If mom reports cheating son to the law, she'll never see grandkids

DEAR ANNIE: My late husband and I started a business together. When he died, I asked my two sons, "John" and "Philip," to take over. Philip became money hungry and sued his brother and me. He is no longer part of the business, and in retaliation, I am not allowed to see my two grandchildren.

It's been over a year since I last communicated with Philip. All attempts to contact him, letters, presents, etc., have been refused. He has gone behind our backs to try to woo some of our employees and has been very underhanded about it, telling people we are going out of business. He is illegally operating a company out of his home with eight employees.

Should I give the authorities all the information I have on his activities or just move on with my life? Should I keep trying to contact him and my grandchildren? This has torn our family apart. I no longer know this person whom I raised, nurtured and loved. He is bitter and angry, and I believe he needs professional help. — A Mom on the Outside

Dear Mom: It sounds as if Philip deserves to be reported to the authorities, but understand that if you do this, there will be little chance of ever healing the relationship. Many people who betray their families or friends cannot deal with the guilt and behave abysmally, trying to convince themselves that you somehow deserved it. There is no guarantee it will get better with time, but it remains a possibility. Once you report him, however, that door is closed. The choice is yours.

MITCHELL SUGAR

DEAR ANNIE: Do you have rules for cell phone etiquette? I called a friend to say hello, and within two minutes her cell phone rang. Instead of letting the call go to voicemail, she answered it while holding the home phone to her other ear, and I could hear her entire trivial conversation. I almost hung up on her.

It seems I wasn't important enough for her to ignore the cell phone, and I think she was very rude. She didn't apologize for keeping me waiting. Instead, she said she was "popular." Should I have said something? This also happens when we are having lunch together. When I'm with someone, I keep my cell on mute and check messages later. I understand taking calls in an emergency, but not for anything else. I know she reads your column. Help me out. — Mute in Montana

Dear Mute: Your friend seems to think she is impressing others by taking multiple calls. She is wrong. The basic rule for cell phones and PDAs is to be considerate. Since many people have no clue what that means, here are our rules:

1. The person you are with comes first. Mute your phone and let calls go to voicemail unless it is an emergency or a necessary call such as checking with the babysitter, in which case, apologize to your companion and, if possible, leave the area to speak in private. Be brief.

2. The person who calls first takes priority. Let other calls go to voicemail or tell them you will call them back.

3. Set your phone to vibrate or turn it off entirely when you are in theaters or restaurants, in church, at concerts, weddings, funerals, during public speeches, etc.

4. If you are having a phone conversation, leave some distance between you and the nearest person. No one wants to listen to your chatter, and no one should be eavesdropping on your personal information.

5. Do not, under any circumstances, read or answer e-mail on your PDA while you are having a conversation with someone sitting across from you.

DEAR ANNIE: That was a good answer to "Facing Reality," the young girl who feared dying. When I was that age, I, too, lay awake and worried about death. Now that I'm an old poot, I lie awake and worry about women. — Grahare

Dear Grahare: Cute. Not helpful, but very cute.

Happy Rosh Hashana to all our Jewish readers.

• • •

Annie's Mailbox is written by Kathy Mitchell and Marcy Sugar, longtime editors of the Ann Landers column. Please e-mail your questions to anniesmailbox@comcast.net, or write to: Annie's Mailbox, P.O. Box 118190, Chicago, IL 60611.

72 Items Under $150

COMPUTER Desk $20 Wood tone, Great condition. Call (973)827-5752

COMPUTER DESK - Lt. oak Nice, excellent cond. $50 (973)726-0119

COMPUTER Desk and black vinyl chair. $50 Call (973)670-3750

COORS BEER Neon Sign Works good. $75 (973)875-6169

CORNING WARE White/ Fruit design, 8 piece with Lids $25 (973)383-4892

CRAFTSMAN Power Tool Tables (Saw & Router) New/ In Boxes $50 973-300-0432

CRIB & Mattress Great Condition. Wood-maple Storage drawer. $100 or bo Fredon 973-383-4594

