

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-57

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING  
CHANNING P. IRWIN, BLOCK 8, LOT 14 and C.P. IRWIN REALTY ASSOCIATES,  
BLOCK 9, LOT 32.01 A/K/A IRWIN YACHT WORKS**

Councilman Whelan offered the following resolution and moved its adoption:

**WHEREAS**, Channing P. Irwin appealed to the Tax Court of the State of New Jersey under Docket Nos. 007757-2011, 000840-2012, 004283-2013, 000823-2014, 000120-2015 and - 2016 pertaining to the tax assessments for the 2011, 2012, 2013, 2014, 2015 and 2016 tax years for the property designated on the municipal tax records as Block 8, Lot 14.0; and C.P. Irwin Realty Associates appealed to the Tax Court of the State of New Jersey under Docket Nos. 07464-2011, 00839-2012, 004278-2013, 000822-2014, 000130-2015 and -2016 pertaining to the tax assessments for the 2011, 2012, 2013, 2014, 2015 and 2016 tax years for the property designated on the municipal tax records as Block 9, Lot 32.01. The two aforementioned properties are hereinafter collectively referred to as the "Irwin Yacht Works Properties"; and

**WHEREAS**, Channing P. Irwin and Christine Irwin are the owners of C. P. Irwin Realty Associates; and

**WHEREAS**, the Assessor and the Attorney have advised the Governing Body that they, along with the Borough's valuation expert, have carefully considered the appeal and upon reviewing all the facts and based upon appropriate adjustments of fair market value that they recommend settlement providing for the settlement of the aforementioned appeals on the terms as set forth in the attached proposed Stipulations of Settlements for the Irwin Yacht Works Properties; and

**WHEREAS**, these settlements will result in refunds/credits to: (1) Channing P. Irwin (Block 8, Lot 14) in the total amount of **\$11,104.22**; and (2) the C.P. Irwin Associates (Block 9, Lot 32.01) in the total amount of **\$18,486.62**.

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Red Bank that the recommended settlement of the above mentioned Tax Court appeal is hereby authorized and approved.

**BE IT FURTHER RESOLVED** that the attorney of record for the Borough on these appeals is authorized and directed to take appropriate steps to implement this resolution.

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Tax Assessor; to the Tax Collector and Channing P. Irwin and C.P. Irwin Realty Associates c/o Paul Tannenbaum, Esq., Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, NJ 08837, attorneys for the property owners; and to Daniel J. O'Hern, Jr., as attorney of record for the Borough of Red Bank.

Seconded by Councilman Taylor and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	( x )	( )	( )	( )
Councilman Zipprich	( )	( )	( x )	( )
Councilwoman Horgan	( )	( )	( )	( x )
Councilwoman Schwabenbauer	( )	( )	( x )	( )
Councilman Taylor	( x )	( )	( )	( )
Councilman Whelan	( x )	( )	( )	( )

Dated: April 13, 2016