

Borough of Franklin, County of Sussex

Resolution #2025-101

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL LITIGATION FOR REAL PROPERTIES COMMONLY KNOWN AS 577 AND 597 ROUTE 23, IDENTIFIED ON THE MUNICIPAL TAX MAP AS BLOCK 102, LOT 2.01 (PRIOR BLOCK 3, LOT 14.03) AND BLOCK 102, LOT 3 (PRIOR BLOCK 3, LOT 4), RESPECTIVELY, IN THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY

WHEREAS, Franklin Shopping Center, LLC and Franklin Shopping Plaza, LLC are prior owners (collectively, the “Owners”) in the chain of title of two (2) separately assessed properties commonly known as 577 and 597 Route 23, identified on the Official Tax Map of the Borough of Franklin (“Borough”) as Block 102, Lot 2.01 (prior Block 3, Lot 14.03) and Block 102, Lot 3 (prior Block 3, Lot 4), respectively, in the Borough of Franklin, County of Sussex, and State of New Jersey (collectively, the “Properties”); and

WHEREAS, the Owners filed real property tax appeals in the Tax Court of New Jersey contesting the tax assessments on the Properties for certain tax years under Docket Numbers 012523-2010, 012517-2010, 012203-2011 and 012526-2012; and

WHEREAS, the parties have engaged in extensive settlement negotiations involving the Tax Assessor and appraisal experts; and

WHEREAS, as a result of said negotiations, the parties have reached a global settlement agreement whereby the Owners shall withdraw the appeals filed under Docket Numbers 012517-2010, 012203-2011 and 012526-2012, in exchange for a one (1) year adjustment under Docket Number 012523-2010 as follows:

<u>Property</u>	<u>Year</u>	<u>Original Assessment</u>	<u>Proposed Settlement</u>
577 Route 23	2010	\$1,978,500	\$978,500

WHEREAS, the Tax Assessor is of the opinion that it is in the best interest of the Borough to settle these appeals as summarized above and in accordance with the terms and conditions set forth in the proposed form of stipulation of settlement attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Council, having conferred, is of the opinion that this settlement is being made in the best interest of the Borough.

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

1. The settlement of the tax appeals identified herein is hereby authorized as follows:

Borough of Franklin, County of Sussex

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<u>Property</u>	<u>Year</u>	<u>Original Assessment</u>	<u>Proposed Settlement</u>
577 Route 23	2010	\$1,978,500	\$978,500
597 Route 23	2010	\$799,500	Appeal Withdrawn
577 Route 23	2011	\$849,700	Appeal Withdrawn
597 Route 23	2011	\$257,100	Appeal Withdrawn
577 Route 23	2012	\$570,000	Appeal Withdrawn

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
3. The Tax Collector is hereby authorized to refund the appropriate taxes in accordance with the terms of this Resolution and Stipulation of Settlement attached hereto upon entry of Final Judgment by the Tax Court.
4. The tax refund shall be made payable to “Skoloff & Wolfe, P.C., Trust Account” and delivered to Robert Giancaterino, Esq., Skoloff & Wolfe, P.C., 293 Eisenhower Parkway, Livingston, New Jersey 07039 within 120 days from the date of entry of Final Judgment.
5. This Resolution shall take effect immediately.

CERTIFICATION

I, Colleen L. Little, Borough Clerk of the Borough of Franklin, Sussex County, New Jersey do certify the above to be a true and correct copy of a resolution adopted by the governing body at a regular meeting held on Tuesday, December 16, 2025.



Colleen L. Little, Borough Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
PATRICIA CARNES	X			
CONCETTO FORMICA	X			
RACHEL HEATH	X			
JOSEPH LIMON	X			
STEPHEN SKELLENGER	X			
GILBERT SNYDER	X			
MAYOR SOWDEN (Tie Only)				