

RESOLUTION  
of the  
BOROUGH OF NEW PROVIDENCE  
Resolution No. 2014-270

Council Meeting Date: 07-28-2014

Date Adopted: 07-28-2014

TITLE: RESOLUTION REFUNDING OR APPLYING OVERPAYMENT OF TAXES  
TO CERTAIN PROPERTY OWNERS

Councilperson Galluccio submitted the following resolution, which was duly seconded by Councilperson Madden.

WHEREAS, the Tax Collector of the Borough of New Providence has reported certain instances whereby, for various and sundry reasons, certain property owners are entitled to refunds in the overpayment of their real estate taxes to the Borough of New Providence; and

WHEREAS, the specific reasons in each case have been reported to the Mayor and Borough Council and are set forth in the memorandum of the Tax Collector of the Borough of New Providence which is attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey that they do hereby authorize the refund of overpayment of taxes as follows:

<u>Tax Year</u>	<u>Block/Lot</u>	<u>Property Location</u>	<u>Overpayment</u>	<u>Reason</u>
2014	283 / 39	340 Livingston Avenue	\$1,183.77	2014 County Board Judgment
2014	197 / 13	48 Shelley Drive	\$963.63	2014 County Board Judgment
2014	150 / 02	50 South Street Rear	\$1,615.52	2014 Overbill due to 2013 Tax Court Judgment
			<b>\$3,762.92</b>	

APPROVED, this 28<sup>th</sup> day of July, 2014.

## RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
MADDEN	X			
MUÑOZ			X	
ROBINSON	X			
HERN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 28<sup>th</sup> day of July, 2014.

Wendi B. Barry, Borough Clerk

BOROUGH OF  
**NEW PROVIDENCE**

SETTLED IN 1720

TAX/FINANCE DEPARTMENT

J. Brooke Hern, Mayor

Ken DeRoberts, CFO

Denise Gelormini, Tax Collector

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Date: July 24, 2014  
To: Wendi Barry  
From: Denise Gelormini  
Subject: Resolution – Refund tax overpayment

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Please do a resolution for the July 28, 2014 council meeting to refund tax overpayments for the following:

<u>Tax Year</u>	<u>Block/Lot</u>	<u>Property Location</u>	<u>Overpayment</u>	<u>Reason</u>
2014	283 / 39	340 Livingston Avenue	\$1,183.77	2014 County Board Judgment
2014	197 / 13	48 Shelley Drive	\$963.63	2014 County Board Judgment
2014	150 / 02	50 South Street Rear	\$1,615.52	2014 Overbill due to 2013 Tax Court Judgment
			<b>\$3,762.92</b>	

Acct# 10---375—  
Budget Operations

B O R O U G H O F  
**NEW PROVIDENCE**  
SETTLED IN 1720

TAX/FINANCE DEPARTMENT  
J. Brooke Hern, Mayor  
Ken DeRoberts, CFO  
Denise Gelormini, Tax Collector

---

July 10, 2014

Irwin & Bette Ostroff  
3 Lackawanna Blvd  
Murray Hill, NJ 07974

Re: Union County Tax Board Judgment  
Appeal # 11-1400020L  
Block 283 Lot 39  
340 Livingston Avenue  
New Providence, NJ 07974

Dear Mr. & Mrs. Ostroff,

As a result of the attached 2014 Union County Tax Board Judgment, the assessment on your property has been reduced. Your 4<sup>th</sup> quarter 2014 billing was reduced, as well as your 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2015. Since you already prepaid your taxes for 2014, this resulted in an overpayment for the year of \$1,183.77. Please let me know if you would like a refund check or if you would like the credit applied to your 1<sup>st</sup> quarter 2015 taxes.

Attached are worksheets for your records reflecting how the tax overpayment and judgment were applied.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Denise Gelormini  
Tax Collector  
908-665-1400 x210  
[dgelormini@newprov.org](mailto:dgelormini@newprov.org)

Encl.

