

**BOROUGH OF MIDDLESEX
REGULAR MEETING
AGENDA
JANUARY 9, 2018
7 PM**

1. **MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of an annual meeting notice to the Star Ledger, Courier News and Home News, and posted at the Municipal Building.
2. **SALUTE TO FLAG**
3. **ROLL CALL:**

Dotey [] Parenti [] Madden [] Schueler [] Mikolajczyk []
Mayor DiMura []
4. **PRESENTATIONS**
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
 1. Proclaiming January 9, 2018 as National Law Appreciation Day
7. **NEW BUSINESS**
8. **PUBLIC HEARING & FINAL ADOPTION**
9. **ADOPTION OF MINUTES**
 1. Approval of the December 12, 2017 Regular Meeting Minutes & Executive Meeting Minutes, December 14, 2017 Special Meeting Minutes and January 1, 2018 Reorganization Meeting Minutes
10. **REPORTS**

MAYOR'S REPORT
11. **REPORTS - STANDING COMMITTEES:**
 1. Finance/Taxation/Real Estate/Insurance/Public Utilities
 2. Recreation/Fields/Swim Pool/Community Celebrations/Board of Health
 3. Fire/OEM/Rescue Squad
 - A. Approving Cody S. Tindle as an active member in the Middlesex Fire Department by the recommendation of the Board of Fire Officers.
 4. Public Works/Buildings & Grounds/Recycling

5. Police/Legal/Code Enforcement/Construction/Municipal Court/Shade Tree
6. Administration/Department of Senior Services/Legislation/Licensing/Board of Health/IT

12. PRIVILEGE OF THE FLOOR

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

- 13. CONSENT AGENDA/RESOLUTIONS:** Matters listed within the Consent Agenda have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action. The Resolutions listed below were submitted to the Borough Council for review and will be adopted by one motion.

1. Resolution #21-18 The Tax Collector is authorized to adjust 2017 Sanitary Sewer Use Charges on Block 290, Lot 1 from \$49,941.97 to an adjusted amount of \$34,959.38 based upon review of the Appeal Committee.
2. Resolution #22-18 The governing body approves refunding Audrey Movikov \$2500.00 for Street Opening Permit No. 2016-015, 32 Wilson Street, as the Plumbing Inspector and DPW Supervisor have found the roadway maintained in a satisfactory manner.
3. Resolution #23-18 Appointing John Madden as the Mayor's Representative and Vic Capolunghi as the Governing Body Representative to the Housing and Community development Committee for 2018
4. Resolution #24-18 The Tax Collector is hereby authorized to cancel taxes on Block 260, Lot 3 as the US Army Corps of Engineers purchased property and are exempt from paying taxes.
5. Resolution #25-18 The Treasurer is hereby authorized to remit the Condo Reimbursements for 2017
6. Resolution #26-18 The Treasurer is hereby authorizes transfer funds in the amount of \$30,200.00 for the current budget of 2017
7. Resolution #27-18 The Governing Body restate and endorse the established "Buy Local Policy"

8. Resolution #28-18 The Borough's Tax Appeal Attorney is authorized to execute on behalf of the Borough of Middlesex the attached Stipulation of Settlement pertaining to the tax appeals filed by The Dow Chemical Company and PCS-LEG Piscataway, LLC, under Docket Nos.: 005207-2014; 005352-2015; 006284-2016 and 005321-2017 for the properties identified on the Tax Map of the Borough of Middlesex as Block 353, Lots 1.01 and 1.02; Block 363, Lots 1, 2, 3 & 4 and Block 356, Lot 1.

9. Resolution #29-18 The Treasurer is hereby authorized to issue a check for \$2,000.00 to the Middlesex Board of Education for the 2018 Fall School Sports Awards.

14. NON-CONSENT AGENDA/RESOLUTIONS: Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.

1. Resolution #30-18 Pay All Claims
2. Resolution #31-18 Executive Session

15. AGENDA WORKSHOP ITEM

16. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

17. EXECUTIVE SESSION - Action may be taken immediately after Executive Session on any items posted below.

1. Deputy Court Administrator Salary
2. PBA Local #181 Contract Negotiation

18. ADJOURNMENT. The next Meeting will be on January 23, 2018

PROCLAMATION

NATIONAL LAW APPRECIATION DAY

WHEREAS, the health and safety of all Middlesex Borough residents is important to the happiness, prosperity and well-being of our families and community; and

WHEREAS, Middlesex Borough is the proud home of dedicated police officers who put their lives on the line to keep our communities safe; and

WHEREAS, these officers stand as leaders and teachers, educating the community about the importance of public safety; and

WHEREAS, we appreciate the extraordinary efforts and sacrifices made by officers and their family members on a daily basis, in order to protect our schools, workplaces, roadways, and homes; and

WHEREAS, National Law Enforcement Appreciation Day is an opportunity to show our support for law enforcement;

NOW, THEREFORE, I, Mayor Ronald J. DiMura, do hereby recognize January 9, 2018, as National Law Appreciation Day in our small community known as the Borough of Middlesex, in the County of Middlesex, State of New Jersey and I call this observance to the attention of all our citizens.

