

Township of West Milford



Department of Health

1480 Union Valley Road, West Milford, NJ 07480-1303
(973) 728-2720 Fax: (973) 728-2847
Health@westmilford.org

October 22, 2007

Mr. Michael Glovin
Passaic County Counsel's Office
401 Grand Street – Room 214
Paterson NJ 07505

RE: Individual Subsurface Sewage Disposal System (ISSDS)
1606 Greenwood Lake Turnpike, Hewitt NJ 07421
Block 3902; Lot 3

Dear Mr. Glovin:

With regards to the above referenced ISSDS, a NJ-license professional engineer must submit a written inspection certification locating all components of the existing ISSDS. Per the NJ DEP, the certification is to include the following:

- 1) A statement that the system will not breach through the walls and/or footings, or discharge onto the surface of the ground or into any body of water.
- 2) A site plan locating the ISSDS and the newly constructed wall (including wall details) must be submitted for review by the West Milford Health Department and possibly the NJ DEP.
- 3) Additionally, if said system is just a cesspool, at a minimum, a septic tank must be installed as per N.J.A.C. 7:9A.

The West Milford Municipal Court has placed a 45-day response time (ending November 20, 2007) for the responsible individuals to submit their proposals to address the referenced ISSDS, and we look forward to your assistance regarding this notice.

If you have any questions, please feel free to contact me at the West Milford Health Department.

Sincerely,

Susan A. Muhaw, REHS

cc: Fred Semrau, West Milford Township Attorney
Richard Kunze, West Milford Township Administrator
Mr. and Mrs. Jordan

SAM:am

DORSEY & SEMRAU

Attorneys at Law
714 Main Street
P.O. Box 228
Boonton, New Jersey 07005

(973) 334-1900
FAX (973) 334-3408

JOHN H. DORSEY*
FRED SEMRAU
Dominic DiYanni
**Member N.J. & D.C. Bars*

DAVID YOUNG, III
(1931 - 1977)

February 11, 2008

RECEIVED
FEB 11 2008
West Milford Health Dept.

VIA FACSIMILE TO 973-276-1888 AND REGULAR MAIL

Donald S. De Dio, Esq.
Dwyer, Connell & Lisbona
100 Passaic Avenue
Fairfield, NJ 07004

Re: West Milford v. Paul Jordan
Summons #SC 007031
West Milford v. Jack Sirois
Summons #SC 007032
West Milford v. Edmond
Summons #SC 007033 and 007034

Dear Mr. De Dio:

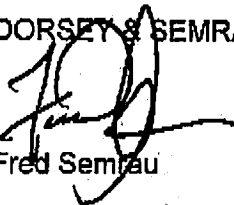
This office serves as the municipal attorney for the Township of West Milford and it is in that capacity I am contacting you in your position as Prosecutor for Little Falls regarding the above-captioned summonses which have been transferred to the Little Falls Municipal Court. These matters involve the possible breach of a septic system by a contractor who was hired by the County of Passaic. However, with the assistance of the County of Passaic, the matter is being investigated and hopefully will be resolved.

Therefore, the Township Administration desires to resolve this matter especially with the assistance of the County of Passaic. I would suggest that you contact Susan Muhaw, REHS of the West Milford Township Health Department who signed the summonses in question to further discuss these matters prior to the February 19, 2008 Court date. Ms. Muhaw can be reached at 973-728-2720.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

DORSEY & SEMRAU



Fred Semrau

FCS:sdj

cc: Andrea Trombino, Court Administrator
Mayor and Township Council
Rich Kunze, Township Administrator
Antoinette Battaglia, Township Clerk
Susan Muhaw, REHS
Michael H. Glovin, Esq., Assistant County Counsel, County of Passaic

RECEIVED
FEB 11 2008
West Milford Health Dept.

RECEIVED

JAN 25 2008

West Milford Health Dept.

JOSEPH C. PERCONTI
JUDGE



MICHELE M. ROSENKRANZ
COURT ADMINISTRATOR

MUNICIPAL COURT
1480 UNION VALLEY ROAD
WEST MILFORD, NEW JERSEY 07480
TEL: (973) 728-2750

January 25, 2008

VIA FACSIMILE TO 973-334-3408

Fred Semrau, Esq, Township Attorney
Dorsey & Semrau
714 Main Street
PO Box 228
Boonton, NJ 07005

Re: State v. Jordan – Septic Matter (Passaic County)

Dear Fred:

Please be advised that this matter was in fact transferred. Mr. Jindracek, Municipal Division Manager, upon request, was informed that the matter was not yet resolved. As a result of the Court's conflict in hearing this matter, it was subsequently transferred.

