

ORDINANCE NO. 144

**ORDINANCE OF MILFORD TOWNSHIP TO CALL
ELECTION FOR PURPOSE OF OBTAINING THE ASSENT
OF THE ELECTORS TO ELIMINATE THE PREVIOUSLY APPROVED REAL ESTATE
TAX OF 2 MILLS AND LEVY IN ITS PLACE 1/4 OF 1% OF EARNED INCOME TAX
OF MILFORD TOWNSHIP TO BE USED TO PROTECT AND
PRESERVE OPEN SPACE IN MILFORD TOWNSHIP**

Background

A. Act 153 of 1996 (32 P.S. §5001 et seq.) (the "Act") authorizes Townships of the second class to acquire interests in real property to provide certain open space benefits to the residents of the Township including, but not limited to the protection and conservation of water resources and watersheds, forests, farm land, park, recreation or conservation sites, natural or scenic resources, sites of historic, geologic, or botanic interest, and open spaces between communities ("Open Space Benefits").

B. The Act further allows Townships of the second class to conduct a referendum to authorize an increase in the earned income tax or millage on real estate to make acquisitions of interests in real property for the purpose of securing Open Space Benefits.

C. In 1997 the electors of Milford Township approved a Referendum imposing an additional 2 mills of real estate tax pursuant to the Act.

D. The Board of Supervisors believes it is more equitable to raise revenue for Open Space acquisition via an increase in earned income tax in lieu of the real estate millage increase previously approved.

E. The Milford Township Board of Supervisors desires to obtain the assent of the electors of Milford Township for the imposition of an additional 1/4 of 1% of earned income tax, the proceeds of which shall be used to acquire acquisitions of real property to obtain Open Space Benefits and to eliminate the additional millage of real estate tax previously approved.

NOW THEREFORE, BE IT RESOLVED AND ENACTED by the Board of Supervisors of Milford Township as follows:

1. An election shall be held on Tuesday, May 15, 2007 on the question of whether to eliminate the 2 mills of real estate tax previously approved and approve in its place the imposition of 1/4 of 1% of earned income tax to be used to make acquisitions of interests in real property for the purpose of protecting and conserving water resources and watersheds, forests, farm land, protection of park, recreation or conservation sites, protection and conservation of natural or scenic resources,

preservation of sites of historic, geologic or botanic interest, and/or the preservation of open spaces between communities.

2. The question to be submitted to the voters at such election (referendum) shall be:

“Do you favor the elimination of the 2 mills real estate tax previously approved and the imposition in its place of an additional 1/4 of 1% of earned income tax by Milford Township to be used to acquire interests in real property to protect and preserve open space including farm land, water resources and watersheds, forests, park, recreation or conservation sites, natural or scenic resources, sites of historic, geologic or botanic interests, and open spaces between communities?”

3. The Township Solicitor is directed to file a certified copy of this Ordinance with the Bucks County Board of Elections not less than the 13th Tuesday prior to the May 15, 2007 election, and otherwise comply with the requirements of Pennsylvania Elections Code.

ORDAINED AND ENACTED by the Board of Supervisors of Milford Township this 6th day of February, 2007.

BOARD OF SUPERVISORS
MILFORD TOWNSHIP

ATTEST:

-S-
Jeffrey Vey, Manager

-S-
Robert B. Mansfield, Chairman

-S-
Charles Strunk, Vice Chairman

-S-
Timothy Damiani, Member