

Lashway, Lisa

L. F. J. J.

(see other attach.)

From: Turpan, Curtis [CTurpan@ .com]
Sent: Wednesday, August 12, 2009 7:31 PM
To: Mayor David Scapicchio; Ray Perkins; Phil Tobey; Steven Rattner; Rob Greenbaum; Colleen Labow; Roman, Alex; John Mania; Lashway, Lisa; dorseykingsemrau@dks-law.com
Subject: Dangerous Condition of Property located at 18 Stonewald Rd, Budd Lake, NJ
Attachments: aunt may.PDF



Dear Mayor, Council and Mr. Dorsey,

I am writing on behalf of my Aunt, May Minter, who has lived at 16 Stonewald Rd, Budd Lake, NJ for approximately 50 years. Aunt May is a disabled Senior Citizen of limited financial means who is faced with a potentially dangerous situation. On the property next door to her, located at 18 Stonewald Rd, there is a 90 to 100 foot tree. A certified arborist who examined the tree has advised that the tree has at least 3 significant and severe cracks in its trunk beginning at about the 6 foot level such that it is likely that in the very near future the tree will crash to the ground during a storm. The location of the cracks in the tree make it likely in the arborist's opinion that the tree will fall towards, and directly on, Aunt May's house. At a minimum, this will cause severe property damage to Aunt May's house and, at its worst, will crush her to death.

A problem of this type would typically be taken care of by the owner of the property on which the dangerous tree sits. In this case, however, the property in question has been empty and abandoned for about 5 years. The property had been owned by a Joe Price, but Mr. Price died about 5 years ago. Mr. Price, before his death, had lived with a woman named Florence who everyone assumed was his wife but apparently was not. I have been advised that Mr. Price died without a will and without heirs. Florence has apparently also died in the interim. The Mt. Olive tax assessor's office has advised that their records show that the tax bill is sent to a George McCarthy, 341 Wellington Rd, Mineloa, NY. George McCarthy is apparently the son of Florence Price. Aunt May initially contacted George about this dangerous condition by telephone but was advised by him that he does not own the property, that his mother never actually owned the property, that he wants nothing to do with the property, and he is not paying the taxes on the property. Aunt May nevertheless sent Mr. McCarthy the attached letter by both regular mail and Certified Mail, RRR, advising him in writing of the dangerous condition of the property but he has not responded to the letter in any way. The Mt. Olive tax dept subsequently advised Aunt May that the taxes on the property are being paid by a lien holder but they do not know who the lien holder is as the money apparently just shows up in the Township's account in some unknown way.

We are requesting that the Township intervene in this situation in order to eliminate a dangerous public hazard. Even if the tree does not fall in the direction of Aunt May's house, it will fall either on the house of the other side of the property in question, which houses an entire family, or in the direction of the public street where it could maim and/or kill anyone unfortunate to be on the street in front of 18 Stonewald Rd at the time. This does appear therefore be a very real public safety issue. I am sure that the Township would take corrective action to prevent the loss of life and the destruction of property if there were another type of public safety hazard, for example, a burning building, a man with a loaded gun, or a home in danger of collapsing for lack of upkeep, etc., and I am asking the Township to treat this situation with the same level of seriousness and take the necessary steps to prevent a tragedy from happening.

Aunt May does not have a computer, and her disabilities would likely prevent her from using one even if she had one, but I will be mailing her a copy of this email. Her telephone number is 973-691-8059 and you may call her at that number to discuss this further with her directly, or, if you like, you can contact me about this. My contact information is listed below. We are hoping that the Township will look into and take the appropriate steps to remedy this dangerous condition as soon as possible.

Thank you for your courtesies and assistance in this matter.

Very truly yours,

Curtis J. Turpan
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