

**EXPLANATION: THIS RESOLUTION AUTHORIZING THE TOWNSHIP SPECIAL TAX APPEAL ATTORNEY TO ENTER INTO A STIPULATION OF SETTLEMENT RELATIVE TO THE TAX APPEALS CAPTIONED LAMINGTON RIVER FARMS V. BEDMINSTER TOWNSHIP, DOCKET NOS. 009493-2011, 003831-2012, 007159-2013, 017767-2013, 017769-2013, 010183-2014 PENDING IN THE TAX COURT OF NEW JERSEY.**

**TOWNSHIP OF BEDMINSTER  
RESOLUTION NO. 2015-028**

**WHEREAS**, Lamington River Farms (“Taxpayer”), the owner of Fiddlers Elbow Country Club, located on Rattlesnake Bridge Road, Block 37.01, Lot 1.01 (the “Property”) on the Township of Bedminster’s Tax Assessment Maps, filed an appeal of its 2011, 2012, 2013 and 2014 regular tax assessments, and 2013 added assessments, on the Property in the Tax Court of New Jersey, Docket Nos. 009493-2011, 003831-2012, 007159-2013, 017767-2013, 017769-2013, 010183-2014; and

**WHEREAS**, the Tax Assessor inspected the property, the improvements being constructed on the property, reviewed the market and determined that the assessments and added assessments should remain the same and be affirmed for all of the years under appeal, but, that in accordance with his reassessment program adjustments are warranted for the 2015 tax year; and

**WHEREAS**, the Township Committee of the Township of Bedminster met and discussed the aforesaid Tax Appeal and the recommendations of the Township Tax Assessor and Special Tax Appeal Attorney; and

**WHEREAS**, an acceptable settlement of the aforesaid Tax Appeal has been negotiated in which all of the tax assessment and added assessments will be affirmed for all of the years under appeal, 2011, 2012, 2013, and 2014; and

**WHEREAS**, the 2015 reassessment of the property will be adjusted and the new total tax assessment for 2015 shall be set at \$14,000,000; and

**WHEREAS**, either party shall have the right to file a tax appeal for the 2015 tax year to obtain a judgment to implement, enforce and /or confirm the agreed upon assessment of \$14,000,000; and

**WHEREAS**, as a result of the Assessor's agreed upon adjustment of the 2015 assessment there will be no payment of refunds to the taxpayer on account of this tax appeal; and

**WHEREAS**, the Taxpayer constructed during 2014 assessable improvements to the Property that were completed prior to October 1, 2014, but, in the Township Tax Assessor's opinion were already incorporated in the true and assessable value of the Property for 2014, the Assessor has not imposed and has agreed not to impose any added or omitted assessments for improvements completed prior to October 1, 2014; and

**WHEREAS**, the Taxpayer is in the process of constructing assessable improvements that will be completed in 2015, the Assessor is not, pursuant to the settlement, prevented, inhibited or restricted from placing added and/or omitted assessments on the Property for work completed after the 2015 valuation date of October 1, 2014; and

**WHEREAS**, the Township Committee leaves the allocation between land and improvements of the aforesaid 2015 tax assessment to the Township Tax Assessor's discretion with the direction that the same be set so as to be most beneficial to the Township; and

**WHEREAS**, the Township Committee ratifies the Township Tax Assessor's assessment of the property for the 2015 tax year pursuant to the reassessment of the taxing district at a total tax assessment of \$14,000,000; and

**WHEREAS**, the Township Committee has reviewed the Stipulation of Settlement the terms of which are incorporated into this Resolution by reference thereto; and

**WHEREAS**, the aforesaid settlement has no general application to other properties within the Township of Bedminster as a result of the aforesaid specific facts situation; and

**WHEREAS**, the Township Committee will make this settlement with Lamington River Farms without prejudice to its dealings with any other Bedminster Township Taxpayer's request for a tax assessment reduction.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bedminster, in the County of Somerset, and State of New Jersey, as follows:

1. The Township of Bedminster's Tax Assessor has established the allocations between land and improvements of a 2015 total tax assessment of \$14,000,000 for Block #15-028

37.01, Lot 1.01, which is most beneficial to the Township of Bedminster.

2. The Special Tax Appeal Attorney is authorized to execute the Stipulation of Settlement annexed hereto and incorporated herein by this reference, relative to the tax appeal of Lamington River Farms, Docket Nos. Docket Nos. 009493-2011, 003831-2012, 007159-2013, 017767-2013, 017769-2013, 010183-2014.

3. The form of Stipulation of Settlement is annexed hereto, having been reviewed by the Township Committee of the Township of Bedminster.

4. The settlement outlined above shall be without prejudice to the Township's dealings with any other Township taxpayers' request for tax assessment reductions.

ATTEST:

BEDMINSTER TOWNSHIP  
COMMITTEE:

By: \_\_\_\_\_  
Judith A. Sullivan, RMC  
Township Clerk

\_\_\_\_\_  
Steven E. Parker, Mayor

**CERTIFICATION**

I, Judith Sullivan, Township Clerk of Bedminster, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a Regular Meeting held on January 20, 2015.

\_\_\_\_\_  
Judith A. Sullivan, Township Clerk

Introduced	Seconded	Township Committee	Aye	Nay	Abstain	Absent
		<b>Steven E. Parker, Mayor</b>				
		<b>Bernie Pane</b>				
		<b>Lawrence F. Jacobs</b>				
		<b>Staci Santucci</b>				
		<b>Ken Olsen</b>				