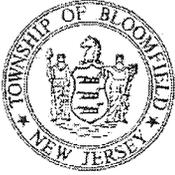


101



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 10/03/11 07:30 PM

2011 RESOLUTION TAX APPEALS

2011 Resolution of the Mayor and Township Council of the Township of Bloomfield in the County of Essex Authorizing Settlement of the 2010 and 2011 Tax Appeal Entitled Montgomery Arms Llc/Affiliated V. Township of Bloomfield, Docket Nos.: 004904-2010 and 004235-2011 of the Tax Assessment of Block 303, Lots 61 and 62, Known as 294 Montgomery Street and 300 Montgomery Street, in the Township of Bloomfield, Essex County, New Jersey

WHEREAS, an appeal of the real property tax assessment for tax years 2010 and 2011, involving Block 309, Lot 10, has been filed by the Taxpayer, Montgomery Arms LLC/Affiliated; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, 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 Township of Bloomfield, New Jersey, as follows:

- 1. Settlement of the 2010 tax appeal is hereby authorized as follows:

294 Montgomery Street
Block 303, Lot 61
Year: 2010

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$425,000	N/A	\$425,000
Imprvts:	\$737,100	N/A	\$721,850
Total:	\$1,162,100	N/A	\$1,146,850

2. Settlement of the 2010 tax appeal is hereby authorized as follows:

300 Montgomery Street
Block 303, Lot 62

Year: 2010

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$425,000	N/A	\$425,000
Imprvts:	\$737,100	N/A	\$721,850
Total:	\$1,162,100	N/A	\$1,146,850

3. Settlement of the 2011 tax appeal is hereby authorized as follows:

294 Montgomery Street
Block 303, Lot 61

Year: 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$425,000	N/A	\$425,000
Imprvts:	\$737,100	N/A	\$630,100
Total:	\$1,162,100	N/A	\$1,055,100

4. Settlement of the 2011 tax appeal is hereby authorized as follows:

300 Montgomery Street
Block 303, Lot 62

Year: 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$425,000	N/A	\$425,000
Imprvts:	\$737,100	N/A	\$630,100
Total:	\$1,162,100	N/A	\$1,055,100

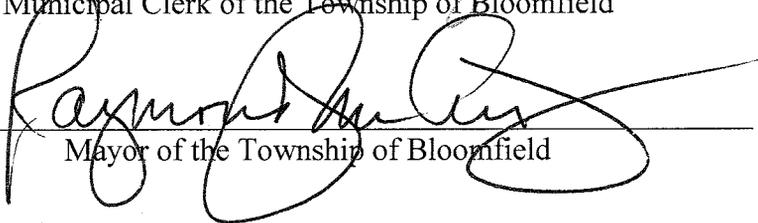
5. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

......*

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 October 03, 2011.



 Municipal Clerk of the Township of Bloomfield



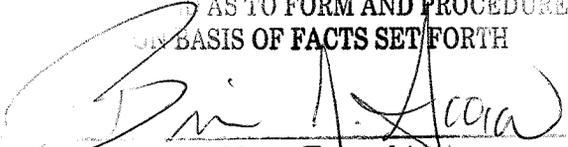
 Mayor of the Township of Bloomfield

✓ Vote Record - Resolution 1053		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Raymond McCarthy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Janice Litterio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Robert Ruane	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Michael Venezia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Approved	Peggy O'Boyle Dunigan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved by Consensus	Bernard Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed					

ATTACHMENTS:

- Montgomery Arms (PDF)
- Montgomery Street (DOC)

AS TO FORM AND PROCEDURE
 ON BASIS OF FACTS SET FORTH



 of Law - Township Attorney

Brach Eichler L.L.C.
101 Eisenhower Parkway
Roseland, New Jersey 07068-1067
(973) 228-5700
Attorneys for Montgomery Arms LLC / Affiliated

<p>MONTGOMERY ARMS LLC / AFFILIATED,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>TOWNSHIP OF BLOOMFIELD,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">TAX COURT OF NEW JERSEY</p> <p>Docket Number: 004904-2010 Docket Number: 004235-2011</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;">STIPULATION OF SETTLEMENT (Without Affidavit)</p> <p>Assigned Judge: Honorable Mala Narayanan, J.T.C.</p>
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1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 303 Lot: 62 Qualifier:
Address: 300 Montgomery St.

<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
LAND	\$425,000	DIRECT	\$425,000
IMPROVEMENT	\$737,100	APPEAL	\$721,900
TOTAL	\$1,162,100	\$0	\$1,146,850

Block: 303 Lot: 61 Qualifier:
Address: 294 Montgomery St.

<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
LAND	\$425,000	DIRECT	\$425,000
IMPROVEMENT	\$737,100	APPEAL	\$721,900
TOTAL	\$1,162,100	\$0	\$1,146,850

Block: 303 Lot: 62 Qualifier:
Address: 300 Montgomery St.

<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
LAND	\$425,000	DIRECT	\$425,000
IMPROVEMENT	\$737,100	APPEAL	\$630,100
TOTAL	\$1,162,100	\$0	\$1,055,100

Block: 303 Lot: 61 Qualifier:
Address: 294 Montgomery St.

<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
LAND	\$425,000	DIRECT	\$425,000
IMPROVEMENT	\$737,100	APPEAL	\$630,100
TOTAL	\$1,162,100	\$0	\$1,055,100

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor to the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with the assessing practices generally applicable in the taxing district as required by law.

4. All refunds due as a result of the settlement set forth herein shall be payable to: "Brach Eichler L.L.C. and Montgomery Arms LLC / Affiliated", and forwarded to Daniel J. Pollak within sixty (60) days of the date of the Judgment.

5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within sixty (60) days of the date of entry of the Tax Court judgment.

Brach Eichler L.L.C.
Attorneys for Plaintiff

DATED: 7/27/11

BY: 
Daniel J. Pollak

O'Donnell McCord, PC
Attorneys for Defendant

DATED:

BY: _____
Matthew J. O'Donnell

Attachment: Montgomery Arms (1053 : Tax Appeals)