

Carluccio, Leone, Dimon, Doyle & Sacks, LLC



A quarterly letter of legal news
and information for the friends of
Carluccio, Leone, Dimon, Doyle & Sacks, LLC

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FIRM COMMITMENT

Winter 2017

Thinking of Taking a Tax Appeal? Consider the Facts. Let Us Help You.

As the calendar turns to a new year, it is time to evaluate your property taxes. If you haven't already, you will receive a postcard from your municipality telling you what the assessment on your property is. The only way to effectively reduce your local property tax, whether for your residential or commercial property, is by reducing the assessment the municipality has placed on your property. You have a limited time to appeal the assessment given by the town. Generally, the deadline for filing a tax appeal is April 1, 2017 and no extensions are granted.

Does your property's assessment properly reflect the correct current market value? Chances are it doesn't. While the law presumes the assessment is valid, you have the right to challenge the assessment. That is usually done by filing an appeal with the County Board of Taxation. Included in the appeal is a form to be filled out as well as a certification that it has been delivered to several municipal offices and the county office. Negotiations usually commence once an appeal is filed with the Municipal Assessor. In certain cases an appraiser is hired to provide an appraisal based upon recent comparable sales. Taxpayers may find the entire appeal process very challenging. That is where an attorney can assist in relieving the taxpayer of the stress and time associated with the appeal.

Since the last round of municipal assessments, our firm has helped thousands of taxpayers collectively obtain assessment reductions totalling over \$100,000,000, resulting in lessening their overall burden by over \$2 million.

Reducing an assessment in one year will provide a reduced assessment often for years to come because the assessment remains constant until the municipality reassesses the entire township. For instance, such revaluations did not occur until fifteen years after the prior one in Brick and Toms River.

Generally we work on a contingent fee, so that no fee is paid unless we successfully obtain a reduction in your taxes. While a reduction will benefit you for years to come our fee is only based upon the savings for the first year and is only a portion of the savings. The filing fee, depending upon the assessment of your property, is between \$25 and \$150. The filing of an appeal, the negotiations and possible hearing that takes place subsequently can be a difficult process for the lay person.

Hopefully our experience in the area of law can provide a service to you that will be financially meaningful. We are prepared to offer a free telephone consultation with any taxpayer who wants to find out more about the process and the possibilities of having their taxes reduced. We know that the past results we have obtained for our many clients does not guarantee future decisions. We hope though, that you will find that our experience and knowledge will assist you in providing a beneficial outcome. Please remember that there is a deadline and the paperwork needs to be filed in the proper way and in a timely manner.



John Paul Doyle, Esq.



Message from the Managing Member

2016 was a terrific year for CLDDS! We had one of the biggest settlements in the firm's 19 year history, our team grew with the addition of a 15th attorney and eight of our attorneys have been AV-rated by Martindale-Hubbell. As we punctuate the last sentence of chapter "2016" we are looking forward to beginning the next chapter with our team becoming 16 attorneys strong and celebrating the firm's 20th Anniversary.

Reflecting on the prior year, it's important to take note, plan and resolve to make the upcoming year even better. Planning ahead with an attorney to assist you will not only help to protect your interests, it will also help to avoid stress and costly issues in the future. Impending marriage, starting a business, estate planning or whatever new venture 2017 has in store for you, we can help ensure a strong foundation from the outset, or review and update agreements that have already been established, as situations and laws continue to change. We wish you health and happiness as you begin your chapter "2017".

CLDDS FAMILY

ANNOUNCEMENTS & ACCOMPLISHMENTS



Mariana Rosa, a full-time paralegal at CLDDS, earned her Bachelor's Degree in Sociology from Kean University. Congratulations!! And good luck as you take the next steps toward earning your Master's Degree!

On November 3rd, **Jonathan Z. Petro** danced the ChaCha at Girl Scouts of the Jersey Shore's Annual *Dancing with Our Stars* competition. This year's event raised \$76,000.00 for charity.



Robert L. Gutman, John Paul Doyle, Jonathan Z. Petro, Neil Brodsky and Louis A. Felicetta at the Greater Toms River Chamber of Commerce 52nd Annual Awards Reception honoring Jonathan as Distinguished Citizen of the Year.



On November 17th CLDDS participated in the Mega Chamber Expo held at Martell's Tiki Bar in Point Pleasant.

Congratulations to **Peter M. Draper** on his engagement to Diana Holland.
Best wishes for a happy, healthy marriage!



2017 Resolutions Around the Office

Jonathan Z. Petro: To take greater advantage of living at the shore in the summer.

Mariana Rosa: To read more books.

Judy Aloia: To not brush her cat's fur with a vacuum again and lower her vet bills.

Isobel Loffredo: To eat healthier and incorporate more exercise into my life!!!

