



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldwpnj.com>

Meeting: 12/13/21 06:30 PM

2021 RESOLUTION TAX APPEALS

R21
351

RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF BLOOMFIELD IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE 2018, 2020 AND 2021 TAX APPEALS IN THE RELATED MATTER OF CARMEL REALTY V. TOWNSHIP OF BLOOMFIELD DOCKET NOS. 000542-2018, 006751-2020, AND 000624-2021 OF THE TAX ASSESSMENT OF BLOCK 188, LOT 15, KNOWN AS 124 MORSE AVENUE IN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY

WHEREAS, during the years 2018, 2020 and 2021 CARMEL REALTY was the record owner of property situated at BLOCK 188, LOT 15 with a street address of 124 Morse Avenue in the Township of Bloomfield, New Jersey; and

WHEREAS, CARMEL REALTY (hereinafter "Plaintiff") is the Plaintiff in the legal action against the Township of Bloomfield in the Tax Court of New Jersey challenging the Township's assessment of their real property; and

WHEREAS, specifically, Plaintiffs have filed tax appeals with the Tax Court of New Jersey for tax years 2018, 2020 and 2021 under Docket Numbers 000542-2018, 006751-2020, and 000624-2021, seeking a reduction in the property's total assessment; and

WHEREAS, the parties have completed full discovery with respect to this matter, have conducted negotiations and have reached a settlement to resolve the lawsuit between them pending in the Tax Court of New Jersey; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor, Township Special Tax Counsel and Township Tax Expert; and

WHEREAS, Plaintiff has agreed to waive statutory interest, pursuant to N.J.S.A. 54:3-

27.2, if the tax refund is paid within sixty (60) days of the date of entry of the Tax Court judgment; and

WHEREAS, the settlement of said matter as more fully set forth below is in the best interest of the Township of Bloomfield.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that Florio Kenny Raval, LLP, Tax Appeal Counsel for the Township of Bloomfield for the year 2018 and Inglesino Webster Wyciskala & Taylor, LLC, Tax Appeal Counsel for the Township of Bloomfield for the years 2020 and 2021, are hereby authorized to execute on behalf of the Township of Bloomfield a Stipulation of Settlement Resolving the Complaint(s) filed by CARMEL REALTY for property situated at Block 188, Lot 15, commonly known as 124 Morse Avenue, Bloomfield, New Jersey, as follows:

Year: 2018	<u>ORIGINAL ASSESSMENT</u>	<u>COUNTY BOARD JUDGMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND	\$300,000		
IMPROVEMENTS	\$743,100	Direct Appeal	WITHDRAWN
TOTAL	\$1,043,100		

Year: 2020	<u>ORIGINAL ASSESSMENT</u>	<u>COUNTY BOARD JUDGMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND	\$525,000		
IMPROVEMENTS	\$665,500	Direct Appeal	WITHDRAWN
TOTAL	\$1,190,500		

Year: 2021	<u>ORIGINAL ASSESSMENT</u>	<u>COUNTY BOARD JUDGMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND	\$525,000		\$525,000
IMPROVEMENTS	\$665,500	Direct Appeal	\$475,000
TOTAL	\$1,190,500		\$1,000,000

BE IT FURTHER RESOLVED, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and that

Special Tax Counsel is authorized to enter into the Stipulation of Settlement as provided by the Taxpayer; and

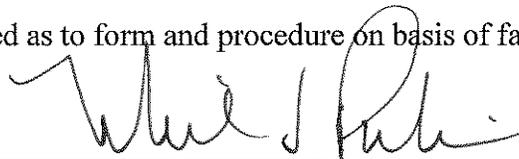
BE IT FURTHER RESOLVED, that upon receipt of the Tax Court Judgment, the Tax Collector is authorized to calculate the amount of the refunds and cause same to be paid within sixty (60) days of date of entry of the Tax Court Judgments and/or take any other action to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED, that interest on any refund due is waived provided the refund is paid within sixty (60) days of the date of entry of the Tax Court Judgments; and

BE IT FURTHER RESOLVED, that copies of this Resolution are to be provided to the Township's Tax Collector, Tax Assessor, and Tax Appeal Attorneys, Florio Kenny Raval, LLP and Inglesino Webster Wyciskala & Taylor, LLC.

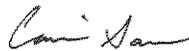
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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.



Acting Finance Director

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on December 13, 2021.



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record – Resolution					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopt		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Deny		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table with no Vote	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approve	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto by Mayor	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Discussion No Vote					