

BOROUGH OF HILLSDALE

11049

RESOLUTION



Title: Authorizing Settlement of a Tax Appeal for Reservoir Property located in the Borough of Hillsdale, and designated on the official tax map of the Borough of Hillsdale as Block 1005, Lot 5, Block 1006, Lot 1, Block 1007, Lot 4 and Block 1008, Lot 6

WHEREAS, United Water NJ, f/k/a Hackensack Water Co., is the owner of certain Reservoir Property located in the Borough of Hillsdale, Bergen County, New Jersey, and designated on the official tax map of the Borough of Hillsdale as Block 1005, Lot 5, Block 1006, Lot 1, Block 1007, Lot 4 and Block 1008, Lot 6; and

WHEREAS, the owner has filed appeals to the Tax Court of New Jersey for Reservoir Property for the years 2007, 2009 and 2010, under docket number(s):

Block 1005, Lot 5: 010620-2007; 015746-2009; and 016430-2010;
Block 1006, Lot 1: 010620-2007; 015745-2009; and 016423-2010;
Block 1007, Lot 4: 010620-2007; 015747-2009; and 017097-2010; and
Block 1008, Lot 6: 010620-2007; 015748-2009; and 017092-2010; 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 assessments on Block 1005, Lot 5 are as follows:

Tax Years 2007, 2009 and 2010:

LAND: \$ 568,500
IMPROVEMENTS: \$ 0
TOTAL ASSESSMENT \$ 568,500; and

WHEREAS, the current assessments on Block 1006, Lot 1 are as follows:

Tax Years 2007, 2009 and 2010:

LAND: \$ 540,100
IMPROVEMENTS: \$ 39,500
TOTAL ASSESSMENT \$ 579,600; and

WHEREAS, the current assessments on Block 1007, Lot 4 are as follows:

Tax Years 2007, 2009 and 2010:

LAND:	\$ 438,000
IMPROVEMENTS:	\$ <u>0</u>
TOTAL ASSESSMENT	\$ 438,000; and

WHEREAS, the current assessments on Block 1008, Lot 6 are as follows:

Tax Years 2007, 2009 and 2010:

LAND:	\$ 316,500
IMPROVEMENTS:	\$ <u>53,700</u>
TOTAL ASSESSMENT	\$ 370,200; and

WHEREAS, the following reduced assessments proposed for Block 1005, Lot 5, are as follows:

Tax Years 2007, 2009 and 2010:

LAND:	\$ 227,400
IMPROVEMENTS:	\$ <u>0</u>
TOTAL ASSESSMENT	\$ 227,400; and

WHEREAS, the following reduced assessments proposed for Block 1006, Lot 1, are as follows:

Tax Years 2007, 2009 and 2010:

LAND:	\$ 442,800
IMPROVEMENTS:	\$ <u>39,500</u>
TOTAL ASSESSMENT	\$ 482,300; and

WHEREAS, the following reduced assessments proposed for Block 1007, Lot 4, are as follows:

Tax Years 2007, 2009 and 2010:

LAND:	\$ 175,200
IMPROVEMENTS:	\$ <u>0</u>
TOTAL ASSESSMENT	\$ 175,200; and

WHEREAS, the following reduced assessments proposed for Block 1008, Lot 6, are as follows:

Tax Years 2007, 2009 and 2010:

LAND: \$ 126,600
IMPROVEMENTS: \$ 53,700
TOTAL ASSESSMENT \$ 180,300; 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) would be applicable to and a final disposition of this matter for tax years 2008 and 2011; and

WHEREAS, all refunds due United Water NJ 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 “United Water of New Jersey” and forwarded to Andrew T. Fede, Esq. Herten, Burstein, Sheridan, Cevasco, Bottinelli, Litt & Harz, LLC, 21 Main Street, Suite 353, Court Plaza South – West Wing, Hackensack, New Jersey 07601; 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		
Frank, Douglas E.	X		X			
Giancarlo, Michael		X	X			
Hanlon, Marie			X			
Schiavone, Donna			X			
Weinstein, Andrew			X			

Adopted: May 10, 2011

Attest: _____
 Robert P. Sandt, RMC
 Municipal Clerk

 Mayor Max Arnowitz