Very truly yours,

Michele M. Walker, CMCA

Cc: Richard Kunze, Township Administrator
Antoinette Battaglia, Township Clerk
Susan Muhaw, REHS



County of Passaic

Administration Building, Room 214
401 Grand Street • Paterson, New Jersey 07505-2023

WILLIAM J. PASCRELL, III
County Counsel

TEL: (973) 881-4466
FAX: (973) 881-4072

December 12, 2007

DEC 17 2007

Fred Semrau, Esq
Dorsey & Semrau
Attorneys at Law
714 Main Street
P.O. Box 228
Boonton, NJ 07005

RE: 1606 Greenwood Lake Turnpike
Hewitt, NJ / Block 3902, Lot 3

Dear Mr. Semrau:

I am in receipt of your December 6, 2007 letter. Now that the Municipal Court of West Milford has agreed to put off the two summonses against our County Engineer, the County of Passaic will agree to move forward as a follow up to our meeting in late September with regard to the above-referenced matter.

The County Administrator and County Engineer are in the process of hiring a septic company to investigate the system on the property to determine its integrity and if any breach occurred at or near the construction area. After we receive a report on the status, we then hopefully will meet with the appropriate Township officials and property owners, if necessary, to determine if anything further needs to be done.

If this meets with the Township's approval, please advise and we will move forward. Thank you for your attention to this matter.

Sincerely,

Michael H. Glovin
Michael H. Glovin
Assistant County Counsel

MHG:dmp

cc: William J. Pascrell, III, County Counsel
Anthony J. DeNova, County Administrator
Steve Edmond, County Engineer
Richard Kunze, Township Administrator



Township of West Milford

Department of Health

1480 Union Valley Road, West Milford, NJ 07480-1303
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Health@westmilford.org

October 11, 2007

Mr. Michael Glovin
Passaic County Counsel's Office
401 Grand Street – Room 214
Paterson NJ 07505

RE: Individual Subsurface Sewage Disposal System (ISSDS)
1606 Greenwood Lake Turnpike, Hewitt NJ 07421
Block 3902; Lot 3

Dear Mr. Glovin:

With regards to the above referenced ISSDS, a NJ-license professional engineer must submit a written inspection certification locating all components of the existing ISSDS. Per the NJ DEP, the certification is to include the following:

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- 2) A site plan locating the ISSDS and the newly constructed wall (including wall details) must be submitted for review by the West Milford Health Department and possibly the NJ DEP.
- 3) Additionally, if said system is just a cesspool, at a minimum, a septic tank must be installed as per N.J.A.C. 7:9A.

The West Milford Municipal Court has placed a 45-day response time (ending November 20, 2007) for the responsible individuals to submit their proposals to address the referenced ISSDS.

If you have any questions, please feel free to contact me at the West Milford Health Department.

Sincerely,

Susan A. Muhaw, REHS

cc: Fred Semrau, West Milford Township Attorney
Richard Kunze, West Milford Township Administrator
Mr. and Mrs. Jordan

SAM:am

FILE



Township of West Milford

Department of Health

1480 Union Valley Road, West Milford, NJ 07480-1303
(973) 728-2720 Fax: (973) 728-2847
Health@westmilford.org

September 24, 2007

ROSENFELT & D'AMATO
1187 Main Avenue / Suite 1A
Clifton NJ 07011
ATTENTION: Kenneth F. D'Amato

RE: STATE OF NJ v PAUL JORDAN
Summons #1615-SC-007031
Your File No: M1412
1606 Greenwood Lake Turnpike, Hewitt NJ
Block 3902; Lot 3

Dear Mr. D'Amato:

With regard to your letter of September 20, 2007, concerning discovery in the above referenced case, please be advised that any West Milford Health Department records are available for viewing during regular office hours: Monday to Friday, from 8:30 am to 4:30 pm. Copies of file contents are \$0.75 per page for letter-size documents and \$1.00 per page for larger-sized documents. An appointment to view files is not necessary.

If you have any questions, please contact me at the West Milford Health Department.