DATED: January 9, 2018

Kathleen Anello, RMC

Mayor Ronald J. DiMura

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #21-18

The Tax Collector is hereby authorized to adjust 2016 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be adjusted on the following properties:

<u>BLOCK</u>	<u>LOT</u>	<u>ORIGINAL AMOUNT</u>	<u>ADJUSTED AMOUNT</u>
290	1	\$49,941.97	\$34,959.38

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND
CORRECT ABSTRACT OF A RESOLUTION
REGULARLY ADOPTED AT A MEETING OF THE
COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT
COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #22-18

WHEREAS, Audrey Movikov was issued a street opening permit on 12/27/16; and

WHEREAS, Audrey Movikov deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 32 Wilson St. was inspected by Dan Niro, Plumbing Inspector and Bob Teutsch Public Works Director, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of Audrey Movikov, 32 Wilson St., Middlesex, NJ 08846, for refund of Street Opening Permit No. 2016-015.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #23-18

RESOLUTION APPOINTING JOHN MADDEN AS THE MAYOR'S REPRESENTATIVE AND VIC CAPOLUNGI AS THE GOVERNING BODY REPRESENTATIVE TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2018

WHEREAS, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2018; and

WHEREAS, the Borough of Middlesex is authorized to have a representative appointed to this Committee, one to be appointed by the Mayor and one to be appointed by the Governing Body; and

WHEREAS, the Mayor has appointed John Madden as his Class I representative to the Housing and Community Development Committee for 2018; and

WHEREAS, the Governing Body has appointed Vic Capolunghi as their representative to the HUD Committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that:

1. The Mayor hereby appoints John Madden as the Class I representative and the Governing Body hereby appoints Vic Capolunghi as its representative to the Middlesex County Housing & Community Development Committee for the year 2018.
2. The Borough Clerk is hereby authorized and directed to send a letter to the Housing & Community Development Committee advising the Committee of names, addresses and telephone numbers of the two people who will be serving as representatives for the Borough of Middlesex to the Housing & Community Development Committee for 2018.
3. This resolution shall take effect immediately.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #24-18

The Tax Collector is hereby authorized to cancel taxes on the following property. This property was bought by the US Army Corps of Engineers who are exempt from paying taxes.

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
260/3	Thru Lincoln Blvd	3 rd & 4th Qtr 2017- \$437.55 1 st & 2 nd Qtr 2018- \$812.54

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #25-18

The Treasurer is hereby authorized to remit the Condo Reimbursements for 2017 to the following:

Gramercy Gardens
Midatlantic Property Mgmt
315 Raritan Avenue
Highland Park, NJ 08904

\$ 7,981.94

Foxhall Condo Association
Attn: Sheila Paciullo, Manager
PO Box 233
Middlesex, NJ 08846

\$ 8,700.09

Hanover Square Condo Association
Alliance Property Management
PO Box 2207
Morrestown, NJ 07962-2207

\$ 6,603.15

Wilton Avenue
99 Wilton Ave
Middlesex, NJ 08846

\$ 3,833.05

Middlesex Village Condo Association
C/O Regency Management Group
35 Clyde Road, Suite 102
Somerset, NJ 08873

\$ 28,377.47

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #26-18

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2017:

Department	From	To
Senior Bus Transportation	\$700.00	
Senior Coordinator - Miscellaneous		\$700.00
Police - Overtime	\$14,500.00	
Municipal Clerk - Code Books		\$2,500.00
Legal Services - Miscellaneous		\$7,000.00
Engineering - Miscellaneous		\$5,000.00
Sewer Dept - S/W	\$5,000.00	
Parks Dept - S/W	\$5,000.00	
Recreation Dept - S/W	\$5,000.00	
Sanitary Landfill		\$5,000.00
Buildings & Grounds - Bldg Maint		\$5,000.00
Road Dept - Vehicle Repairs		\$2,000.00
Garbage Dept - Tires		\$2,000.00
Sewer Dept - Outside Maintenance		\$1,000.00
	\$30,200.00	\$30,200.00

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #27-18

WHEREAS, there are numerous businesses within Middlesex Borough that provide materials and services that are needed and contracted for by various boards, commissions, committees, and departments of the Borough of Middlesex; and

