

**MAYOR and COUNCIL of the  
BOROUGH of HO-HO-KUS  
BERGEN COUNTY, NEW JERSEY  
Resolution # 13-64**

Subject: Tax Appeal

Dated: May 28, 2013

**WHEREAS** Peter C. Marron and Martha V. Marron are owners of real estate known as Lot 11 in Block 403 and better known as 2 Jacquelin Avenue, Ho-Ho-Kus, New Jersey; and

**WHEREAS** the owners have filed tax appeals challenging the tax assessment for the years 2011-2013; and

**WHEREAS** Lot 11 in Block 403 was assessed for the tax years 2011-2013 in the total amount of One Million Five Hundred Ninety Thousand Six Hundred Dollars (\$1,590,600.); and

**WHEREAS** the taxpayer is seeking reduction in the total assessment for 2011-2013; and

**WHEREAS** the Borough has completed full discovery with respect to this matter, and has consulted with the Borough's Appraiser, Appraisal Systems, Inc. and has conducted exhaustive negotiations with counsel for the taxpayers; and

**WHEREAS** the parties have been able to arrive upon a proposed Settlement Agreement whereby the taxpayer would agree to withdraw its appeal for the year 2011 and there would be a revised assessment as follows: 2012 \$1,515,600.00; 2013 \$1,490,600. and 2014 \$1,465,600; and

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

**WHEREAS** the Chief Financial Officer has indicated that there are sufficient funds to refund the overpayment of taxes herein;

**WHEREAS** the Borough's Tax Assessor Marie Merolla and its Real Estate Appraiser, Appraisal Systems, Inc. are in agreement with the terms of this settlement and believe it would be in the best interest of the Borough to settle this particular case in accordance with the 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 Marron v. Ho-ho-Kus Tax Appeal pending in the Tax Court of New Jersey for the tax years 2011-2013 under Docket Nos: 7552-2011, 7813-2012 and 002948-2013 at the new

assessments set forth above and including the proposed assessment for 2014 hereinabove; and

**BE IT FURTHER RESOLVED** that upon receipt of the Tax Court Judgment that the Tax Collector is authorized to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, for 2012-2013 appeals within sixty (60) days from the date of the Tax Court Judgment; and

**BE IT FURTHER RESOLVED** that this settlement is subject to agreement and acceptance thereof by the taxpayers; and

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

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