Sincerely,

Susan A. Muhaw, REHS

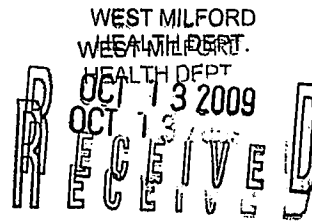
SM:am

cc: Thomas Kaczka, Esq., West Milford Township Prosecutor

Monday, October 12, 2009

Owners: Paul & Rose Anne Jordan
Address: 1606 Greenwood Lake Turnpike
Hewitt, NJ 07421

Block/Lot: 3902 003



T&M Associates were contracted by Passaic County per a determination of the court and agreement with then West Milford Township Health Officer Sue Muhas to inspect our system following excavation and subsequent summons issued for visible seepage. (Summons issued to Passaic County, Petillo Contracting & Mr. & Mrs. Jordan)

T&M Associates hired Coppola to clean our system for inspection.

Subsequent billing was addressed to T&M Associates at our home address in error.

The attached is a duplicate billing received following the cleaning of the system, which we kept for our records. Original billing was forwarded to T&M Associates.



Township of West Milford

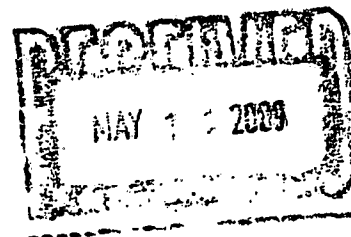
Department of Health

1480 Union Valley Road, West Milford, NJ 07480-1303
(973) 728-2720 Fax: (973) 728-2847
Health@westmilford.org

May 12, 2009

Mr. Fred Semrau, Esq.
Dorsey & Semrau
Attorneys at Law
714 Main Street
P.O. Box 228
Boonton, New Jersey 07005

Re: Individual Subsurface Sewage Disposal System
1606 Greenwood Lake Tpk., Hewitt, NJ 07421
Block 3902 Lot 3



Dear Mr. Semrau,

I am in receipt of Mr. Glovin's letter dated May 4, 2009, in regards to the above referenced matter. As you know, West Milford Health Department has made numerous attempts to discuss the inspection conducted by Rick Donohoe, P.E., of T&M Associates, dated June 30, 2008, received August 28, 2008. The health department never received a return call from Rick Donohoe.

As you know, the letter did not provide a written individual subsurface sewage disposal system certification addressing the following items required from a NJ- Licensed Professional Engineer (signed and sealed):

1. A statement that the system will not breach through the walls and/or footings, or discharge onto the surface of the ground or into any body of water and details of the future performance of the referenced septic system.
2. A site plan locating the ISSDS and the newly constructed retaining wall (including all details of said wall) must be submitted for review by the West Milford Health Department and possibly the NJDEP.
3. Additionally, if said system is just a cesspool, according to NJDEP, a septic tank must be installed as per NJAC 7:9A.

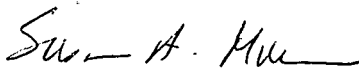
Please be advised, there has been discharge noted from the bottom of the retaining wall along Greenwood Lake Turnpike, but the health department will have to make arrangements to close down a portion of this road to obtain a fecal coliform sample.

Perhaps we could schedule a meeting with William Wallace, Health Officer, Mr. Glovin, Esq., Steve Edmond, County engineer and engineer, (R. Donohoe, PE), so we can discuss a resolution to this situation.

Please let know your thoughts on this matter.

Thank-you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan A. Muhaw".

Susan A. Muhaw, REHS

Cc. William Wallace, Health Officer
Steve Edmond, PC Engineer



County of Passaic

Administration Building, Room 214
401 Grand Street • Paterson, New Jersey 07505-2023

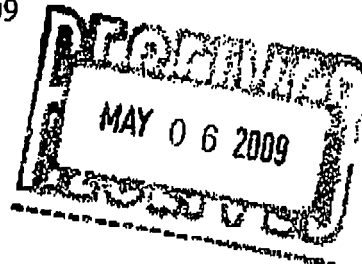
FAX 973-728-2847
WEST MILFORD
HEALTH DEPT.

