

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF FRANKLIN REGARDING THE
2009 TAX REASSESSMENTS AND FUTURE ASSESSMENTS**

WHEREAS, the Constitution of the State of New Jersey requires that all property be assessed for taxation under general laws and by uniform rules, and that all property be assessed according to the same standard of value and taxed at a general tax rate; and

WHEREAS, pursuant to the mandate of the State Constitution, the Legislature requires that all real property which is not expressly exempted from taxation be subject to taxation annually, N.J.S.A. 54:4-1; and

WHEREAS, the Director of the Division of Taxation has the authority to order or make a reassessment of any property when he has reason to believe that any property has been assessed at a rate lower than is consistent with the purpose of securing uniform taxable valuation of property according to law for the purpose of taxation, or that the assessment of property according to law in a taxing district, is not in substantial compliance with the law and that the interest of the public will be promoted by a reassessment; and

WHEREAS, a municipal-wide reassessment had not been undertaken in the Township of Franklin ("Township") in the two years immediately prior to 2009, and therefore, the Somerset County Board of Taxation and the Division approved the application of the Township to conduct a reassessment of properties in the municipal district for Tax Year 2009; and

WHEREAS, as a result of that reassessment, a number of properties, particularly commercial properties, in the municipal district, were impacted by the municipal reassessment, which resulted in increases in many of those property tax assessments, while also resulting in a decrease in a significant number of other properties; and

WHEREAS, the Council received correspondence from several commercial property owners, and during Council meetings heard concerns raised by several commercial property owners regarding the impact of the municipal reassessment on their respective properties and businesses; and

WHEREAS, the Council fully understands and shares the concerns that have been raised by some of these property owners because the economic health and fiscal stability of the commercial properties and businesses in the Township is vital to the general welfare of the Township and residents and the community at-large; and

WHEREAS, the Council strongly recognizes the importance in ensuring that any future municipal assessment or reassessment conducted by the Tax Assessor or any other party, take into consideration the concerns and issues that were raised regarding the 2009 reassessment, in addition to all factors, data and information that may have an impact on property values in the Township, and in this regard, provide every opportunity to property owners and the business community to communicate and express any concerns regarding their respective properties and/or businesses and to provide any data or information that should be considered or taken into account regarding the valuation and any future assessment or reassessment of property in the Township; and

WHEREAS, in furtherance of and in support of this recognition and the Mayor and Council's commitment in this regard, the Mayor and Council of the Township of Franklin have requested that the Tax Assessor review and take into consideration the concerns that have been raised by the property owners this year and develop and implement appropriate procedures and processes to ensure that these concerns are taken into account in future valuations of the property and also take all applicable action to ensure that the Mayor and Council be timely advised and all property owners provided with advance notice of any reassessment of their property and are afforded an opportunity to present and be heard regarding any matters relating to the valuation of their property or the impact of a municipal reassessment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin as follows:

- 1) The above Recitals are incorporated herein by reference.
- 2) This Resolution shall be presented to the Tax Assessor, as a formal request that he respectfully, take all appropriate measures in accordance with law, to ensure that all properties in the Township continue to be fairly and accurately assessed, and that in conducting or carrying out any future reassessments, that the Mayor and Council be timely advised and all affected property owners and businesses be provided proper notice of any impending municipal reassessment approved by the Somerset County Board of Taxation and the Division of Taxation, and an opportunity to be heard be afforded, regarding any issue or concern relating to the valuation of the property.
- 3) This Resolution shall take effect immediately.

CERTIFICATION

I, Ann Marie McCarthy, Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on the 22nd day of September 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 23rd day of September 2009.

Ann Marie McCarthy
Township Clerk