

MORRIS COUNTY

## What's service to your country worth? At least \$50,000, this Morristown vet says

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Published 5:05 a.m. ET Oct. 25, 2019 | Updated 4:47 p.m. ET Oct. 27, 2019

It took 10 years for the U.S. Department of Veterans Affairs to declare Livio “Lee” Colantone “totally” and permanently disabled.

The complex claims process brought some relief for the 91-year-old Korean War veteran — his Morristown home would be exempt from property taxes. But while he was waiting, Colantone also suffered two strokes and lost so much of his vision and hearing that he could no longer drive.

When he finally received his 100% disability rating last year, retroactive to 2013, Colantone had paid about five years’ worth of taxes — some \$50,000 — from the date Veterans Affairs concluded that his service-related disability had become debilitating and irreversible.

Colantone is asking for that money back now — but he's finding that service and sacrifice to one's country aren't always enough to get a tax refund in New Jersey.

For months, he has appealed to Morristown for a reimbursement, citing a state statute that allows veterans or their surviving spouses to petition a municipality for a tax refund retroactive to an effective date of disability.

Morristown has so far refused, highlighting a predicament every New Jersey town with disabled veterans faces: Do they return taxes paid during the VA's often lengthy reviews or grant the tax exemption only going forward?

“It’s a difficult decision for any elected official,” said Kevin Esposito, Morristown’s assessor. “They made the commitment to provide him [Colantone] what he’s entitled to, but going back in time, that’s another commitment that they would have to make.”

Morristown exempts 10 disabled veterans from property taxes, after adding Colantone last year. The town has never issued a refund for taxes based on a disability claim, Esposito said.

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Morristown, Gen. George Washington's onetime headquarters, styles itself the “military capital of the American Revolution.” It has a moral responsibility to return money erroneously paid by disabled veterans, Colantone believes.

“This town is noted for their veterans, going back to the Revolutionary War,” he said. “How can you deny a man that serves his country something like this?”

Town officials would not comment on why Colantone’s request was rejected, but Esposito said granting such a reimbursement can financially strain towns and set a costly precedent.

“The problem is that the budgets for those years have been long gone,” he said. “If other veterans come along with the same claim, you more or less have to grant it.”

Morristown’s administration, via Town Attorney Vijayant Pawar, said it “did everything right.”

“We’ve always been 100% supportive of veterans and their needs, and when a veteran submits the proper documentation, the property is declared to be exempt,” Pawar said. “That’s what the law requires, and that’s what we did.”

State lawmakers last year introduced a bill, A-2472, that would make a veteran's tax exemption retroactive to the date of disability and require municipalities to refund any property taxes paid thereafter. The state would reimburse communities for the payments, according to the proposal.

“We shouldn’t be arguing once you’re declared 100% disabled that, ‘Oh, well, sorry it took so long, but we can’t go back in time to fix it,’ ” said the bill's sponsor, Assemblyman Wayne DeAngelo, a Democrat who represents parts of Mercer and Middlesex counties. “It’s not veterans’ fault the government takes so long to do things.”

The potential cost to the state has yet to be calculated, DeAngelo said. About 10,100 veterans in New Jersey had a 100% disability rating in 2018, according to the most recent data from the National Center for Veterans Analysis and Statistics. The state bill is in committee in both the General Assembly and the Senate.

Colantone has contacted state lawmakers, vowing to keep fighting not just for himself but for other veterans as well.

“All I want is some recognition,” he said. “It would help a lot of veterans that need care.”

Colantone spends much of his time on the ground level of the two-story home on Willard Place that he shares with his wife, Angelina, surrounded by maps, letters and tokens from his military service.

Nine months of fighting in frigid North Korean weather left him so bitterly averse to cold that he keeps the thermostat at 80 degrees.

Colantone came back from the war with frostbitten hands and feet, hearing damage from artillery fire — and a Bronze Star for heroism. He refuses to discuss how he earned the medal; his wife said talking about it makes his blood pressure rise.

“You always think about the war,” he said. “You don’t sleep nights; you think about the guys that were killed.”

Colantone, who moved to Morristown in 1952, said he plans to live until 100, and a tax refund would help with his finances. The vast majority of the reimbursement would go to charities and veterans' causes, he said.

“I don’t need the money,” Colantone said. “The thing is, it’s the principle.”

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