CRIB - Pali Canopy, drawer, mattress and bedding $149. 973-726-0188

CROCHET CORD - Over 100 different colors. New/ Used spools. $65 862-354-1293

DINING Table - 6 Chairs, 2 Leaves, Chestnut color. $150 Lv. Msg. (973)293-8144

DOG CRATE Heavy duty, 3 Door plastic tray. Like new $50 Cash. (973)764-3374

DOGKENNEL 10ft. x 6 ft. Made of steel and fencing. $90. Call (973)827-9763

DOLL COLLECTION - All Nib Hamilton, Danbury. Mint. $150 for 5. 973-827-2622

DOOR Unit 6 panel steel 65" W x 83"H with 12" side lites. $150 (973)948-5227

DRAFTING MACHINE K & E Elbow 30" $80 (908)362-6096

DRAFTING Table - 31" X 42" Adjustable height and angle $55 (908)813-0857

DRESSER, Bassett sturdy wood. 40Hx34Wx18Deep. 4 Drawer $45 973-729-7970

DRILL PRESS - 16 speed floor model $100. 973-903-5155

DRYER Westinghouse $75 (973)827-5045

FISHER Price Incrediblock with 5 peek a blocks. $15 (973)769-5723

FITNESS Gazelle Exercise $35.00, like new, barely used. Call 973-383-4158

FOOT LOCKER Trunk - $100 40X23 Solid.. Call (973)383-5950

FREE BAGS of cement - Portland Type I. 973-875-5204

FURNITURE - 3 piece sectional. Neutral colors, wood trim. $150 (973)383-2492

FUTON Good Cond., double bed, 87"L. Pick up only. Org. $450/ Sell $140 973-875-6912

FUTON - Wood frame opens to Queen size bed. $50. 973-209-8161

GARDEN Workseat, 14" W x 31" L. Metal frame, 10" tires $20 (973)383-3837

72 Items Under $150

GLASS CUBES for floral centerpieces 6", $4 each, 20 total. Call 973-827-5558

GUITAR - Acoustic 1967 Giannini Brazilian. $150 Great cond. (973)729-3341

HALLOWEEN Costume New Green female M&M & hand covers $15 (973)383-3910

HALLOWEEN Lighted window sculptures - 3 pumpkins all $10 (973)729-2140

HISTORY BOOKS; 1 set of Gold Leaf Bibles $125 .973-383-5950

HOSTAS. Healthy roots and stems in dirt. 20-plus plant. $20 (973)786-7773

HUMMEL March Winds $150 4 inch Mark CE5. Call (973)383-4915

ICE TENT - Two man, good condition. $50 Call (973)948-7627

KABOTA TRACTOR Chains Tire size 9. 5x9-24 $100 (973)383-5276

KENMORE Large capacity 800 series washer. $125 (973)875-3069

KENMORE Washing Machine and Kenmore gas dryer $150 pair 973-875-7519

KEROSENE HEATER and 5 gallon can $25. 973-875-9499

KING SIZE Canopy bed with frame - Wroght Iron, Pd. $600/ Sell $150 973-383-2630

LADIES Formal gown by Montage. Worn once. Size 16/18. $125 973-875-6855

LADIES SKIS Atomic R-10 New bindings. Retail $950 $125. Call (973)534-7403

LAWN Mower 22 inch cut. Craftsman. Very good cond. $100(973)579-5306

LAWNMOWER - Toro 6.50 22", 190CC, Used 1 season $150.00. Call 201-317-0370

LEAF/LAWN Sweeper - 42 inch Sears tractor pulled. $50 (973)726-5055

LEATHER Vest Men's XL Excellent Condition. Black, $40 Call (973)827-7905

LENOX - Assorted pieces. Box of 10 for $15. Call (908)850-0588 eves.

