

ORDINANCE

2006-13

AN ORDINANCE TO CREATE AN OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR THE TOWNSHIP OF FRELINGHUYSEN

WHEREAS, the Township of Frelinghuysen passed Ordinance #99-12 which created only a Farmland Preservation Trust Fund which Ordinance has now expired by its terms, and

WHEREAS, the voters of the Township of Frelinghuysen indicated their willingness to expand the Farmland Preservation Trust Fund to include the preservation of open space; and

WHEREAS, it is the intention of the Township of Frelinghuysen to establish the source of funding for such trust fund by the taxation of property; and

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that there is hereby created new sections 2-39.1, 2-39.2, 2-39.3 and 2-39.4 as follows:

2-39.1. Fund Created. There is hereby created a Frelinghuysen Township Open Space and Farmland Preservation Trust Fund, whose purposes are set forth below.

2-39.2 Purpose. The purposes of the Frelinghuysen Township Open Space and Farmland Preservation Trust Fund are as follows:

- a) Acquisition of farmland or development rights on farms for farmland preservation purposes;
- b) Acquisition of lands for recreation and conservation purposes;
- c) Development of lands acquired for recreation and conservation purposes;
- d) Maintenance of lands acquired for recreation and conservation purposes;
- e) Payment of debt service on indebtedness issued or incurred by a county for the purposes set forth in subparagraphs (a) and (b) of this paragraph;
- f) To provide funding for the payment of debt service related to appropriations in accordance with subparagraphs (a) and (b) of this paragraph.

2-39.3 Source of Funding. The funding source for the Township Open Space and Farmland Preservation Trust Fund shall be the establishment of a separate Township tax line item at an annual rate not to exceed two (\$.02) cents per one hundred (\$100) dollars of ratables for each and every taxable property located within the Township. The rate shall be set every year by the Township Committee, by resolution, during the existence of the Open Space and Farmland Preservation Trust Fund, no later than the meeting at which the Township budget shall be introduced. The Township Chief Finance Officer, the Township Auditor, the Township Tax Collector and the Township Tax Assessor, where applicable, shall assist the Township Committee in the annual creation/collection of this open space and farmland preservation tax.

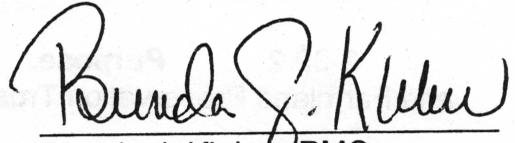
2-39.4 Sale of Property. No property acquired with funds from the Open Space and Farmland Preservation Trust Fund shall be leased or sold, until the sale or lease of same has been approved by the voters at a referendum.

NOW, THEREFORE BE IT ORDAINED that:

1. All ordinances or parts of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.
2. This Ordinance shall take effect after final passage and publication in accordance with law.

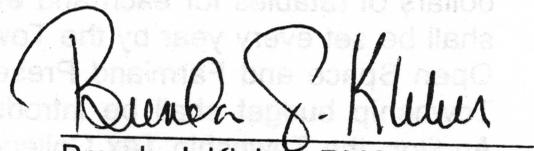
NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed at a regular meeting of the Frelinghuysen Township Committee held on June 14, 2006 and will be considered for final reading and adoption at a meeting of the Frelinghuysen Township Committee to be held on July 19, 2006 at 7:30 p.m. at the Municipal Building, 210 Route 661, Johnsonburg, New Jersey at which time and place all interested persons may appear for or against the passage of said Ordinance.


Brenda J. Kleber, RMC

NOTICE

Notice is hereby given that the foregoing Ordinance was adopted at a meeting of the Frelinghuysen Township Committee held on the 19th day of July, 2006 at the Municipal Building, 210 Route 661, Johnsonburg, New Jersey.


Brenda J. Kleber, RMC