

BOROUGH OF HILLSDALE

11033

RESOLUTION



Title: Authorizing Settlement of a Tax Appeal for the Property Located at 3 Bradshaw Court also known as Block 1910, Lot 29.01, Unit C00C2.

WHEREAS, Frank Brunetti et al., the owner of certain real property located at 3 Bradshaw Court, Borough of Hillsdale, Bergen County, New Jersey, also known as Block 1910, Lot 29.01, Unit C00C2 on the official Tax Map of the Borough of Hillsdale, Bergen County, State of New Jersey; and

WHEREAS, the owner has filed an appeal to the Tax Court of New Jersey for said premises for tax years 2009 and 2010, under docket numbers 015270-2009 and 016700-2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached; and

WHEREAS, the current assessment on Block 1910, Lot 29.01, Unit C00C2 Address: 3 Bradshaw Court is as follows:

Tax Year 2009

LAND:	\$ 400,000.00
IMPROVEMENTS:	<u>\$ 216,100.00</u>
TOTAL ASSESSMENT	\$ 616,100.00

Tax Year 2010

LAND:	\$ 400,000.00
IMPROVEMENTS:	<u>\$ 216,100.00</u>
TOTAL ASSESSMENT	\$ 616,100.00

WHEREAS, the following reduced assessment proposed for Block 1910, Lot 29.01, Unit C00C2 Address: 3 Bradshaw Court is as follows:

Tax Year 2009

LAND:	\$ 400,000.00
IMPROVEMENTS:	<u>\$ 125,000.00</u>
TOTAL ASSESSMENT	\$ 525,000.00

Tax Year 2010

LAND:	\$ 400,000.00
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IMPROVEMENTS: \$ 125,000.00
TOTAL ASSESSMENT \$ 525,000.00; and

WHEREAS, the parties further agree that to the extent permitted by law, the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to and a final disposition of this matter as to the assessment on the property for tax years 2011 and 2012; and

WHEREAS, all refunds due Frank Brunetti et al. shall be without interest, provided that payment is made within sixty (60) days of the date of any entry of Judgment in this action; and

WHEREAS, any refunds due as a result of this settlement shall be made payable to Scarinci Hollenbeck Attorney Trust Fund and forwarded to Frank Brunetti, Esq., Scarinci Hollenbeck, 1100 Valley Brook Avenue, P.O. Box 790, Lyndhurst, New Jersey 07071; and

WHEREAS, the Tax Counsel and the Tax Assessor have recommended said settlement to the Mayor and Council; and

WHEREAS, the Mayor and Council is of the opinion that said settlement is in the best interests of the Borough of Hillsdale.

NOW, THEREFORE, BE IT RESOLVED, BY THE Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey, being the governing body thereof, that the settlement in this matter as set forth hereinabove be and is hereby approved and the Tax Counsel, Christopher E. Martin, Esq., is hereby authorized and directed to affect said settlement.

Council member	Motion	Second	Yes	No	Absent	Abstain
DeJoseph, Jonathan		x	x			
Frank, Douglas E.			x			
Giancarlo, Michael			x			
Hanlon, Marie					x	
Schiavone, Donna			x			
Weinstein, Andrew	x		x			

Adopted: February 1, 2011

Attest: _____
 Robert P. Sandt, RMC
 Municipal Clerk

 Mayor Max Arnowitz