

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2018-085

Council Meeting Date: 03-26-2018

Date Adopted: 03-26-2018

TITLE: RESOLUTION APPROVING THE FILING OF PETITIONS OF APPEAL BY THE BOROUGH TAX ASSESSOR ON 2018 PROPERTY ASSESSMENTS OF CLASS 4C PROPERTIES IN THE BOROUGH OF NEW PROVIDENCE

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

WHEREAS, the Borough Tax Assessor investigated the property tax assessments for all Class 4C properties in the Borough of New Providence; and

WHEREAS, the Mayor and Borough Council authorized the Tax Assessor to file appeals seeking increases on the 2016 property tax assessments of seven (7) 4C properties and the 2017 property assessments of two (2) 4C properties to reflect uniform fair market value; and

WHEREAS, the Tax Assessor negotiated and resolved five (5) of the aforementioned 2016 Borough property tax appeals filed; and

WHEREAS, two (2) of the 2016 and 2017 appeals remain unresolved, and the property assessments of each are not yet reflective of true value, the Borough finds it to be fair and in the best interest of the Borough to authorize the Borough Tax Attorney and/or Tax Assessor to file appeals seeking increases on the 2018 property tax assessments of the remaining pending appealed 4C properties:

Tax Year	Block/Lot	Property Location	Owner of Record
2018	340-07	180 Floral Ave	Reldus Assoc., c/o Floral Ave Venturers
2018	150-25	127 Gales Drive	New Providence Mews, c/o Affiliated Mngmt.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of New Providence, in the County of Union, and State of New Jersey that the Borough Tax Attorney, Martin Allen, Esq., of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., and/or the Tax Assessor, Bryan Flynn, are hereby authorized to file tax appeals on the 2018 property tax assessments for the properties listed above, seeking increased assessments to reflect the fair market values of the properties.

APPROVED, this 26th day of March, 2018.

RECORD OF VOTE

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

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 26th day of March, 2018.

Wendi B. Barry, Borough Clerk

MEMORANDUM

To: Doug Marvin, Administrator
Wendi Barry, Borough Clerk
Mike Gennaro, Finance
Nadine Geoffroy, Finance

From: Bryan Flynn, CTA

Date: March 13, 2018

RE: *Continued Approval for Borough Appeals on 2018 4C Property Assessments*

Please reference attached 2016 and 2017 Memos regarding Borough appeals filed seeking increased property assessments for under-assessed 4C properties in New Providence.

It is most fair and just to the taxpayers that we serve to continue to pursue and resolve the pending appeals filed on the remaining 4C properties, thus I am requesting continued approval to file appeals on the 2018 Property Assessments of:

<i>Block-Lot</i>	<i>Property</i>
340-7	180 Floral Ave
150-25	127 Gales Dr

As uniformity and fairness of assessment are a major function of my office, it is vital that the Borough continues to pursue an equitable distribution of the tax burden. Settlement discussions have been ongoing, and it is essential to continue for negotiations to come to a resolution.

Should you have any questions, please don't hesitate to contact.

MEMORANDUM

To: Doug Marvin, Administrator
Wendi Barry, Borough Clerk
Mike Gennaro, Finance
Gary Kapner, Finance
From: Bryan Flynn, CTA
Date: March 8, 2017
RE: *Continued Approval for Borough Appeals on 2017 4C Property Assessments*

Please reference attached 2016 Memo regarding Borough appeals filed seeking increased property assessments for under-assessed 4C properties in New Providence.

Five of the initial seven appeals filed in 2016 on behalf of the Borough have resulted in settlements beneficial to the Borough; however, two remain open in Tax Court. Though I am hopeful that these matters will be resolved in a timely fashion, it is strategically and procedurally appropriate to file appeals on the standing 2017 assessments that remain below fair market value.

It is appropriate to pursue with the initial objective of uniformity in *fair* assessment; and the 2017 filings on these pending appeals ensures retroactive assessment/taxation to correspond with those resolved in 2016 for the 2017 Tax List.

The property assessments that remain in question are as follows:

<i>Block-Lot</i>	<i>Property</i>	<i>Assessment</i>
340-7	180 Floral Ave	2,600,000
150-25	127 Gales Dr	900,000

Should you have any questions, please don't hesitate to contact.

/bf