Audra Carlutz: To finish unpacking, purging and organizing her house from her June 2016 move.

Karyn Joos: To be more politically correct.

Anthony Berardi: To slow down.

Nancy Nichols: To reduce her dependence on nicotine and baked goods, live a healthier lifestyle, budget more wisely, and to fully appreciate the people that she is blessed to have in her life.



CLDDS would like to extend a warm welcome to our newest team member...

Judy Aloia, legal secretary, joined CLDDS in late October.

In her free time, she enjoys reading, traveling, volunteering with the local Manchester Pet Club and spending time with her cats, Sparky & Scampi. *Welcome Judy!*

NOTE: The articles herein contained are provided as general information for our clients, friends and business associates. They are not intended to serve as a substitute for or supplement to legal counsel. Information in these articles is considered to be general in nature and does not apply to the reader's individual situation, circumstances, and jurisdiction.



NJ Gas Tax Increase UPDATE

Gas tax in NJ increased by 23¢ per gallon

On October 14, 2016 Governor Christie signed legislation which increases the tax on gasoline by twenty three cents (23¢) per gallon of gas beginning on November 1, 2016. The legislation also phases in an elimination of the New Jersey Estate Tax increasing the threshold from the current \$675,000 to \$2,000,000 effective January 1, 2017 and then eliminating that tax effective on January 1, 2018. The legislation also reduces the sales tax over a two year period by a total of .375%. The legislation also increases the retirement income exclusion from its current level of \$20,000 to \$100,000 in stages over the period from 2017 through 2020.

The gasoline tax rate could increase or decrease in the future (after the November increase) depending on the consumption of gas in New Jersey. This is because the legislation sets a target for funds raised and puts a cap on the amount to be raised. If gas consumption decreases, the tax rate could increase since a specific dollar amount is to be raised. Conversely, if gas consumption increases, the tax rate will go down due to the cap.

Since only a portion of the gas tax is currently dedicated to the Transportation Trust Fund (to fund roads and bridges) there is a ballot measure on the November 8th ballot to make a change to the New Jersey State Constitution to dedicate the entire amount of the gas tax to the Fund.

While the Estate Tax is being phased out, the inheritance tax (imposed on gifts to someone other than parents, spouses, children and grandchildren) is not changed. If the Estate Tax repeal remains in place it could vary estate planning for some individuals.

Finally, there is also a new tax deduction for veterans and an increase on the Earned Income Tax Credit for the working poor.

If you have questions about how this tax may affect your business or your estate, please contact Joseph LaCosta at 732.797.1600 or email LaCosta@cldds.com.



Joseph J. LaCosta, Esq.
Attorney and CPA



Starting a Business? Why Hiring a Lawyer is Critical.

Let's face it. If you are starting a new business, the last thing you think your business needs is an attorney. However, here are five reasons why hiring an attorney is absolutely critical to protect your business.

Preparation and Preemption: Preparation is key. Creating a business involves an incredible amount of paperwork and legal formalities. A good lawyer can help you prepare for the effective operation of your business and ensure you are in compliance with Federal and State laws. This, in turn, can help you avoid legal issues and worse, litigation, in the future. If you wait until you are sued to hire an attorney, it's already too late. Fixing a mistake later costs more.

Choosing the Right Business Structure: Partnership? S Corporation? C Corporation? Sole Proprietorship? Limited Liability Company? Limited Partnership? Do you know the difference? Choosing the right business structure for your business is critical, as your choice will bear directly on your business' potential exposure to liability. Our attorneys will work with you to help you choose which business structure is right for you and assist you in preparing the paperwork necessary to accomplish same.

Contract Formation: It is inevitable that a business, large or small, will have to enter into contracts with various individuals and entities. Whether these contracts are with partners, shareholders, officers, directors, or employees of the business or with unrelated third parties, they should be memorialized in a written agreement. Preparing contracts or forms of contracts at the outset can help protect your business from liability and avoid lawsuits. Our attorneys will examine the unique characteristics of your business and help you prepare the necessary contracts to protect you from potential exposure.

Protecting Your Property: The success of your business depends on protecting your ideas, products, trade secrets, business processes, customer information and other business property and information. Our attorneys can help you prepare the necessary paperwork to preserve your right to your information and property.

Avoiding Employment Issues: There are numerous Federal and State employment laws that govern employer-employee relationships. These laws establish regulations concerning compensation, hours, overtime, sexual harassment, and discrimination. Our attorneys can help protect your business and limit your exposure to employment lawsuits by ensuring your business acts in compliance with the applicable laws.

Our business attorneys can guide you step-by-step through the process of starting a business and ensure your best interests are protected at all times. To find out more about what our firm can do for you, call (732) 797-1600 to request a free initial consultation today.



Marguerite Kneisser, Esq.
Senior Associate

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