LENOX - USA (3 Pieces) $150 Call Katy or Diane at (973)513-4268

LIVING ROOM Set - Sofa chair, end tables, lamps, coffee tble $149. 973-875-7327

LL BEAN Barn Coat. Never worn, size XL. Claret Red. $50 (973)383-7313

MADELA Pump and style. Comes with all accessories. $100. (973)770-6546

MENS BR Akubra Australian outback furfelt hat. Size 7. Never Worn $50 Call (973)383-0988

OAK Coffee table $100 - 1 thousand pennies on it. Old. (973)875-8668

72 Items Under $150

OAK DINING TABLE with 2 18" leaves $100 or best offer. 973-702-7547

ORTHOFIX Spinal Bone Growth with stimulator jacket. Lg. $150 973-234-5479

PEDESTAL Sink - White, 35: H x 24.5 W x 18.5"D. Very clean $50 (973)729-6914

PICNIC TABLE - 6 foot. New. Crafted by professional. A buy at $125. 973-702-9747

PONY Blanket, sheet, fly mask, leg wraps all for $50 Cash. (973)875-2961

PRINTER - Lexmark Z53, free needs ink cartridges 973-948-7171

QUEEN Size bed and brass rails, mattress also included $150 (973)691-9436

REAR Scoop category 1 hitch Good condition. $100 (973)729-9093

RECORDS - Classical music Old - Excellent cond. 15+ albums $50 (973)875-7722

ROLLER SKATES - 1950's in original carrier case. $45 (973)875-3417

SCHWINN Black Bike 27 inch. $50 (973)209-8775

SEWING TABLE - Antique Wood, good condition $75 Firm. 973-300-0945

SILVER QUEEN size headboard. New, must sell. $120 or best offer (973)663-3233

SKI BOOTS Women lange CRL 80, Size 7, very good cond. $50 (908)813-0532

SKYLIGHT - New, opaque, openable, 2x3 ft, $50 or best offer. (908)763-7171

SLIDE / SWING for kids. $40 - Call for more info (973)769-5723

SOFA has built-in recliners. Good condition $50 973-875-3209

SOLID OAK Tea Wagon on wheels, 2 shelves, det. tray with sides. $100 (973)875-1915

STAMPERS Dream Stamps Emboss pens, stencils, more $75 (973)827-8911

TABLE and 4 chairs, dark color, almost new $100. 973-875-0139

TALL CHEST of drawers. Cherry wood. $150 (973)209-4257

THOMAS the Tank - Big Big and Big Loader. Sets $50 (973)702-0351

TIARA Headpiece with vail beaded. Good cond., Pd. $500/ Sell $100 (973)601-7142

TILLER - Cultivator $30 (973)827-7552

TINKERBELL Floor mats Front and back for car. $25 (973)579-2521

TIRES (4) 235/75/15 $100 973-579-5438

TV - 36" Color - Good condition. $150 Negotiable. Call (973)827-7568

72 Items Under $150

TWIN Waterbed with solid maple frame. 450 (973)383-5193

VINTAGE (2) Table lamps. 40" tall, amber colored glass $30 for two. (973)579-5416

WESTERN Paperbacks. Almost 100 Lamour, Judd Kelton, Leonard $40 908-979-1881

73 Home Furnishings

CONTEMPORARY sofa and love seat neutral color w/ wood trim, $300.00, Queen size sleep sofa, beige ticking stripe w/seeley mattress, $275. call 973-222-3748

GRANDFATHER CLOCK - Ethan Allen, Tuscan style, new comparable clock is on the Ethan Allen website for $4000, buy this one for $500. 973-786-6864

HDTV / ENT CENTER - 50" HDTV Toshiba $400; Pine armoire/ent center, matching bookshelves $1000; 973-729-1310 for info

74 Articles for Sale

6" jointer, 1HP motor plus stand , $175.00 14" band saw w 3/4 HP plus stand $175.00 call 973-222-3748

KITCHEN Table with tile top, 8 chairs and 2 servers in excellent cond. Also 3 window A/C's, for more info call 973-827-5324

MOVING - MUST GO! Tables, computer desk, wash machine, 2 Micro's, treadmill, 2 excerise bikes, 2 A/C's, mattress/box. Call for info. 973-477-5203

MUMS! 35,000 3 for $12, Purchase of 25 or more, receive wholesale price. Open 7 days a week. **Blackburn's Garden Centers,** Rt. 565, Sussex. 973-702-0700.