WHEREAS, the Governing Body of Middlesex Borough believes that they should fully support the business and professional community, located in Middlesex Borough, that supply quality materials and services to the residents of Middlesex Borough; and

WHEREAS, these businesses and professionals, located in Middlesex Borough, pay taxes, create jobs, and significantly contribute to and enhance the quality of life for the Middlesex Borough residents.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Middlesex that it restate and endorse the established "Buy Local Policy", and

That all departments, boards, commissions and committees be directed, whenever economically feasible and consistent with existing laws and our Borough financial policies, to purchase materials and services from business and professionals located in Middlesex Borough; and

BE IT FURTHER RESOLVED that the Governing Body of Middlesex Borough directs the Borough Clerk to send a copy of this resolution to all individuals responsible for making or approving Borough purchases or retaining services, including department heads and chairpersons of the various boards, commissions and committees.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #28-18

**RESOLUTION AUTHORIZING SETTLEMENT OF 2014 TO 2017 TAX APPEALS
FILED BY THE DOW CHEMICAL COMPANY AND PCS-LEG PISCATAWAY, LLC,
FOR THE PROPERTIES IDENTIFIED AS BLOCK 353, LOTS 1.01 and 1.02; BLOCK
363, LOTS 1, 2, 3 and 4; and BLOCK 356, LOT 1, ON THE TAX MAP OF THE
BOROUGH OF MIDDLESEX**

WHEREAS, The Dow Chemical Company was the owner of the properties identified on the Tax Map of the Borough of Middlesex as Block 353, Lots 1.01 and 1.02; Block 363, Lots 1, 2, 3, and 4; and Block 356, Lot 1; and

WHEREAS, The Dow Chemical Company filed appeals of the 2014 tax assessments on the properties in the Tax Court of the State of New Jersey under Docket No.: 005207-2014; and

WHEREAS, PCS-LEG Piscataway, LLC, purchased the properties identified on the Tax Map of the Borough of Middlesex as Block 353, Lot 1.01 and 1.02; and Block 356, Lot 1; and

WHEREAS, PCS-LEG Piscataway filed appeals of the 2015 to 2017 tax assessments of the properties in the Tax Court of the State of New Jersey under Docket Nos.: 005352-2015; 006284-2016 and 005321-2017; and

WHEREAS, a proposed settlement of the aforesaid tax appeals was negotiated between The Dow Chemical Company, PCS-LEG Piscataway, the Tax Assessor and the Tax Attorney as set forth in the Stipulation of Settlement annexed hereto; and

WHEREAS, pursuant to the Stipulation of Settlement, the aforesaid tax appeals are to be resolved as follows:

-The 2014 to 2016 assessments of the properties shall be affirmed.

-The 2017 assessments of the Block 353, Lots 1.01 and 1.02; and Block 356, Lot 1, shall be adjusted as follows:

Block: 353	Original	Adjusted
Lot: 1.01	<u>Assessment</u>	<u>Assessment</u>
Street Address: River Road	\$2,230,000	\$1,841,100
Block: 353	Original	Adjusted
Lot: 1.02	<u>Assessment</u>	<u>Assessment</u>
Street Address: River Road	\$358,000	\$358,000
Block: 356	Original	Adjusted
Lot: 1	<u>Assessment</u>	<u>Assessment</u>

Street Address: Baekeland Ave.
\$300,900

\$354,000

-The Assessor will set the 2018 assessments of the Block 353, Lots 1.01 and 1.02; and Block 356, Lot 1, properties as follows:

Block: 353	Land	\$ 577,900
Lot: 1.01	Improvements	\$ 563,600
Street Address: River Road	Total	\$1,141,500

Block: 353	Land	\$ 182,700
Lot: 1.02	Improvements	\$ -0-
Street Address: River Road	Total	\$ 182,700

Block: 356	Land	\$ 180,600
Lot: 1	Improvements	\$ -0-
Street Address: Baekeland Avenue	Total	\$ 180,600

-All refunds due as a result of this settlement shall be effectuated by way of credit against future taxes on the properties commencing with the first quarterly tax bill due following the entry of Judgments by the Tax Court.

-The tax payers waive any claim to statutory interest provided the appropriate credits are provided by the Borough.

