

**AN ORDINANCE TO CREATE AN OPEN SPACE TRUST  
FUND FOR THE TOWNSHIP OF WANTAGE**

**Ordinance #2006-20**

*WHEREAS*, the Township of Wantage placed a non-binding referendum on the November 7, 2006 general election ballot regarding the creation of an open space trust fund with a concurrent tax increase to assist in the creation of such trust fund; and

*WHEREAS*, by vote of 1,605 in favor to 1,521 opposed, the voters of the Township indicated their interest in the creation of an open space trust fund and a concurrent tax increase to provide for the funding of such trust fund; and,

*WHEREAS*, the Wantage Township Committee now wishes to create an open space trust fund and concurrent funding source by the dedication of a specific tax to fund this open space trust.

*NOW, THEREFORE, BE IT ORDAINED*, by the Township Committee of the Township of Wantage, County of Sussex, State of New Jersey, that the Wantage Township Committee does hereby create a Township open space trust fund and concurrent funding source, via a separate tax, as follows:

**Section 1.** There is hereby created a Wantage Township Open Space Trust Fund, whose purposes are set forth below.

**Section 2.** The purposes of the Wantage Township Open Space Trust fund are as follows:

- a) to acquire lands/properties within the Township for passive recreation and conservation purposes;
- b) to develop lands/properties acquired within the Township for passive recreation and conservation purposes;
- c) to assist in the preservation of farmland within the Township wherein there is a funding necessity, either through matching grants for farmland preservation/acquisition or through funding for the reservation of farming privileges and/or the acquisition of development rights as established by State law and/or the Sussex County Board of Chosen Freeholders or their designees;
- d) maintenance of lands acquired for recreation and conservation purposes; and/or,
- e) to provide funding for the payment of debt service related to appropriations in accordance with the subsections a) through d) above.

**Section 3.** The funding source for the Township Open Space Trust Fund shall be the establishment of a separate Township tax line item at an annual rate not to exceed Two cents (\$0.02) 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 Township Open Space Trust Fund, no later than the meeting at which the Township budget shall be introduced. The Township Chief Financial 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 tax.

**Section 4.** The determination of how the Township Open Space Trust Fund shall be expended at anytime shall be at the sole discretion of the Township Committee and they shall be the final determiners of the allocation(s) of the Trust fund during its existence. The Township reserves the right to establish an Open Space Advisory Committee to assist the Township in addressing the provisions of this Ordinance.

**Section 5.** The provisions of taxation to create and fund Open Space Trust Fund and the existence of the Township Open Space Trust Fund shall cease to exist at the close of business on December 31, 2016, unless the Township committee extends the duration of this Ordinance.

**Section 6. Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 7. Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 8. Effective Date.** This ordinance shall take effect after publication and passage according to law.

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Jeffrey Parrott, Mayor

ATTEST:

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James Doherty, Administrator/Clerk

#### NOTICE

NOTICE is given that this ordinance was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on December 14, 2006. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, December 28, 2006, at 8:00 o'clock P.M., and copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

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James Doherty, Administrator/Clerk