PLANER - Makita 12", 6" joiner combo, like new, extra blades $750. 973-903-5155

SADDLE - Crosby 17" Close contact, good condition $375. **BOOTS** - Devonaire Field boots, size 7W, used 3 times $95. 973-770-4872 between 5pm & 8pm or weekends.

WOMEN'S Black Brazilian leather dress riding boots. Size 6 1/2. Never Worn. $50 973-383-0988

Agriculture

96 Construction Equipment

FREESTYLE Neoprene Ducting H. Duty 8" x 25' $160 ea.; 6" x 25' $130 ea. 1 Chicago 12 Ga. x 8' Brake. Ex. shape - $2,200. (973)875-4822

M.B All fuel chimney 12" 1 30" sec 2 18" Sec with roof support & topper - All stainless. $450; 3 - M.B. All fuel 30" Sec. $55 each, 1-8" tee $120. (973)875-4822

Livestock

99 Livestock

BOAR GOATS- for sale. Kids, nannys and meat goats. Will deliver. 973-296-2472

99 Livestock

BOARDING AVAILABLE Indoors, matted stalls, 24 hr care Prices starting at $325/mo. Hay for sale. 973-459-8525 / 973-222-7035

Financial

115 Business Opportunity

3SUSSEX Co. Business for sale established reatail co-op, turn key operation, $35,000. call 973-383-2629

Autos for Sale

125 Autos for Sale

$ ALL CASH $

for cars, trucks, dirt bikes and quads. Kind, Courteous, Prompt service 973-579-6499

CARS & Trucks in your way, we will pick up and pay!! BAW, 973-875-4900.

CHEVY Lumina '92 1 Owner 5 2,719 original Miles, 6 cyl 4 Dr., auto A/C must see $1850.00/BO.973-362-6130

CHRYSLER '88 Lebaron 85,300 (org.) miles, 2.2 turbo motor, auto. Runs great/ shifts great. Great gas mileage. $1250 orbest offer. Call 973-207-2269 or 973-383-9595

CHRYSLER Pacifica, '06 limited fully loaded, blk/tan, 43000mi, 4 nw tires and brakes, $18,500.973-202-6923

DODGE NEON '97 Runs great. $800 (973)827-8896

FORD 1999 CROWN VICTORIA, 1 Owner, 143K, 23mpg, $2,600. 973-383-4028

FORD Taurus '96, 4 dr, v6 fully loaded, 131,000mi, silver 1 owner 973-222-7084

JUNK CARS WANTED Top $$$ paid. Call TNT Auto Transporters 973-715-7983

MERCURY 2001 SABLE LS, leather, loaded, exc cond 99K, $2995. 973-948-0132

MERCURY Sable '96, 4dr 130 K Good Condition $1200.00 B/O 973-875-8755

VOLVO 1994 850 Looks good. Deep Green with Tan interior, runs good, new front brakes and tires, always maintained, 186K miles, $1,450 973-271-2807

Trucks & Vans for Sale

128 Trucks & Vans

DODGE '07 1500 Quad Cab, all pwr options. Htd mirrors Sirius Radio, bedliner, Tonneau, running boards. 27K mi. $20,500. 973-222-1544

FORD '93 E250 Van, 6 cyl, High Mileage, good inspection. Runs good $1200. ladder rack/bins 973-670-5469

New Jersey Herald

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PUBLIC NOTICES

BECAUSE THE PEOPLE MUST KNOW"

Public Notices Online www.njpublicnotices.com

165 Public Notices

LAKE HOPATCONG COMMISSION PUBLIC NOTICE

Please take notice there will be a special meeting of the Lake Hopatcong Commission of the State of New Jersey to discuss user fees on Wednesday, October 1, 2008 at 7:30 p.m. at the Mount Arlington Municipal Building, 419 Howard Boulevard, Mount Arlington, New Jersey. An agenda will be available prior to the meeting.

