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Vexed township sues Toms River nursing home

Security measures sought at Dover Woods

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Frustrated by constant police calls at Dover Woods Health Care Center, township officials Wednesday asked a judge to force the adult home's owners to improve security at the facility.

The township wants a court order that would compel Dover Woods' owner, Erez Healthcare Realty Co., LLC, to immediately install 24-hour security cameras, hire uniformed guards to monitor residents' whereabouts, provide a shuttle bus service for residents and impose an overnight curfew.

Mayor Thomas F. Kelaher said the township decided to file suit because officials believe Dover Woods, a 232-bed residential care facility on Route 70, presents a hazard to its residents as well as those who live and work nearby.

"There is just a whole litany of problems," Kelaher said. He said the mayor's office "certainly has the authority to control public nuisances and public safety issues, and that is what this is."

Township officials have talked to Erez Healthcare Realty, but the owners were unwilling to take the necessary steps, the mayor said.

Toms River lawyer Harvey L. York, who represented Dover Woods in recent talks with the township, said he has not seen the lawsuit and could not comment on it.

In the past, he has pointed out that Dover Woods follows the law, has passed state inspections and cannot legally restrict the movements of its residents.

Kelaher said Toms River officials are particularly concerned that the facility may receive more recently released patients from Ancora Psychiatric Hospital in Camden County, or other New Jersey psychiatric hospitals. Dover Woods also is home to elderly, poor and disabled residents.

"They can't take care of the people who are there now," Kelaher said. "We don't want them to take any more" former psychiatric patients.

There are about 150 residents at Dover Woods now.

In the past two years, at least 90 patients have been discharged from Ancora to Dover Woods, the state's largest residential care facility.

Abnormal conduct

Joseph T. Savona, who operates The Little Gym of Toms River, said he and other nearby business owners are concerned about the well-being of Dover Woods residents and believe they may not be receiving proper care.

"We're not just trying to be all about the business either," said Savona, who in court papers stated that

businesses have been negatively impacted by residents who sometimes loiter in the parking lot or beg shopping center patrons for money.

"We have observed these residents . . . accosting patrons, begging for money, picking through trash receptacles for food scraps and cigarette butts, lying on store floors in the fetal position, and standing in the parking lot, stripping their clothes," Savona stated in court papers.

Township Councilman Maurice B. "Mo" Hill Jr., who represents Ward 3, where Dover Woods is located, said residents' safety is his primary concern.

"The state has to step up to the plate," Hill said. "The state just wants to get as many people through their system as they can and some of those people need more care than they are getting."

According to the state Department of Community Affairs, Dover Woods is inspected regularly. Only minor "housekeeping and maintenance" violations were found during its most recent inspection, said Chris Donnelly, a DCA spokesman.

All violations were corrected before the facility was reinspected, Donnelly said. The violations were for items like mopping and cleaning, painting and wall repairs.

20 calls a month

Township officials say that since 2006, police have responded to Dover Woods an average of 20 times a month, according to the lawsuit.

Two Dover Woods residents have been struck by cars while trying to cross busy Route 9, one in December 2007 and the second in February 2008.

In March 2008, Wilkin Encarnacion Puerie, 27, attempted to rob the Wachovia Bank branch near Dover Woods on the same day he had moved there after his discharge from Ancora.

On Memorial Day weekend, township police and volunteer firefighters responded to Dover Woods four times within a 24-hour period after a resident set fires in garbage cans in second-floor bathrooms.

All these incidents followed an April 9, 2005, fire that killed 61-year-old Dover Woods resident Lenwood Archer.

Paul C. Wilson, 44, who lived in a neighboring room, was found not guilty by reason of insanity for setting the fire. The facility was shut down for 10 months after the blaze.

Additional Facts

WHAT'S NEXT

Toms River's lawsuit against Dover Woods claims that the public needs to be better protected from residents in the health care facility.

The suit asks a Superior Court judge to order Dover Woods' owner to install various security measures. The owner can file an answer to the township's claims, or seek to have them dismissed.

The judge can hold a hearing on the issue, issue an order or dismiss the suit. No hearing date has been set.