RECEIVED
MAY 11 2009

WILLIAM J. PASCARELL, III
County Counsel

TEL: (973) 881-4466
FAX: (973) 881-4072

May 4, 2009



Fred Semrau, Esq.
Dorsey & Semrau
Attorneys at Law
714 Main Street
P.O. Box 228
Boonton, New Jersey 07005

**RE: 1606 Greenwood Lake Turnpike, Hewitt, NJ
Block 3902, Lot 3**

Dear Mr. Semrau:

Please be advised that when I received your April 17th letter regarding the above-captioned matter, I forwarded same to our County Engineer. He has just informed me that in reviewing his files and checking with the engineers from T & M, they do not have a request from the West Milford Health Department for additional information. Perhaps if you could get a copy of the additional information they are seeking, we will be able to assist the Township in bringing this matter to a conclusion.

Thank you for your attention to this matter.

Very truly yours,

Michael H. Glovin

Michael H. Glovin
Assistant County Counsel

MHG:dmp

cc: Steve Edmond, County Engineer

5/11/09
T: Bill Wallace

From: FRED SEMRAU

Bill please tell me what
we would need or like to
see here. Thank you
JH

Township of West Milford



Kze

Department of Health

1480 Union Valley Road, West Milford, NJ 07480-1303
(973) 728-2720 Fax: (973) 728-2847
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May 12, 2009

Mr. Fred Semrau, Esq.
Dorsey & Semrau
Attorneys at Law
714 Main Street
P.O. Box 228
Boonton, New Jersey 07005

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Block 3902 Lot 3

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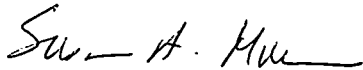
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Thank-you.

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Susan A. Muhaw, REHS

Cc. William Wallace, Health Officer
Steve Edmond, PC Engineer

NOTICE OF VIOLATION

Date: July 17, 2007

To: JORDAN, Paul & Rose
1606 Greenwood Lake Turnpike
Hewitt NJ 07421

Regarding property located at: 1606 Greenwood Lake Turnpike, Hewitt, West Milford Township, New Jersey, also known as Block 3902; Lot 3, on the Tax Map of West Milford Township.

An inspection performed, on the above referenced property, on July 17, 2007, in response to a complaint, revealed the following condition(s): Raw sewage from the septic system discharging onto the surface of the ground.

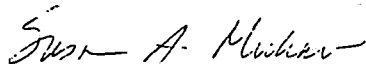
This condition is in violation of: N.J.A.C. 7:9A – “Standards for Individual Subsurface Sewage Disposal Systems”

Corrective action required: **YOU MUST IMMEDIATELY** prevent the sewage from discharging onto the ground and contact a NJ-licensed professional engineer to investigate and correct the cause of the malfunction. The existing septic tank may be used as a holding tank to prevent future surface discharges by pumping as often as necessary, until a permanent repair is made. A holding tank approval is limited to a **maximum of 180 days, from today, July 17, 2007.**

Any future septic system malfunctions will result in the issuance of a summons for **each day** the violation exists, requiring your appearance in West Milford Municipal Court.

If you have any questions, please contact me at: (973) 728-2720, between 8:30 am – 10:00 am, Monday – Friday.

Sincerely,



Susan A. Muhaw, REHS

Sent 7/17/07 Regular Mail and Certified Mail: 7002 0460 0003 0052 5451

cc: Steven J. Edmond, PE, Passaic County Engineer
Jack Sirois, Superintendent, Petillo Inc.
Richard Kunze, West Milford Township Administrator

Township of West Milford

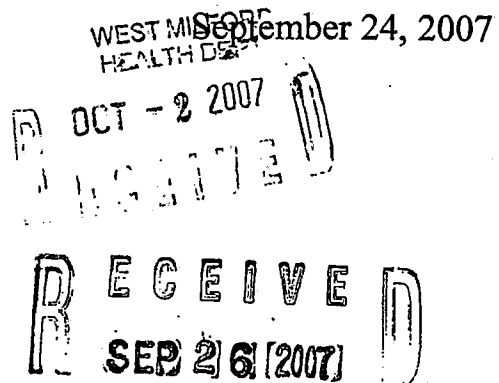


Department of Health

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ROSENFELT & D'AMATO
1187 Main Avenue / Suite 1A
Clifton NJ 07011
ATTENTION: Kenneth F. D'Amato

RE: STATE OF NJ v PAUL JORDAN
Summons #1615-SC-007031
Your File No: M1412
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SM:am

cc: Thomas Kaczka, Esq., West Milford Township Prosecutor

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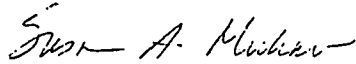
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