

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R16-236**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF
TAX APPEALS REGARDING BLOCK 35 LOT 1, BLOCK 46 LOT 1,
BLOCK 47 LOT 1, BLOCK 113 LOT 3 & BLOCK 114 LOT 1 AS SET FORTH
ON THE OFFICIAL TAX MAP OF THE BOROUGH OF WOODLAND PARK IN
REGARD TO PROPERTY OWNED BY PASSAIC VALLEY WATER COMMISSION**

WHEREAS, Passaic Valley Water Commission is the owner of the properties located on Rifle Camp Road and Wilson Avenue, in Block 35 Lot 1, Block 46 Lot 1, Block 47 Lot 1, Block 113 Lot 3 and Block 114 Lot 1 as set forth on the official tax map of the Borough of Woodland Park, and who has filed appeals with the Tax Court of the State of New Jersey bearing Docket Nos. 006484-2007, 005503-2008, 004796-2009, 001862-2010, 002738-2011, 006930-2012, 005252-2013, 005782-2014, 005783-2014, 008640-2015, 012388-2015, 005429-2016 and 010152-2016 from the assessed values of said property for tax years 2007 through 2016; and

WHEREAS, the parties have agreed that the 2007, 2008 and 2014 tax appeals will be withdrawn; and

WHEREAS, the parties have agreed that the 2009 assessments will be reduced to a total of \$2,180,700; and

WHEREAS, the parties have agreed that the 2010 assessments will be reduced to a total of \$2,310,900; and

WHEREAS, the parties have agreed that the 2011 assessments will be reduced to a total of \$4,840,500; and

WHEREAS, the parties have agreed that the 2012 assessments will be reduced to a total of \$4,510,400; and

WHEREAS, the parties have agreed that the 2013 assessments will be reduced to a total of \$3,575,700; and

WHEREAS, the parties have agreed that the 2015 assessments will be reduced to a total of \$3,457,500; and

WHEREAS, as part of the agreement the 2016 assessments will be affirmed at the already reduced total of \$1,977,800; and

WHEREAS, the property owner has agreed to take the proposed refunds for all years as a result of this settlement in the form of a credit to be applied first to delinquent taxes due and owing, if any, and then to successive tax bills due immediately following the issuance of the judgments; and

WHEREAS, the property owner has further agreed to waive statutory pre-judgment interest; and

WHEREAS, the Borough Tax Assessor, Borough Appraiser and Tax Counsel have agreed to the reductions in value on the property for the 2007 through 2016 tax years in accordance with the settlement; and

WHEREAS, the settlement results in an approximate total tax refund in the amount of \$149,164.44, all of which will be applied as credits against future taxes; and

WHEREAS, the Borough Council for the Borough of Woodland Park has determined that it is in the best interests of the Borough to adjust the assessments on the aforesaid properties for tax years 2007 through 2016 in accordance with the settlement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodland Park in the County of Passaic and State of New Jersey, as follows:

1. The tax assessments on the properties located on Rifle Camp Road and Wilson Avenue designated as Block 35 Lot 1, Block 46 Lot 1, Block 47 Lot 1, Block 113 Lot 3

and Block 114 Lot 1 on the official tax map of the Borough of Woodland Park shall be affirmed for 2007, 2008 and 2014, and shall be reduced to a total of \$2,180,700 for 2009, be reduced to a total of \$2,310,900 for 2010, be reduced to a total of \$4,840,500 for 2011, be reduced to a total of \$4,510,400 for 2012, be reduced to a total of \$3,575,700 for 2013, be reduced to a total of \$3,457,500 for 2015 and be affirmed at the already reduced total of \$1,977,800 for 2016.

2. The Borough Tax Collector is hereby authorized to credit the proposed refund of \$149,164.44 to successive tax bills upon issuance of the Tax Court Judgments attributable to the reduction in the assessments for the 2007 through 2016 tax years.

3. This Resolution shall take effect immediately or as otherwise provided by law.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 17th day of August, 2016. Signed and sealed before me.

Kevin Galland, Municipal Clerk

August 17, 2016
Dated

I, Frederick J. Tomkins, Chief Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available for this purchase.

Frederick J. Tomkins, Chief Financial Officer

Dated R16-236

Resolution Authorizing Settlement_Passaic Valley Water Commission.doc