Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 03/07/16 07:00 PM

2016 RESOLUTION TAX APPEALS

15-3

S & S AT PARK STREET, LLC

WHEREAS, the Tax Court of New Jersey entered judgments with respect to the matters filed under Docket Numbers: 015616-2014 and 007670-2015 on or about October 23, 2015, following the filing of a fully executed Stipulation of Settlement by attorneys for S & S at Park Street, LLC and the Township of Bloomfield on or about September 22, 2016; and

WHEREAS, S & S at Park Street, LLC, filed complaints seeking to remove the added assessments placed on the subject property located at Block 244, Lot 19 on the Tax Map of the Township of Bloomfield for tax years 2014 and 2015 before the Tax Court of New Jersey under Docket Numbers: 014564-2015 and 014565-2015, on or about November 30, 2015; and

WHEREAS, S & S at Park Street, LLC filed a Motion for Summary Judgment with respect to its claims filed under Docket Numbers: 014564-2015 and 014565-2015; and

WHEREAS, S & S at Park Street, LLC, the Township Tax Attorney and the Township Tax Assessor, Joseph J. Pisauro, C.T.A, have agreed upon and reached an amicable resolution of the aforementioned Motion and complaints as set forth herein; and

WHEREAS, S & S at Park Street, LLC has agreed to accept the following added-omitted assessment for Tax Year 2014, which has already been levied against the subject property:

Land	$ 0
Improvement	$5,478,600
Total	$5,478,600

and which was prorated for the final two (2) months of Tax Year 2014 as follows:

APPROVED AS TO FORM AND PROCEDURE ON
BASIS OF FACTS SET FORTH

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DIRECTOR OF LAW - TOWNSHIP ATTORNEY

Land	$ 0
Improvement	$ 913,100
Total	$ 913,100

in furtherance of the resolution as set forth herein; and

WHEREAS, S & S at Park Street, LLC has subsequently agreed to accept the following

added assessment for Tax Year 2015, which has already been levied against the subject property:

Land	$ 0
Improvement	$5,478,600
Total	$5,478,600

And which was prorated for the twelve (12) months of Tax Year 2015 as follows:

Land	$ 0
Improvement	$5,478,600
Total	$5,478,600

in furtherance of the resolution as set forth herein; and

WHEREAS, S & S at Park Street, LLC has subsequently agreed that its Motion for

Summary Judgment filed under Docket Numbers: 014564-2014 and 014565-2015 is moot and

will be dismissed with prejudice in furtherance of the resolution as set forth herein; and

WHEREAS, S & S at Park Street, LLC has subsequently agreed to a dismissal of its

complaints filed under Docket Numbers.: 014564-2014 and 014565-2015 with prejudice in

furtherance of the resolution as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township

of Bloomfield, County of Essex, State of New Jersey, that the Township Tax Attorney is hereby

directed to make the appropriate application to the Court to vacate the Judgment entered under

Docket Number: 015616-2014 vacated and have Judgment be re-entered as follows:

Land	$1,492,800
Improvement	$ 100,000
Total	$1,592,800

BE IT FURTHER RESOLVED, that the Township Tax Attorney is hereby directed to make the appropriate application to the Court to vacate the Judgment entered under Docket Number: 007670-2015 and have Judgment be re-entered as follows:

Land	$1,492,800
Improvement	$ 0
Total	$1,492,800

BE IT FURTHER RESOLVED, that the Mayor and Council hereby agree that the Tax Agreement dated July 31, 2015 adopted pursuant to N.J.S.A. 40A:21-1 et seq. shall be revised and re-executed such that it will take effect on January 1, 2015 and expire on December 31, 2019; and

BE IT FURTHER RESOLVED, that any and all interest and penalties assessed on the subject property shall be abated because taxes for the land have been paid timely and that any such overpayment shall be applied as a credit towards any future tax obligation due; and

BE IT FURTHER RESOLVED, that for the purpose of assisting the Township Tax Collector in the discharge of that office's duties with respect to the imposition and collection of Plaintiff's tax payment obligations for the property located at Block 244, Lot 19 in the Township of Bloomfield, the assessment for that property shall be imposed for tax years 2016 through 2019 as follows:

Land	$1,492,800
Improvement	$5,478,600
Total	$6,971,400

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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 March 07, 2016.

_____
Municipal Clerk of the Township of Bloomfield

_____

Mayor of the Township of Bloomfield

✓ Vote Record – Resolution

		Yes/Aye	No/Nay	Abstain	Absent
☐ Adopt					
☐ Deny					
☐ Withdrawn	Elias N. Chalet	☑	☐	☐	☐
☐ Table	Nicholas Joanow	☑	☐	☐	☐
☐ Not Discussed	Carlos Bernard	☑	☐	☐	☐
☐ First Reading	Wartyna Davis	☑	☐	☐	☐
☐ Table with no Vote	Joseph Lopez	☑	☐	☐	☐
☐ Approve	Carlos Pomares	☑	☐	☐	☐
☐ Veto by Mayor	Michael J. Venezia	☑	☐	☐	☐
☐ Discussion					
☐ Defeated					
☐ Discussion No Vote					