



McKIRDY
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ATTORNEYS AT LAW

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HIGHLIGHTS

Admitted 1998, New Jersey

EDUCATION

Seton Hall University School of Law, J.D., 1998
Rutgers University, B.A., 1991

MEMBER

New Jersey State Bar Association

RELATED PRACTICES

Condemnation Law
Property Tax Appeal
Redevelopment

Richard P. De Angelis, Jr.

Experienced, committed and respected in the areas of eminent domain law, redevelopment and property tax appeals, Richard De Angelis fights to ensure just results for his clients.

Mr. De Angelis has prosecuted tax appeals throughout New Jersey, which has resulted in significant property tax savings for his clients. He has successfully challenged redevelopment designations thereby protecting private property from being condemned. And, when faced with the awesome power of government to take private property through eminent domain, Mr. De Angelis has helped his clients maximize their just compensation. His practical approach helps clients quickly identify an attainable goal and develop a strategy to achieve it within each individual circumstance.

“The right to protect private property is a fundamental constitutional principle. Sometimes local and state government overreach when taxing real estate or exercising the awesome power to take private property through eminent domain and that is where we come in. We are committed to ensuring that our clients achieve just results: that they are taxed fairly; that their property is not wrongfully taken; and, in the event the power to acquire property through eminent domain is properly exercised, that our clients receive just compensation.”

Representative Cases

► Redevelopment

- In *Stations, Inc. v. Township of East Hanover and Planning Board of the Township of East Hanover*, Mr. De Angelis challenged the designation of his client's property as an area in need of redevelopment. The Law Division of the Superior Court, agreed that the property did not meet the statutory criteria required for the designation and reversed and vacated the municipal action.
- De Angelis successfully appealed the dismissal by the trial court of a challenge to the designation of his client's property as an area in need of redevelopment that was filed eight years after the statutory deadline. Under the precedent-setting decision in *Harrison Redevelopment Authority v. DeRose*, the Appellate Division of the New Jersey Superior Court held that a property owner is entitled to full and complete notice at the time of the designation, otherwise the owner's right to challenge the designation is preserved until such time as the municipality seeks to acquire the property by eminent domain.
- De Angelis has successfully represented numerous property owners in proceedings before local land use boards opposing the designation of their properties as an area in need of redevelopment.

► Condemnation

- De Angelis successfully negotiated \$160,300 in relocation assistance for a property owner to compensate for the interruption of business operations as a result of a taking by the NJ Department of Transportation (DOT) of a part of the owner's property and the associated on-site improvements to cure the damage caused by the taking. Also, where DOT's offer of just compensation was \$220,000 for the partial taking of a ten foot strip along a state highway, Mr. De Angelis successfully negotiated a settlement of \$525,000 on the morning of the scheduled jury trial.



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Representative Cases (cont'd)

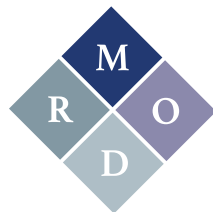
- In a taking by a municipality of a property improved with a small professional office building, Mr. De Angelis successfully negotiated relocation assistance in the amount of \$350,000 to relocate a dental office. In addition, Mr. De Angelis was able to keep his client in the building for nearly one year after the initial threatened eviction date.
 - In a taking by the NJ Department of Transportation (DOT), where the offer was \$221,000 for a taking of part of a parking lot, Mr. De Angelis received an award of \$395,000.
- Tax Appeals
- In a multi-year tax appeal for a property improved with a 40,000 sq. ft. retail building in Hudson County, Mr. De Angelis negotiated a settlement that resulted in a refund of more than \$263,000. The reduction in the final year under appeal was 17% that carried forward for an annual tax savings of approximately \$35,000 per year.
 - In a multi-year tax appeal for a property improved with a 10,000 sq. ft. retail building in Hudson County, Mr. De Angelis negotiated a settlement that resulted in a refund of more than \$125,000. The reduction in the final year under appeal was 55% that carried forward for an annual tax savings of approximately \$42,000.
 - In a multi-year tax appeal for a property improved with a 74,000 sq. ft. retail building in Mercer County, Mr. De Angelis negotiated a settlement that resulted in a refund of more than \$200,000. The reduction in the final year under appeal was 22% that carried forward for an annual tax savings of approximately \$69,000 per year.
 - On the eve of trial for a multi-year tax appeal involving an unimproved 2.7 acre parcel of land in an industrial area in Passaic County, Mr. De Angelis successfully negotiated a settlement that resulted in more than \$80,000 in tax refunds to his client. The agreement included also a negotiated reduction in the assessment for the year following the last year under appeal that reduced the tax liability by 26% and resulted in a total annual tax savings of nearly \$18,000 going forward.

Professional Involvement

- New Jersey State Bar Association, Land Use Section.
- Morris County Bar Association.
- Lecturer and panelist for New Jersey Institute for Continuing Legal Education, New Jersey Redevelopment Authority and Morris County Bar Association.

Noteworthy

- Special Counsel for real property tax appeals for the Township of Parsippany in Morris County (2018 – Present).
- Special Counsel for real property tax appeals for the Township of Randolph in Morris County (2003-2010), and the Borough of Roseland in Essex County (2010-2011).
- Associate municipal attorney in Phillipsburg (Warren County), Lyndhurst (Bergen County) and Jefferson (Morris County) handling land use, condemnation, licensing, and real property tax appeals.
- Special Counsel to Acting Governor Donald DiFrancesco of New Jersey in 2001, advising on legal issues related to government ethics, employee conduct and communications. Also participated in vetting prospective cabinet nominees.



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Noteworthy (cont'd)

- ▶ Member of the Privacy Study Commission (2002-2004). The PSC was a temporary commission created under New Jersey's Open Public Records Act (OPRA) to study the privacy issues raised by the collection, processing, use and dissemination of information by public agencies.
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Reported Opinions

- ▶ Harrison Redevelopment Authority v. DeRose, 398 N.J. Super. 361 (App. Div. 2008)
 - ▶ Trebour Trs. v. Randolph Tp., 25 N.J. Tax 227 (Tax 2009)
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Publications

- ▶ "Nonprofit Hospitals and Tax Exemptions in New Jersey" – New Jersey Law Journal, March 4, 2016, co-author.
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Civic Involvement

- ▶ Member, Board of Directors, Community Options, Enterprises, Inc. (2015-Present)
- ▶ President, Board of Directors, Parsippany Soccer Club (2008-2017, President – 2014-2015)