

MAYOR and COUNCIL of the
BOROUGH of HO-HO-KUS
BERGEN COUNTY, NEW JERSEY

RESOLUTION # 15-110

Subject: Tax Appeal Casey vs Ho-Ho-Kus

Dated: September 22, 2015

RESOLUTION AUTHORIZING MUNICIPAL ATTORNEY TO SETTLE 2013-2015 TAX APPEALS CAPTIONED
"CASEY V. HO-HO-KUS"

WHEREAS, James Casey and Patricia Casey are owners of real estate known as Lot 38.02 Block 502, better known as 12 Saddle Ridge Road, Ho-Ho-Kus, New Jersey; and

WHEREAS, the owners have filed Tax Appeals challenging the tax assessment for the years 2013-2015; and

WHEREAS, Lot 38.02 in Block 502 was assessed for the tax years 2013-2015 in the total amount of \$3,061,200; and

WHEREAS, the Borough has completed full discovery with respect to this matter, has consulted with the Borough's Appraiser and has conducted exhaustive negotiations with counsel for the Taxpayers; and

WHEREAS, the parties have been able to arrive upon a proposed settlement agreement as follows: Taxpayer to withdraw 2013-2014 appeals; a revised assessment of \$2,738,000 for 2015 and for 2016 a revised assessment of \$2,668,800; and

WHEREAS, the parties have agreed that prejudgment interest shall be waived as a condition of the settlement; and

WHEREAS, the Borough's Tax Assessor, Marie Merolla, is in agreement with the terms of this settlement and believes that it would be in the best interest of the Borough to settle this particular case in accordance with terms set forth above;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Municipal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Ho-Ho-Kus with respect to the Casey v. Ho-Ho-Kus Tax Appeal pending in the Tax Court of New Jersey under Docket Nos. 004211-2013, 003346-2014 and 004015-2015 at the new assessment set forth above and including the revised 2016 assessment set forth above.

BE IT FURTHER RESOLVED, that upon receipt of the Tax Court Judgment, the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the Taxpayer without statutory interest for the 2015 Appeal within sixty (60) days from the date of the Tax Court Judgment; and

BE IT FURTHER RESOLVED, that true copies of this Resolution are to be provided to the Municipal Clerk, Chief Financial Officer, Borough Tax Assessor, Borough Tax Collector and the Municipal Attorney.

I, Laura Borchers, Clerk of the Borough of Ho-Ho-Kus, Bergen County, New Jersey do hereby certify the attached to be a true copy of a Resolution adopted by the Mayor and Council on September 22, 2015.

Laura Borchers RMC/CMR

Borough Clerk

	Moved	Second	Ayes	Nays	Absent	Abstain
Mayor Randall						
Councilmember Troast	X		X			
Councilmember Shea			X			
Councilmember Rorty			X			
Councilmember Weiss					X	
Councilmember Shell		X	X			
Councilmember Iannelli			X			