DONNA MACALLE-HOLLY
ADMINISTRATOR
LAKE HOPATCONG COMMISSION

Sept. 30, '08 pf$7.70
00226011 NJH

WANTAGE TOWNSHIP LAND USE BOARD

Please take notice that the Wantage Township Land Use Board at its meeting held on September 23, 2008 took the following action:

Adopted a resolution memorializing a decision made on August 26, 2008, granting extension of minor subdivision approval to Christian Leone Properties I, LLC for Blk. 1.02, Lot 8 located at State Highway Route 284 in the RE Residential Environs zone, pursuant to N.J.S.A. 40:55D-47(f), subject to the terms and conditions contained in the resolution.

Adopted a resolution memorializing a decision made on August 26, 2008, granting minor subdivision approval to Town Center at Wantage, Inc. for Blk. 4.01, Lots 1.07 and 1.08 located on Route 23 in the Industrial zone, pursuant to N.J.S.A. 40:55D-47, subject to the terms and conditions contained in the resolution.

The applications and resolutions are on file in the Land Use Board office at the Wantage Municipal Building and may be viewed during normal business hours.

STELLA SALAZAR
LAND USE SECRETARY

Sept. 30, '08 pf$15.75
00226003 NJH

Public Notices Online www.njpublicnotices.com

165 Public Notices

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY "LOCAL PUBLIC CONTRACTS LAW" NON FAIR AND OPEN CONTRACTS

WHEREAS, N.J.S.A. 40A:11-5, the "Local Public Contracts Law", permits governing bodies to contract for certain professional services without competitive bidding; and

WHEREAS, no contract that is subject to the requirements of Article 3 of the Affirmative Action Regulations pursuant to Public Law 1975, Chapter 127 (N.J.S.A. 17:27-1 et seq.) shall be awarded by the Township of Andover, nor shall any monies be paid thereunder, to any contractor, subcontractor or business firm that has not agreed and guaranteed to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contract in accordance with the Affirmative Action Plan approved under the term established in the above cited regulations,

WHEREAS, the Township of Andover has need of said professional services.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex and State of New Jersey that the following appointments be made:

TITLE WORK- BLOCK 74/LOT 22.02
Commonwealth Land Title Insurance Company
90 East Halsey Road, Suite 108
Parsippany NJ 07054
Not to Exceed $1000.
One Year

CELL TOWER REVIEW/ANALYSIS
Site Management Services
16 Pegasus Trail
Sparta NJ 07871
Not to Exceed $1000.
One Year

BE IT FURTHER RESOLVED that the Township Clerk be directed to have this resolution published in the Official Township Newspaper in compliance with Chapter 198, P. L. 1971.

Vita Thompson, R.M.C.
Municipal Clerk

Sept. 30, '08 pf$31.50
00225961 NJH

165 Public Notices

OPEN PUBLIC MEETINGS ACT NOTICE

North Jersey Transportation Planning Authority, Inc.

The Board of Trustees of the North Jersey Transportation Planning Authority, Inc. (NJTPA) will hold a meeting of its Freight Initiatives Committee on October 7, 2008 at NJTPA Headquarters, 1 Newark Center, 17th Floor, Newark, NJ. The meeting will begin at 2:00 p.m. A detailed agenda for the meeting is available upon request from the NJTPA at 973-639-8400 or www.njtpa.org.

Dated: September 24, 2008
Beverly Morris,
Clerk/Secretary

Sept. 30, '08 pf$8.75
00226012 NJH

FRANKFORD TOWNSHIP OPEN SPACE COMMITTEE

PLEASE TAKE NOTICE that the Frankford Township Open Space Committee meeting scheduled for Thursday October 2, 2008 at 7:00 pm has been rescheduled to 2:00 pm at the Frankford Township Municipal Building 151 Route 206 Augusta, NJ.

