose of acquisition and/or preservation of open space, natural resource and recreational lands and acquisition of lands that are subject to flooding, and seeks the assent of the electors to undertake this debt as set forth herein:

SECTION I. OBJECTIVE

To increase the debt of the Township Two Million and 00/100 Dollars (\$2,000,000.00) with elector assent for the purpose of acquiring or preserving open space, recreational lands within the Township, and/or acquiring lands to protect the Township against flood water.

SECTION II. CALLING FOR ELECTION.

The Board of Supervisors has determined that approval of the electors of Upper Southampton Township shall be obtained in the primary election on May 21, 2002 in Bucks County, Pennsylvania under the provisions of the Local Government Unit Debt Act, Article III. A certified copy of this Resolution and the Election Questions shall be forwarded to the Board of Elections at least forty-five (45) days prior to the primary election so that the Question be placed on the ballot of the primary election.

SECTION III. ELECTION QUESTION.

1. The Board of Supervisors of Upper Southampton Township has determined that the question to be submitted to the voters at the election shall be substantially in the following form:

Shall debt be authorized to be incurred as debt approved by the electors in the amount of Two Million and 00/100 Dollars (\$2,000,000.00) for the purpose of financing the acquisition of Open Space; for the purpose of acquiring Development Rights and Conservation Easements; for the purpose of acquiring land for passive and active recreation; and/or for the purpose of acquiring land to protect the Township against floodwater.

2. Plain English Version: The ballot question asks the voters of Upper Southampton Township whether the Township should borrow up to Two Million and 00/100 Dollars (\$2,000,000.00) over a ten (10) year period to purchase land or an interest in land to preserve open, undeveloped land in Upper Southampton Township. The Township would use the money to do one (1) or more of the following:
 - A. Finance the acquisition of open space: The Township may purchase undeveloped land from land owners in the Township and would restrict the land from development.
 - B. Acquire natural resource conservation easements: The Township may purchase natural resource conservation easements or participate in state or county land preservation programs which acquire natural resource easements. A conservation easement prevents a landowner from developing his/her land but allows the landowner to retain his/her land for conservation purposes.

- C. Acquire property development rights: Under this option, a landowner may sell some or all of the development rights in a property to the Township, thereby reducing density for future development. The landowner would retain the property, but once the development rights are sold, the development of the property would be limited.
- D. Acquire recreation lands: The Township may purchase land or interests in land for active and/or passive recreational activities or purposes.
- E. Acquire land to protect against floodwater: The Township may purchase land which is subject to flooding.

A vote of "YES" to the ballot question approves borrowing money for these purposes.

SECTION IV. SEVERABILITY.

If any section, paragraph, subsection, clause or provision of this Resolution shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than that portion specifically declared invalid.

SECTION V. EFFECTIVE DATE.

This Resolution shall become effective in accordance with the provisions of the Second Class Township Code of the Commonwealth of Pennsylvania.

RESOLVED, this 20th day of *NOVEMBER*, 2001

BOARD OF SUPERVISORS OF UPPER
UPPER SOUTHAMPTON TOWNSHIP

By: *Doreth Boudley*
Chairman

Attest: *Lla Buckians*

I hereby certify and attest that this is a true and correct copy of Upper Southampton Township Resolution No. 2001-16, as approved and adopted by the Board of Supervisors on NOVEMBER 20, 2001.

Lla Buckians
Secretary/Treasurer