7/21/14 Mr. Ostroff  
called & requested  
a refund for both  
properties  
- DG

Tax Board Copy

UNION COUNTY BOARD OF TAXATION  
271 North Broad Street  
Elizabeth, NJ 07207  
908-527-4775

Appeal No. 11-1400020L

### MEMORANDUM OF JUDGMENT

IRWIN OSTROFF, ESQ  
3 LACKAWANNA BLVD  
MURRAY HILL, NJ 07974

OSTROFF, IRWIN & BETTE  
3 LACKAWANNA BLVD  
MURRAY HILL, N J 07974

OSTROFF, IRWIN & BETTE  
Petitioner

vs

NEW PROVIDENCE BORO  
Respondent

Taxing District NEW PROVIDENCE BORO  
Block 283

Address 340 LIVINGSTON AVE  
Lot 39 Year 2014

A duly verified Petition of Appeal having been filed with the Union County Board of Taxation and said appeal having been heard and considered. It is on this day 05/01/14 ORDERED that Judgment be entered as follows:

ORIGINAL ASSESSMENT	
Land	\$ <u>132,700</u>
Improvement	\$ <u>120,300</u>
Abatement	\$ <u>0</u>
Total	\$ <u>253,000</u>
Prorated for	<u>N/A</u> months
Prorated Amount	\$ <u>N/A</u>
Original Property Class	<u>2</u>

JUDGMENT	
Land	\$ <u>132,700</u>
Improvement	\$ <u>87,600</u>
Abatement	\$ <u>0</u>
Total	\$ <u>220,300</u>
Prorated for	<u>N/A</u> months
Prorated Amount	\$ <u>N/A</u>
Judged Property Class	<u>                    </u>

JUDGMENT CODE # 3 Stipulated  
(See Reverse Side)

COMMISSIONERS' SIGNATURES

*Peter B. Lugin*  
*Michael S. ...*  
*Elizabeth A. ...*

(Explanation for codes 1E and 5F)

ATTEST:

*Chris R. Dwyer*

Date Mailed 05/21/14

Date Judgment Entered and Mailed by County Board of Taxation

(a) A record shall be maintained noting the date each judgment is mailed. (b) Each Judgment shall be stamped with the date of entry and date mailed.

FBC: - TAX ACCOUNT INQUIRY -

Account : 323200 Block/Lot/Qual: 283 39 Prp.Cd  
 Owner Name: OSTROFF, IRWIN & BETTE Bank Code : 2  
 Location : 340 LIVINGSTON AV 2013 Yr.Tax: 11,238.26 Deduc  
 Size /Land: .312 AC / 132,700 2014 Yr.Tax: 10,054.49 0  
 Value/Impr: 220,300 / 87,600 -PAY DATE-

+-----[ 7/22/14]-----+

YR.Q.TYP	-BILLED-	-PAID-	-TAX DUE-	-INTEREST-	BALANCE	TRAN.DATE
13.1.R	2,723.55	2,723.55	0.00	0.00	0.00	12/13/12
13.2.R	2,723.54	2,723.54	0.00	0.00	0.00	12/13/12
13.3.R	2,895.59	2,895.59	0.00	0.00	0.00	8/01/13
13.4.R	2,895.58	2,895.58	0.00	0.00	0.00	11/01/13
14.1.R	2,809.57	2,809.57	0.00	0.00	0.00	12/23/13
14.2.R	2,809.56	2,809.56	0.00	0.00	0.00	12/23/13
14.3.R	2,963.90	2,963.90	0.00	0.00	0.00	8/01/14
14.4.R	1,471.46	2,655.23	-1,183.77	0.00	-1,183.77	11/01/14
15.1.R	2,513.62	0.00	2,513.62	0.00	2,513.62	2/01/15
15.2.R	2,513.63	0.00	2,513.63	0.00	2,513.63	5/01/15

- CONTINUED NEXT PAGE -

DATA OK(Pg;Ad;Dt;Hs;Lg;+/-;N;E) [ 0.00 0.00 0.00]Cur Due  
 [ NOTES EXIST ] [ All Chgs ]

NO MORTGAGE COMPANY

[ Cont'd Delq: No Since 1996 3 Acum.Prnc.Paid: 0.00 ]

B O R O U G H O F  
**NEW PROVIDENCE**  
SETTLED IN 1720

TAX/FINANCE DEPARTMENT

J. Brooke Hern, Mayor

Ken DeRoberts, CFO

Denise Gelormini, Tax Collector

---

July 10, 2014

Irwin & Bette Ostroff  
3 Lackawanna Blvd  
Murray Hill, NJ 07974

Re: Union County Tax Board Judgment  
Appeal # 11-1400019L  
Block 197 Lot 13  
48 Shelley Drive  
New Providence, NJ 07974

Dear Mr. & Mrs. Ostroff,

As a result of the attached 2014 Union County Tax Board Judgment, the assessment on your property has been reduced. Your 4<sup>th</sup> quarter 2014 billing was reduced, as well as your 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2015. Since you already prepaid your taxes for 2014, this resulted in an overpayment for the year of \$963.63. Please let me know if you would like a refund check or if you would like the credit applied to your 1<sup>st</sup> quarter 2015 taxes.