Sharon Tufaro
Open Space Secretary

Sept. 30, '08 pf$5.60
00226138 NJH

TOWNSHIP OF WANTAGE PUBLIC NOTICE

TAKE NOTICE that the Recreation Commission of the Township of Wantage has scheduled a special meeting on Thursday, October 2, 2008 at 7:30 p.m. The meeting will be held at the Sussex Wantage Library, 66 Route 639, Wantage, New Jersey. The purpose of the meeting shall be to discuss the Veterans Memorial Car Show and review the Little League improvement plans at Lott Road. Formal action may be taken.

Jeanne M. McBride
Secretary, Recreation Commission

Sept. 30, '08 pf$8.40
00225928 NJH

Check out the public notices online! www.njpublicnotices.com

165 Public Notices

HAMPTON TOWNSHIP ZONING BOARD OF ADJUSTMENT

The Hampton Township Zoning Board of Adjustment took the following actions at their most recent meeting.

In the Matter of **Christopher and Kristen Gates,** Variance Application for **Block 1301, Lot 9** on the Hampton Township Tax Map.

Application may be reviewed at the Hampton Township Municipal Building, 1 Rumsey Way, Newton, NJ 07860 , 9 AM to 4 PM.Mon.-Fri.

MARY WHITESELL
Secretary

Sept. 30, '08 pf$8.40
00225990 NJH

NOTICE OF CHANGE ORDER NO. 1 TO AGREEMENT WITH FREDRIC M. KNAPP, ESQ.

The Sussex County Board of Chosen Freeholders has approved Change Order No. 1 to an Agreement with Fredric M. Knapp, Esquire, without competitive bidding as a "Professional Service" pursuant to N.J.S.A. 40A:11-5(1)(a). This Resolution and the Agreement acting as the Change Order authorizing it are available for public inspection in the Office of the Clerk of the Board of Chosen Freeholders of the County of Sussex.

Awarded to:
Fredric M. Knapp, Esq.
Laufer, Knapp, Torzewski & Dalena, L.L.C.
23 Cattano Avenue,
At Chancey Square
Morristown, NJ 07960-6839

Services: To act as legal consultant to the County of Sussex in certain labor matters.

Cost: Additional $25,000.00 $110.00 per hour and $75.00 per hour for paralegal/assistant Total Contract not to exceed $70,000.00

Term: January 1, 2008 - December 31, 2008

BY ORDER OF THE BOARD OF CHOSEN FREEHOLDERS COUNTY OF SUSSEX
Elaine A. Morgan, Clerk
Dated: Sept. 24, 2008

Sept. 30, '08 pf$21.00
00225901 NJH

ANDOVER BOROUGH

"AN ORDINANCE DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM"

WHEREAS, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and

WHERAS, N.J.S. 43:15C-2 requires the governing body of each county, municipality and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and

WHEREAS, the Council of the Borough of Andover has considered the guidelines issued by the Local Finance Board;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Andover, County of Sussex, State of New Jersey that:

1. Pursuant to N.J.S. 43:15C-2, persons elected to the Council after July 1, 2007 are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program.
2. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:

Municipal Court Administrator
Treasurer
Municipal (and Planning and Zoning Board) Attorney
Municipal (and Planning and Zoning Board) Engineer
Municipal Prosecutor
Municipal Court Judge

3. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2

Tax Collector
Chief Financial Officer
Construction Code Official
Qualified Purchasing Agent
Tax Assessor
Municipal Planner
Registered Municipal Clerk
Licensed Uniform Subcode Inspector
Licensed Certified Water Operator

4. If an individual is appointed to one of the positions listed in Section 2 and the Individual is not serving in a position as described in Section 3, the Pension Certifying Officer of the municipality may determine that the individual is not required to join the Defined Contribution Retirement Program if that individual: (1) was an active participant in the Public Employee Retirement System on July 1, 2007 and continuously since that time; or (2) has been appointed pursuant to a valid promotional process; or (3) is appointed on a temporary, interim or "acting" basis to a position requiring State Certification as set forth in Section 2 herein, and is in pursuit of the required certification; or (4) meets such other exceptions that may be approved by the Local Finance Board or the Division of Pensions and Benefits.