WHEREAS, the Tax Assessor agrees it is in the best interests of the Borough to resolve the aforesaid tax appeals pursuant to the terms and conditions set forth above and in the Stipulation of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

WHEREAS, the aforesaid settlement is based on the specific and identifiable facts and circumstances pertaining to the properties and has no general application to other properties within the Borough; and

WHEREAS, the Mayor and Borough Council having reviewed and considered the pending tax appeals and the proposed settlement thereof agree and confirm it is in the best interests of the Borough to resolve the tax appeals as set forth herein and in the Stipulation of Settlement attached hereto; and

WHEREAS, the Mayor and Borough Council hereby make this settlement with The Dow Chemical Company and PCS-LEG Piscataway, LLC, without prejudice to its dealings with any other taxpayer requests for tax assessment reductions.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, as follows:

1. The Borough's Tax Appeal Attorney is authorized to execute on behalf of the Borough of Middlesex the attached Stipulation of Settlement pertaining to the tax appeals filed by The Dow Chemical Company and PCS-LEG Piscataway, LLC, under Docket Nos.: 005207-2014; 005352-2015; 006284-2016 and 005321-2017 for the

properties identified on the Tax Map of the Borough of Middlesex as Block 353, Lots 1.01 and 1.02; Block 363, Lots 1, 2, 3 & 4 and Block 356, Lot 1.

2. This settlement shall be without prejudice to the Borough's dealings with any other taxpayer requests or appeals for tax assessment reductions

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #29-18

The Treasurer is hereby authorized to issue a check for \$2,000.00 to the Middlesex Board of Education for the 2018 Fall School Sports Awards.

The Treasurer hereby certifies funds are available in the amount of \$2,000.00 are available in Account Number 7-01-30-420-001-138.

Caroline Benson, Treasurer

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #30-18

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #31-18

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

1. Deputy Court Administrator Salary
2. PBA Local 181 Contract Negotiations

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Attorney Id.# 035101994
**DiFrancesco, Bateman, Kunzman,
Davis, Lehrer & Flaum, P.C.**
15 Mountain Boulevard
Warren, New Jersey 07059-6327
(908) 757-7800
Attorneys for Defendant, Borough of Middlesex

<u>THE DOW CHEMICAL CO.</u>	:	TAX COURT OF NEW JERSEY
	:	Docket No.: 005207-2014
	:	
Plaintiff,	:	CIVIL ACTION
v.	:	
	:	STIPULATION OF SETTLEMENT
BOROUGH OF MIDDLESEX, a	:	
Municipal Corporation of the State	:	
of New Jersey,	:	
	:	
Defendant.	:	

<u>PCS-LEG PISCATAWAY, LLC,</u>	:	TAX COURT OF NEW JERSEY
	:	Docket Nos.: 005352-2015; 006284-2016;
	:	005321-2017
	:	
Plaintiff,	:	CIVIL ACTION
v.	:	
	:	STIPULATION OF SETTLEMENT
BOROUGH OF MIDDLESEX, a	:	
Municipal Corporation of the State of	:	
New Jersey,	:	

1. It is hereby stipulated and agreed between the parties that Judgments be entered confirming the assessments of the properties for the 2014, 2015 and 2016 tax years.

2. It is further hereby stipulated and agreed between the parties that Judgments be entered adjusting the assessments of the following properties for the 2017 tax year as follows:

Block: 353
Lot: 1.01
Street Address: River Road

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$1,125,000	N/A	\$ 956,250
Improvements	<u>\$1,105,000</u>		<u>\$ 884,850</u>
Total	\$2,230,000		\$ 1,841,100

Block: 353
Lot: 1.02
Street Address: River Road

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 358,000	N/A	\$ 358,000
Improvements	<u>\$ -0-</u>		<u>\$ -0-</u>
Total	\$358,000		\$358,000

Block: 356
Lot: 1
Street Address: Baekeland Avenue

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 297,600	N/A	\$ 252,960
Improvements	<u>\$ 56,400</u>		<u>\$ 47,940</u>
Total	\$ 354,000		\$ 300,900

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

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

5. Plaintiff expressly waives any claim for statutory interest pursuant to N.J.S.A. 54:3-27.2.

6. All refunds due and payable as a result of this settlement are to be satisfied by way of credit towards future taxes due and payable on the properties.

7. The parties agree this Stipulation of Settlement shall be binding upon any assignees, tenants and successors in interest to the properties. Plaintiff agrees to notify such assignees, tenants and successors in interest as may be required.

8. The parties acknowledge and agree the Freeze Act, N.J.S.A. 54:51a-8, shall not be applicable to the Judgments.

9. The Assessor has been consulted and has agreed to set the 2018 assessments of the properties as follows:

Block: 353	Land	\$ 577,900
Lot: 1.01	Improvements	\$ 563,600
Street Address: River Road	Total	\$1,141,500
Block: 353	Land	\$ 182,700
Lot: 1.02	Improvements	\$ -0-
Street Address: River Road	Total	\$182,700
Block: 356	Land	\$ 180,600
Lot: 1	Improvements	\$ -0-
Street Address: Baekeland Avenue	Total	\$ 180,600

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