Attached are worksheets for your records reflecting how the tax overpayment and judgment were applied.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Denise Gelormini  
Tax Collector  
908-665-1400 x210  
[dgelormini@newprov.org](mailto:dgelormini@newprov.org)

Encl.

Tax Board Copy

UNION COUNTY BOARD OF TAXATION  
271 North Broad Street  
Elizabeth, NJ 07207  
908-527-4775

Appeal No. 11-1400019L

### MEMORANDUM OF JUDGMENT

IRWIN OSTROFF, ESQ  
3 LACKAWANNA BLVD  
MURRAY HILL, NJ 07974

OSTROFF, IRWIN & BETTE  
3 LACKAWANNA BLVD  
MURRAY HILL, N J 07974

OSTROFF, IRWIN & BETTE  
Petitioner

vs

NEW PROVIDENCE BORO  
Respondent

Taxing District NEW PROVIDENCE BORO  
Block 197

Address 48 SHELLEY DR  
Lot 13 Year 2014

A duly verified Petition of Appeal having been filed with the Union County Board of Taxation and said appeal having been heard and considered. It is on this day 05/01/14 ORDERED that Judgment be entered as follows:

ORIGINAL ASSESSMENT	
Land	\$ <u>103,500</u>
Improvement	\$ <u>98,000</u>
Abatement	\$ <u>0</u>
Total	\$ <u>201,500</u>
Prorated for	<u>N/A</u> months
Prorated Amount	\$ <u>N/A</u>
Original Property Class	<u>2</u>

JUDGMENT	
Land	\$ <u>103,500</u>
Improvement	\$ <u>71,500</u>
Abatement	\$ <u>0</u>
Total	\$ <u>175,000</u>
Prorated for	<u>N/A</u> months
Prorated Amount	\$ <u>N/A</u>
Judged Property Class	<u>        </u>

JUDGMENT CODE # 3 Stipulated  
(See Reverse Side)

COMMISSIONERS' SIGNATURES

*Robert B. Lopez*  
*Michael Sed*  
*Elizabeth A. Wansport*

(Explanation for codes 1E and 5F)

ATTEST:

*Chris R. Dwyer*

Date Mailed 05/21/14  
Date Judgment Entered and Mailed by County Board of Taxation

(a) A record shall be maintained noting the date each judgment is mailed. (b) Each Judgment shall be stamped with the date of entry and date mailed.

FBC: - TAX ACCOUNT INQUIRY -

Account : 210500 Block/Lot/Qual: 197 13 Prp.Cd  
 Owner Name: OSTROFF, IRWIN & BETTE Bank Code : 2  
 Location : 48 SHELLEY DR 2013 Yr.Tax: 8,950.63 Deduc  
 Size /Land: .243 AC / 103,500 2014 Yr.Tax: 7,987.00 0  
 Value/Impr: 175,000 / 71,500 -PAY DATE-

+-----[ 7/22/14]-----+

YR.Q.TYP	-BILLED-	-PAID-	-TAX DUE-	-INTEREST-	BALANCE	TRAN.DATE
13.1.R	2,169.15	2,169.15	0.00	0.00	0.00	12/13/12
13.2.R	2,169.15	2,169.15	0.00	0.00	0.00	12/13/12
13.3.R	2,306.17	2,306.17	0.00	0.00	0.00	8/01/13
13.4.R	2,306.16	2,306.16	0.00	0.00	0.00	11/01/13
14.1.R	2,237.66	2,237.66	0.00	0.00	0.00	12/23/13
14.2.R	2,237.66	2,237.66	0.00	0.00	0.00	12/23/13
14.3.R	2,360.57	2,360.57	0.00	0.00	0.00	8/01/14
14.4.R	1,151.11	2,114.74	-963.63	0.00	-963.63	11/01/14
15.1.R	1,996.75	0.00	1,996.75	0.00	1,996.75	2/01/15
15.2.R	1,996.75	0.00	1,996.75	0.00	1,996.75	5/01/15

- CONTINUED NEXT PAGE -

DATA OK(Pg;Ad;Dt;Hs;Lg;+/-;N;E) [ 0.00 0.00 0.00]Cur Due  
 [ NOTES EXIST ] [ All Chgs ]