5. This Ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the laws 2007 (N.J.S. 43:15C-1 et seq) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or Division of Pensions and Benefits.

6. Should any part or parts of this Ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect

7. This Ordinance shall take effect upon its passage and publication as required by law.

TAKE NOTICE that this ordinance was approved upon first reading at a meeting of the Mayor and Council on Tuesday, September 23rd, 2008 and will be presented for final reading and adoption at a meeting of the Mayor and Council to be held at the Borough Hall on Tuesday, October 14th, 2008 beginning at 7:30 p.m.

Beth Brothman
Acting Municipal Clerk

Sept. 30, '08 pf$75.60
00225960 NJH

TOWNSHIP OF WANTAGE

AN ORDINANCE AUTHORIZING SPECIAL TAX ASSESSMENT FOR LAKE NEEPAULIN DAM RECONSTRUCTION

ORDINANCE #2008-16

WHEREAS, the dam on Lake Neepaulin has deteriorated to the point where the State of New Jersey is requiring the Friends of Lake Neepaulin, Inc. (iLake Neepaulini) to repair the Dam; and

WHEREAS, Lake Neepaulin has determined to repair the Dam in order to prevent the draining of the lake which Lake Neepaulin believes would be detrimental to property values in Lake Neepaulin; and

WHEREAS, Lake Neepaulin by-laws do not provide for strong enforcement authority over its members, and therefore Lake Neepaulin cannot institute its own assessments for this work; and

WHEREAS, Lake Neepaulin has requested that the Township of Wantage assist Lake Neepaulin by instituting a Special Tax Assessment to pay for the repairing of the Lake Neepaulin Dam; and

WHEREAS, the Township is willing to assist Lake Neepaulin in accomplishing this goal for the betterment of the residents of the Lake Neepaulin community; and

WHEREAS, the Township is authorized under N.J.S.A. 40:56-1 and 58:4-12, to institute Special Tax Assessments for the maintenance and upkeep of private dams; and

WHEREAS, the statute permits a Special Tax Assessment for ithe widening, deepening or improvement of any stream, creek, river or other waterwayi and

WHEREAS, Lake Neepaulin has made application to the State of New Jersey for a low cost Dam Restoration loan; and

WHEREAS, the Township has agreed to support this loan application by signing as a co-applicant; and

WHEREAS, Lake Neepaulin has estimated the cost of the repair work to the Dam to be approximately $1,000,000 and

WHEREAS, pursuant to the Special Tax Assessment statute, iproject costsi include principle, interest, associated costs, fees, and/or penalties on loans,

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wantage as follows:

Section 1. The iproject costsi as defined above, expended for the completion of the Lake Neepaulin Dam Reconstruction Project (ithe Projecti) to the satisfaction of the NJDEP shall be assessed against properties within the Lake Neepaulin community.

Section 2. The Township Clerk shall cause a notice of this proposed assessment to be mailed to the owner(s) of real estate impacted by the Special Assessment prior to the making of the improvement or the awarding of any contract for the improvement. The notice shall contain a description of the property impact sufficiently to identify it. Such notice shall be served in accordance with law and proof of service shall be filed with the tax office within ten (10) days after service.

Section 3. The Township will not contribute to the payment of the project costs.

Section 4. The Special Assessment assessed against each impacted property shall constitute a first and paramount lien as provided for under N.J.S.A. 40:56-33.

Section 5. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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.

F. Parker Space, Mayor

ATTEST:

James Doherty, Administrator/Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Mayor and Township Committee of the Township of Wantage, County of Sussex, New Jersey, held on September 25, 2008, and will be considered for final passage after public hearing at a regular meeting of the Mayor and Township Committee to be held on October 30, 2008 at 8:00 p.m. in the Municipal Building, Route 23, Wantage, New Jersey. During the preceding week, copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

James Doherty, Administrator/Clerk

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