NO MORTGAGE COMPANY

[ Cont'd Delq: No Since 1996 3 Acum.Prnc.Paid: 0.00 ]

# BOROUGH OF NEW PROVIDENCE PURCHASE ORDER

49242

360 ELKWOOD AVE

OSTROF

NEW PROVIDENCE, NJ 07974-1838

DATE	7/22/2014
PAGE NO.	1
CHECK NO.	
TAX EXEMPT NO. 22-6002132	

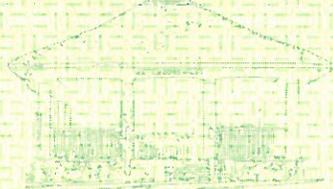
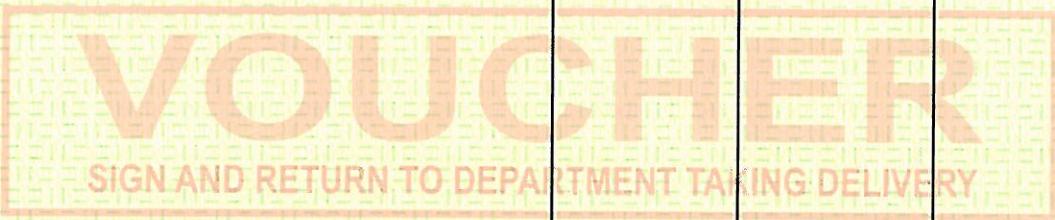
[www.newprov.org](http://www.newprov.org)

**SIGN & RETURN TO ADDRESS ABOVE**

VENDOR	SHIP TO
IRWIN OSTROFF 3 LACKAWANNA BLVD  MURRAY HILL, NJ 07974	MUNICIPAL CENTER 360 ELKWOOD AVENUE  NEW PROVIDENCE, N.J. 07974

SPECIAL INSTRUCTIONS

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1	BLOCK 283 LOT 39, 340 LIVINGSTON AVE - REFUND TAX OVERPAYMENT DUE TO 2014 COUNTY BOARD JUDGMENT #11-1400020L. 10---375--	1	1,183.77	1,183.77
2	BLOCK 197 LOT 13, 48 SHELLEY DRIVE - REFUND TAX OVERPAYMENT DUE TO 2014 COUNTY BOARD JUDGMENT #11-1400019L. 10---375--	1	963.63	963.63
<b>NO ORDER VALID UNLESS SIGNED BELOW</b>			<b>TOTAL</b>	<b>2,147.40</b>



**CERTIFICATION OF AVAILABLE FUNDS**

*Wanda Osany*  
PURCHASING AGENT

*Monica Marino*  
FINANCE DEPARTMENT

**DEPARTMENT HEAD CERTIFICATION**

I certify that the materials and supplies have been received or the services rendered.

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
DATE

**APPROVAL FOR PAYMENT**

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ADMINISTRATOR

\_\_\_\_\_  
DATE

**VENDOR CERTIFICATION AND DECLARATION**

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.

**X** *[Signature]*  
VENDOR SIGN HERE

*Co-owner*  
TITLE

*7/24/14*  
DATE

*052-36-9471*  
VENDOR SOCIAL SECURITY NO. OR TAX I.D. NO.

**VOUCHER - SIGN AT (X) AND RETURN FOR PAYMENT (SEE CONDITIONS ON REVERSE SIDE)**

B O R O U G H O F  
**NEW PROVIDENCE**

SETTLED IN 1720

TAX/FINANCE DEPARTMENT

J. Brooke Hern, Mayor

Ken DeRoberts, CFO

Denise Gelormini, Tax Collector

---

July 10, 2014

CRC Communities at Conklin Lane, Inc.  
Attn: Shirley Wayne  
326 Route 26 West, 16-B  
Greenbrook, NJ 08812

Re: Refund of 2014 Taxes – Overbill due to 2013 Tax Court Judgment  
Tax Court Judgment Doc #010483-2013  
Block 150 Lot 02  
50 South Street Rear  
New Providence, NJ 07974

Dear Ms. Wayne,

The assessment on the above referenced property has been reduced significantly for 2014 resulting in an overbill of \$1,615.52 (\$807.76 per quarter). Per your request we will be refunding this amount to the property owner. In order to process the refund you will need to sign the enclosed purchase order and complete the W-9 form. Please return both to my office no later than August 4<sup>th</sup> so I can make sure it gets on our next bills payable list.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Denise Gelormini  
Tax Collector  
908-665-1400 x210  
[dgelormini@newprov.org](mailto:dgelormini@newprov.org)

Encl.

# BOROUGH OF NEW PROVIDENCE PURCHASE ORDER

49269

360 ELKWOOD AVE

CRCC02

NEW PROVIDENCE, NJ 07974-1838

DATE	7/24/2014
PAGE NO.	1
CHECK NO.	
TAX EXEMPT NO. 22-6002132	

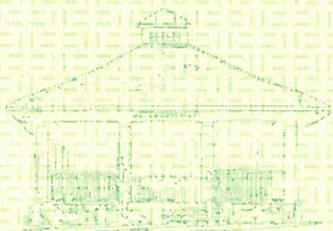
[www.newprov.org](http://www.newprov.org)

**SIGN & RETURN TO ADDRESS ABOVE**

VENDOR	SHIP TO
<b>CRC COMMUNITIES AT CONKLIN LANE INC.</b> 326 Route 26 West, 16-B  Green Brook, NJ 08812	<b>MUNICIPAL CENTER</b> 360 ELKWOOD AVENUE  NEW PROVIDENCE, N.J. 07974

**SPECIAL INSTRUCTIONS**

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1	REFUND OVERBILL DUE TO 2013 TAX COURT JUDGEMENT - 2014 ASSESSMENT REDUCED TO \$150,000. DOC#010483-2013, BLOCK 150 LOT 2, 50 SOUTH STREET REAR. 10---375--	1	1,615.52	1,615.52
<b>NO ORDER VALID UNLESS SIGNED BELOW</b>			<b>TOTAL</b> →	<b>1,615.52</b>



VOUCHER

SIGN AND RETURN TO DEPARTMENT TAKING DELIVERY

CERTIFICATION OF AVAILABLE FUNDS	
 PURCHASING AGENT	 FINANCE DEPARTMENT
<b>DEPARTMENT HEAD CERTIFICATION</b>	
I certify that the materials and supplies have been received or the services rendered.	
 AUTHORIZED SIGNATURE	DATE
<b>APPROVAL FOR PAYMENT</b>	
COUNCIL MEMBER	DATE
ADMINISTRATOR	DATE

<b>VENDOR CERTIFICATION AND DECLARATION</b>	
  	I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.
VENDOR SIGN HERE	
TITLE	DATE
VENDOR SOCIAL SECURITY NO. OR TAX I.D. NO.	

VOUCHER - SIGN AT (X) AND RETURN FOR PAYMENT (SEE CONDITIONS ON REVERSE SIDE)

FBC: - TAX ACCOUNT INQUIRY -

Account : 153800 Block/Lot/Qual: 150 02 Prp.Cd  
 Owner Name: CRC COMMUNITIES AT CONKLIN LANE INC Bank Code : 4A  
 Location : 50 SOUTH ST REAR 2013 Yr.Tax: 17,358.03 Deduc  
 Size /Land: .445 AC / 140,000 2014 Yr.Tax: 7,063.50 0  
 Value/Impr: 150,000 / 10,000 -PAY DATE-

-----[ 7/10/14]-----

YR.Q.TYP	-BILLED-	-PAID-	-TAX DUE-	-INTEREST-	BALANCE	TRAN.DATE
13.1.R	4,207.60	4,207.60	0.00	0.00	0.00	1/31/13
13.2.R	4,207.59	4,207.59	0.00	0.00	0.00	5/21/13
13.3.R	2,226.68	2,226.68	0.00	0.00	0.00	5/13/14
14.1.R	4,339.51	4,339.51	0.00	0.00	0.00	1/28/14
14.2.R	4,339.51	4,339.51	0.00	0.00	0.00	4/22/14
14.3.R	-807.76	0.00	-807.76	0.00	-807.76	8/01/14
14.4.R	-807.76	0.00	-807.76	0.00	-807.76	11/01/14
15.1.R	1,765.88	0.00	1,765.88	0.00	1,765.88	2/01/15
15.2.R	1,765.87	0.00	1,765.87	0.00	1,765.87	5/01/15

- LAST OPEN BALANCE -

DATA OK(Pg;Ad;Dt;Hs;Lg;+/-;N;E) [ 0.00 0.00 0.00]Cur Due  
 S.I.D. PROP/ DRIVE UP BANK [ NOTES EXIST ] [ All Chgs ]

NO MORTGAGE COMPANY

[ Cont'd Delq: No Since 1996 2 Acum.Prnc.Paid: 0.00 ]

STAVITSKY & ASSOCIATES LLC  
 Bruce J. Stavitsky, Esq. – ID no. 020801983  
 350 Passaic Ave  
 Fairfield, NJ 07004  
 973-227-1912  
Attorneys for Plaintiff

CRC Communities at Conklin Lake, Inc.,  
 :  
 :  
 Plaintiff,  
 :  
 :  
 v.  
 :  
 :  
 Borough of New Providence,  
 :  
 :  
 Defendant.  
 :  
 :  
 \_\_\_\_\_

TAX COURT OF NEW JERSEY  
 DOCKET NO.: 012412-2012  
 010483-2013  
 CIVIL ACTION  
 STIPULATION OF  
 SETTLEMENT

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and judgments be entered as follows:

Block: 150  
 Lot: 2  
 Address: Rear 50 South St

<u>2012</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested</u> <u>Assessment</u>
Land:	\$ 213,100	\$ 213,100	WITHDRAW
<u>Improvements:</u>	<u>\$ 150,800</u>	<u>\$ 150,800</u>	
Total:	\$ 363,900	\$ 363,900	

<u>2013</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested</u> <u>Assessment</u>
Land:	\$ 213,100	\$ 213,100	\$ 213,100
<u>Improvements:</u>	<u>\$ 150,800</u>	<u>\$ 150,800</u>	<u>\$ 10,000</u>
Total:	\$ 363,900	\$ 363,900	\$ 223,100

2. As a material part of this settlement the parties further agree that the assessment for the 2014 tax year be reduced from \$ 363,900 to \$150,000.

3. This agreement shall apply to any assignees, tenants and successors in interest of the subject property.

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

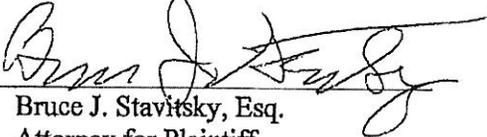
5. Based on the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.

6. The parties specifically agree that the refunds due to plaintiff as a result of this Stipulation shall be without interest provided that payment is made within sixty (60) days of the date of entry of Final Judgment in this action.

7. The refunds due as a result of this settlement will be made payable to the Stavitsky & Associates, LLC Attorney Trust Account and CRC Communities at Conklin Lake, Inc.

STAVITSKY & ASSOCIATES, LLC

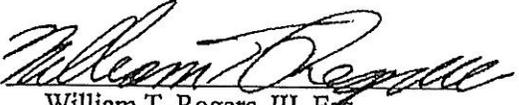
Dated: \_\_\_\_\_

By: 

Bruce J. Stavitsky, Esq.  
Attorney for Plaintiff

SKOLOFF & WOLFE, P.C.

Dated: 13/1/14

By: 

William T. Rogers, III, Esq.  
Attorney for Defendant

**RESOLUTION  
OF THE  
BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2014-113

Council Meeting Date: 03-10-2014

Date Adopted: 03-10-2014

TITLE: CRC COMMUNITIES @ CL INC. V. BOROUGH OF NEW PROVIDENCE,  
BLOCK 150 LOT 2; REAR 50 SOUTH STREET, DOCKET NO.: 012412-  
2012; 010483-2013

Councilperson Kapner submitted the following resolution, which was duly  
seconded by Councilperson Muñoz.

BE IT RESOLVED by the Mayor and Borough Council of the Borough of New  
Providence, Union County, New Jersey, that they do hereby approve the settlement  
recommendation as set forth in the March 3, 2014 report submitted by the Borough  
Assessor, Pat Spychala, concerning the above-referenced matter whereby the tax year  
2012 appeal will be withdrawn; and whereas the 2013 assessment will be reduced by  
\$140,800. The 2013 tax year will result in a \$6,716.16 refund with waiver of interest  
provided any refund due is paid within sixty (60) days of entry of judgment.

**2013**

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Land:	\$ 213,100	\$ 213,100	\$213,100
Improvement:	<u>\$ 150,800</u>	<u>\$ 150,800</u>	<u>\$ 10,000</u>
TOTAL:	\$ 363,900	\$ 363,900	\$223,100

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of New  
Providence, Union County, New Jersey that they do hereby authorize and direct the Tax  
Collector of the Borough of New Providence to furnish any required refund due to the  
taxpayer pursuant to the terms of said settlement.

APPROVED, this 10<sup>th</sup> day of March, 2014.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO			X	
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
HERN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 10<sup>th</sup> day of March, 2014.

Wendi B. Barry, Borough Clerk